



# CRS Issue Statement on ADA and Civil Rights of Individuals with Disabilities

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The Americans with Disabilities Act (ADA), the major civil rights statute prohibiting discrimination against individuals with disabilities, has been the subject of congressional interest since its enactment in 1990. On September 25, 2008, P.L. 110-325, the ADA Amendments Act was enacted to reject narrow Supreme Court interpretations of the definition of disability. Proposed regulations implementing this new law have been published and there will most likely be congressional oversight regarding the final regulations. The ADA Amendments Act contains a conforming amendment for section 504 of the Rehabilitation Act and implementation of this change, especially with regard to education, may also be the subject of congressional oversight.

Congress maintains a continuing interest in other ADA oversight issues, especially in the areas of emergency response and preparedness and influenza pandemics, including the current H1N1 influenza pandemic. In addition, Congress has also been concerned about the issue of vexatious lawsuits under the ADA, and legislation (H.R. 2397) has been introduced in the 111<sup>th</sup> Congress.

The issues involving the civil rights of individuals with disabilities arise in other contexts as well. For example, the use of seclusion and restraint in the public schools has given rise to legislation in both the House and Senate (H.R. 4247, S. 2860, 111<sup>th</sup> Cong.). In addition, the Developmental Disabilities and Bill of Rights Act may be considered for reauthorization in the 111<sup>th</sup> Congress. This may involve issues relating to the actions of protection and advocacy agencies (P & A's) such as notice requirements (H.R. 1255, 111<sup>th</sup> Cong.).

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**For detailed information select from the following topical links.**

## **ADA and Civil Rights of Individuals with Disabilities**

### **General**

[The Americans with Disabilities Act \(ADA\): Statutory Language and Recent Issues](#)

[Civil Rights of Individuals with Disabilities: The Opinions of Judge Sotomayor](#)

[The Americans with Disabilities Act: Supreme Court Decisions](#)

[Olmstead v. L.C.: Judicial Developments](#)

[The Americans with Disabilities Act \(ADA\) Proposed Regulations](#)

[The Americans with Disabilities Act \(ADA\): Proposed Employment Regulations](#)

[Section 504 of the Rehabilitation Act of 1973: Prohibiting Discrimination Against Individuals with Disabilities in Programs or Activities Receiving Federal Assistance](#)

[Access to Paper Currency by Visually Impaired Individuals: The American Council of the Blind v. Paulson](#)

[Americans with Disabilities Act \(ADA\) Requirements Concerning the Provision of Interpreters by Hospitals and Doctors](#)

[The Developmental Disabilities Act](#)

[The Americans with Disabilities Act: Application to the Internet](#)

[The Use of Seclusion and Restraint in Public Schools: The Legal Issues](#)

### **The Definition of Disability**

[The ADA Amendments Act: P.L. 110-325](#)

### **Emergency Situations**

[The Americans with Disabilities Act \(ADA\): Employment Issues and the 2009 Influenza Pandemic](#)

[The Americans with Disabilities Act and Emergency Preparedness and Response](#)

[The Americans with Disabilities Act \(ADA\) Coverage of Contagious Diseases](#)

### **Transportation Issues**

[Public Transportation Providers' Obligations Under the Americans with Disabilities Act \(ADA\)](#)

[Federal Law on Parking Privileges for Persons with Disabilities](#)

## [Overview of the Air Carrier Access Act](#)