ADA 30

Daniel B. Frye – Memories and Reflections about the ADA

Thirty years ago, just as I was entering Law School, President George H.W. Bush signed the landmark Americans with Disabilities Act (ADA), on July 26, 1990. We all were filled with the promise of new Civil Rights privileges coming to fruition, allowing persons with disabilities to finally enjoy the same, basic entitlements that everybody else had long understood as standard. And to be sure, some of these privileges did take hold and did positively transform the lives of the disability community.

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For me, prior to the adoption of the ADA, unfettered access to voting—using an independent, private ballot, both in-person and through absentee protocols—was an aspirational dream; afterwards, access to these fundamental, constitutional rights were theoretically available to me.

For me, prior to the adoption of the ADA, unfettered access to accessible Websites was an aspirational dream; afterwards, by leveraging the legal authority inherent in the ADA to challenge discriminatory behavior, many more Websites are accessible, usable, and expand the right of persons with disabilities to enjoy the full advantages of the Internet.

Despite the transformative promise of the ADA to create an equal playing field for persons with disabilities to live and learn in a newly opened society, these thirty years have required that persons with disabilities remain vigilant and diligent to secure and guarantee these rights that have been promised in law but not fully recognized in practice. During these last three decades, Congress, responding to the advocacy demands of the disability community, has had to adopt the Americans with Disabilities Restoration Act, a legislative measure to clarify entitlements of the ADA, when the Supreme Court and other Federal courts failed to positively interpret the spirit of the law. So, while we celebrate the passage of the ADA, we also mark this anniversary with a somber awareness that the ADA creates a solid foundation upon which to build a strong civil rights infrastructure, but that there also remains much to accomplish along our slow march to freedom.

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