

## S 3406

ADA Amendments Act of 2008

**Congress:** 110 (2007–2009, Ended)

**Chamber:** Senate

**Policy Area:** Civil Rights and Liberties, Minority Issues

**Introduced:** Jul 31, 2008

**Current Status:** Became Public Law No: 110-325.

**Latest Action:** Became Public Law No: 110-325. (Sep 25, 2008)

**Law:** 110-325 (Enacted Sep 25, 2008)

**Official Text:** <https://www.congress.gov/bill/110th-congress/senate-bill/3406>

### Sponsor

**Name:** Sen. Harkin, Tom [D-IA]

**Party:** Democratic • **State:** IA • **Chamber:** Senate

**Cosponsors** (77 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Alexander, Lamar [R-TN]	R · TN		Jul 31, 2008
Sen. Allard, Wayne [R-CO]	R · CO		Jul 31, 2008
Sen. Barrasso, John [R-WY]	R · WY		Jul 31, 2008
Sen. Bennett, Robert F. [R-UT]	R · UT		Jul 31, 2008
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Jul 31, 2008
Sen. Brown, Sherrod [D-OH]	D · OH		Jul 31, 2008
Sen. Brownback, Sam [R-KS]	R · KS		Jul 31, 2008
Sen. Burr, Richard [R-NC]	R · NC		Jul 31, 2008
Sen. Cardin, Benjamin L. [D-MD]	D · MD		Jul 31, 2008
Sen. Casey, Robert P., Jr. [D-PA]	D · PA		Jul 31, 2008
Sen. Chambliss, Saxby [R-GA]	R · GA		Jul 31, 2008
Sen. Clinton, Hillary Rodham [D-NY]	D · NY		Jul 31, 2008
Sen. Cochran, Thad [R-MS]	R · MS		Jul 31, 2008
Sen. Coleman, Norm [R-MN]	R · MN		Jul 31, 2008
Sen. Collins, Susan M. [R-ME]	R · ME		Jul 31, 2008
Sen. Craig, Larry E. [R-ID]	R · ID		Jul 31, 2008
Sen. Crapo, Mike [R-ID]	R · ID		Jul 31, 2008
Sen. Dodd, Christopher J. [D-CT]	D · CT		Jul 31, 2008
Sen. Durbin, Richard J. [D-IL]	D · IL		Jul 31, 2008
Sen. Enzi, Michael B. [R-WY]	R · WY		Jul 31, 2008
Sen. Feingold, Russell D. [D-WI]	D · WI		Jul 31, 2008
Sen. Gregg, Judd [R-NH]	R · NH		Jul 31, 2008
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jul 31, 2008
Sen. Isakson, Johnny [R-GA]	R · GA		Jul 31, 2008
Sen. Johnson, Tim [D-SD]	D · SD		Jul 31, 2008
Sen. Kennedy, Edward M. [D-MA]	D · MA		Jul 31, 2008
Sen. Kerry, John F. [D-MA]	D · MA		Jul 31, 2008
Sen. Landrieu, Mary L. [D-LA]	D · LA		Jul 31, 2008
Sen. Lautenberg, Frank R. [D-NJ]	D · NJ		Jul 31, 2008
Sen. Leahy, Patrick J. [D-VT]	D · VT		Jul 31, 2008
Sen. Levin, Carl [D-MI]	D · MI		Jul 31, 2008
Sen. Lugar, Richard G. [R-IN]	R · IN		Jul 31, 2008
Sen. Martinez, Mel [R-FL]	R · FL		Jul 31, 2008
Sen. McCain, John [R-AZ]	R · AZ		Jul 31, 2008
Sen. McCaskill, Claire [D-MO]	D · MO		Jul 31, 2008
Sen. Mikulski, Barbara A. [D-MD]	D · MD		Jul 31, 2008
Sen. Murkowski, Lisa [R-AK]	R · AK		Jul 31, 2008
Sen. Murray, Patty [D-WA]	D · WA		Jul 31, 2008
Sen. Nelson, Bill [D-FL]	D · FL		Jul 31, 2008
Sen. Obama, Barack [D-IL]	D · IL		Jul 31, 2008
Sen. Reed, Jack [D-RI]	D · RI		Jul 31, 2008

Cosponsor	Party / State	Role	Date Joined
Sen. Reid, Harry [D-NV]	D · NV		Jul 31, 2008
Sen. Roberts, Pat [R-KS]	R · KS		Jul 31, 2008
Sen. Salazar, Ken [D-CO]	D · CO		Jul 31, 2008
Sen. Sanders, Bernard [I-VT]	I · VT		Jul 31, 2008
Sen. Schumer, Charles E. [D-NY]	D · NY		Jul 31, 2008
Sen. Smith, Gordon H. [R-OR]	R · OR		Jul 31, 2008
Sen. Snowe, Olympia J. [R-ME]	R · ME		Jul 31, 2008
Sen. Specter, Arlen [R-PA]	R · PA		Jul 31, 2008
Sen. Stevens, Ted [R-AK]	R · AK		Jul 31, 2008
Sen. Sununu, John E. [R-NH]	R · NH		Jul 31, 2008
Sen. Tester, Jon [D-MT]	D · MT		Jul 31, 2008
Sen. Thune, John [R-SD]	R · SD		Jul 31, 2008
Sen. Voinovich, George V. [R-OH]	R · OH		Jul 31, 2008
Sen. Warner, John [R-VA]	R · VA		Jul 31, 2008
Sen. Boxer, Barbara [D-CA]	D · CA		Aug 1, 2008
Sen. Dole, Elizabeth [R-NC]	R · NC		Aug 1, 2008
Sen. Feinstein, Dianne [D-CA]	D · CA		Aug 1, 2008
Sen. Klobuchar, Amy [D-MN]	D · MN		Aug 1, 2008
Sen. Kohl, Herb [D-WI]	D · WI		Aug 1, 2008
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Aug 1, 2008
Sen. Menendez, Robert [D-NJ]	D · NJ		Aug 1, 2008
Sen. Stabenow, Debbie [D-MI]	D · MI		Aug 1, 2008
Sen. Wyden, Ron [D-OR]	D · OR		Aug 1, 2008
Sen. Hutchison, Kay Bailey [R-TX]	R · TX		Sep 9, 2008
Sen. Inhofe, James M. [R-OK]	R · OK		Sep 9, 2008
Sen. Inouye, Daniel K. [D-HI]	D · HI		Sep 9, 2008
Sen. Whitehouse, Sheldon [D-RI]	D · RI		Sep 9, 2008
Sen. Cantwell, Maria [D-WA]	D · WA		Sep 10, 2008
Sen. Grassley, Chuck [R-IA]	R · IA		Sep 10, 2008
Sen. Baucus, Max [D-MT]	D · MT		Sep 11, 2008
Sen. Bayh, Evan [D-IN]	D · IN		Sep 11, 2008
Sen. Carper, Thomas R. [D-DE]	D · DE		Sep 11, 2008
Sen. Dorgan, Byron L. [D-ND]	D · ND		Sep 11, 2008
Sen. Lieberman, Joseph I. [ID-CT]	ID · CT		Sep 11, 2008
Sen. Pryor, Mark L. [D-AR]	D · AR		Sep 11, 2008
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Sep 11, 2008

## Committee Activity

No committee referrals or activity are recorded for this bill.

## Subjects & Policy Tags

### Policy Area:

Civil Rights and Liberties, Minority Issues

### Related Bills

Bill	Relationship	Last Action
110 HR 3195	Related bill	<b>Jun 27, 2008:</b> Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 856.

### Summary (as of Sep 25, 2008)

**(This measure has not been amended since it was introduced. The expanded summary of the House passed version is repeated here.)**

ADA Amendments Act of 2008 - (Sec. 4) Amends the Americans with Disabilities Act of 1990 (ADA) to redefine the term "disability," including by defining "major life activities" and "being regarded as having such an impairment."

Sets forth rules of construction regarding the definition of "disability," including that: (1) such term shall be construed in favor of broad coverage of individuals under the Act; (2) an impairment that substantially limits one major life activity need not limit other major life activities in order to be a disability; (3) an impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active; and (4) the determination of whether an impairment substantially limits a major life activity shall be made without regard to the ameliorative effects of specified mitigating measures.

(Sec. 5) Prohibits employment discrimination against a qualified individual on the basis of disability. (Current law prohibits employment discrimination against a qualified individual with a disability because of the disability.)

Prohibits the use of qualification standards, employment tests, or other selection criteria based on an individual's uncorrected vision unless the standard, test, or other selection criteria, as used by the covered entity, is shown to be related to the position and is consistent with business necessity.

(Sec. 6) Declares that nothing in the Act: (1) alters the standards for determining eligibility for benefits under state worker's compensation laws or under state and federal disability benefit programs; (2) alters the requirement to make reasonable modifications in policies or procedures, unless such modifications would fundamentally alter the nature of the goods, services, facilities, or accommodations involved; or (3) provides the basis for a claim by an individual without a disability that the individual was subject to discrimination because of the individual's lack of disability.

Declares that the authority of the Equal Employment Opportunity Commission (EEOC), the Attorney General, and the Secretary of Transportation to issue regulations includes the authority to issue regulations implementing the definitions of this Act.

(Sec. 7) Makes conforming amendments to the Rehabilitation Act of 1973.

## Actions Timeline

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- **Sep 25, 2008:** Signed by President.
- **Sep 25, 2008:** Became Public Law No: 110-325.
- **Sep 23, 2008:** Presented to President.
- **Sep 17, 2008:** Mr. Miller, George moved to suspend the rules and pass the bill.
- **Sep 17, 2008:** Considered under suspension of the rules. (consideration: CR H8286-8298)
- **Sep 17, 2008:** DEBATE - The House proceeded with forty minutes of debate on S. 3406.
- **Sep 17, 2008:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by voice vote.(text: CR H8286-8287)
- **Sep 17, 2008:** On motion to suspend the rules and pass the bill Agreed to by voice vote. (text: CR H8286-8287)
- **Sep 17, 2008:** Motion to reconsider laid on the table Agreed to without objection.
- **Sep 17, 2008:** Cleared for White House.
- **Sep 15, 2008:** Received in the House.
- **Sep 15, 2008:** Held at the desk.
- **Sep 11, 2008:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(consideration: CR S8342-8356; text as passed Senate: CR S8342-8344)
- **Sep 11, 2008:** Passed Senate without amendment by Unanimous Consent. (consideration: CR S8342-8356; text as passed Senate: CR S8342-8344)
- **Sep 11, 2008:** Message on Senate action sent to the House.
- **Aug 1, 2008:** Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 927.
- **Jul 31, 2008:** Introduced in Senate
- **Jul 31, 2008:** Sponsor introductory remarks on measure. (CR S7956-7957)
- **Jul 31, 2008:** Introduced in the Senate. Read the first time. Placed on Senate Legislative Calendar under Read the First Time. (text of measure as introduced: CR S7957-7959)