

NATIONAL ORGANIZATION ON DISABILITY www.nod.org

January 17, 2003

HONORARY CHAIRMAN: President George W. Bush
DIRECTOR: Richard A. DeLeon, Chairman
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... (list of names and titles) ...

President George W. Bush
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear Mr. President:

I write in support of your nomination of Jeffrey S. Sutton to the Sixth Circuit Court of Appeals. After an informative personal interview with Mr. Sutton, and having reviewed extensive materials both in support of and opposing his nomination, I commend you for selecting an impressive member of the legal profession. I believe Mr. Sutton will be an excellent judge who will decide wisely and fairly the cases brought before him, including those involving people with disabilities.

Having joined you on the platform two years ago when you announced the New Freedom Initiative, I know of your strong belief in the Americans with Disabilities Act and your commitment to achieving its goal of full and equal participation of people with disabilities. As I am sure you are well aware, some in the disability community have opposed Mr. Sutton's nomination, and I wanted to personally consider it as I believe you would not have made this nomination if you did not trust him to support our rights.

Many disability advocates were troubled by what they perceived as Mr. Sutton's opposition to the ADA, especially in Garrett v. The University of Alabama. I therefore discussed with him at length his views on the ADA and disability rights in general. I am convinced that while we in the disability community have disagreed with his positions in some cases, Mr. Sutton believes in the Americans with Disabilities Act and its goals that we hold so dear. There are many other cases in which he sided fully with our community, including supporting Cheryl Fischer's attempt to attend Case Western Reserve Medical School, and enforcing the responsibility of Ohio state universities to provide voter registration materials to students with disabilities. Mr. Sutton states that he has welcomed the opportunity to take on disability cases and to represent clients with disabilities.

Mr. Sutton told me that he would be pleased if the ADA were strengthened in ways that would remove ambiguities and that would clarify the law as it increasingly becomes part of the civil rights fabric of our nation. He pledged that he would strive to be of service to people with disabilities in his future work as a judge.

I consider Mr. Sutton a fair, honest, and honorable person. He states that he supports disability rights, and I believe him. I expect America and people with disabilities will be well served by Mr. Sutton's appointment as a judge for the Sixth Circuit.

Sincerely yours,

[Handwritten signature of Alan A. Reich]

Alan A. Reich
President

It's ability, not disability, that counts.