



NATIONAL FEDERATION
OF THE BLIND

Live the life you want.

July 27, 2018

The Honorable Ted Budd
118 Cannon House Office Building
United States House of Representatives
Washington, DC 20515

The Honorable J. Luis Correa
1039 Longworth House Office Building
United States House of Representatives
Washington, DC 20515

Re: Your recent letter to the United States Department of Justice addressing website accessibility

Dear Representative Budd and Representative Correa:

I am writing to request that you and your colleagues withdraw your signatures from the June 20, 2018, letter to the Attorney General regarding Title III of the Americans with Disabilities Act (ADA). The National Federation of the Blind (NFB) is troubled by your request to the United States Department of Justice to “state publicly that private legal action under the ADA with respect to websites is unfair and violates basic due process principles in the absence of clear statutory authority and issuance by the department of a final rule establishing website accessibility standards.”

For seventy-eight years, members of the National Federation of the Blind have fought for, and to protect, the rights of people with disabilities in the United States. In 1990, our members worked closely with our partners in the disability community and Congress to secure the passage of the Americans with Disabilities Act (ADA). The ADA revolutionized the way we, as people with disabilities, interact with and access government services, commerce, and our local communities. The passage of the ADA affirmed the principle that people with disabilities are first-class citizens with rights and protections under the law like all other Americans. The action that you requested in your letter, as well as other actions that are hostile to the letter and intent of the ADA, threaten to undermine the mechanisms of the law that afford us those protections. For this reason, on July 7, 2018, the members of the National Federation of the Blind voted to adopt Resolution 2018-01 at our National Convention. The resolution is attached to this letter.

The major impetus behind your effort, as we understand it, is a concern that business owners are being unfairly victimized by the accessibility requirements of the ADA. But this argument fails to give any consideration to the daily experiences of millions of Americans with disabilities, who are routinely discriminated against by public accommodations, including web-based platforms that fail to meet even the most minimal accessibility requirements. Furthermore, the ADA was carefully crafted to ensure that such requirements are not overly burdensome. Our considerable experience in advocating for accessibility and partnering with public accommodations to achieve it has taught us that when included from the design and development stages, accessibility features do not result in increased implementation costs.

Representative Budd and Representative Correa
July 27, 2018
Page 2

Despite the significant accomplishments of the Americans with Disabilities Act, people with disabilities continue to confront systemic accessibility barriers twenty-eight years after its adoption. Rather than exacerbating this problem, which results in almost daily frustration for millions of Americans, Congress should work to build upon the ADA's progress to ensure that the blind and all other disabled Americans can live the lives we want without such artificial and unnecessary barriers.

The National Federation of the Blind stands ready to work with public accommodations, lawmakers, and other interested stakeholders to strengthen the relationship between the disability and business communities. Until then, we urge your colleagues and you to immediately withdraw your signatures from the June 20, 2018 letter to the US Department of Justice.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark A. Riccobono", with a long horizontal flourish extending to the right.

Mark A. Riccobono, President
National Federation of the Blind

MAR/gc

Enclosure: NFB Resolution 2018-01

cc: The Honorable Jeff Sessions, Attorney General of the United States
All signatories of June 20, 2018 letter

National Federation of the Blind