

November 9, 2021

Dear Senator Blumenthal:

On behalf of the National Disability Rights Network (NDRN), I would like to thank you for introducing the Ending Passenger Rail Forced Arbitration Act. Amtrak's arbitration policy restricts passengers from exercising their full legal rights and it is imperative that these rights are promptly restored. Specifically, rescinding Amtrak's forced arbitration policy will enable passengers to hold Amtrack accountable for discriminatory actions and safety violations.

NDRN is the voluntary membership association for the nationwide network of Protection and Advocacy (P&A) agencies. P&As are congressionally mandated, cross disability organizations operating in every state in the United States, the District of Columbia, Puerto Rico, and the U.S. Territories (American Samoa, Guam, Northern Mariana Islands, and the US Virgin Islands). There is also a P&A affiliated with the Native American Consortium which includes the Hopi, Navajo, and San Juan Southern Paiute Nations located in the Four Corners region of the Southwest. The P&A Network comprises the nation's largest provider of legally based advocacy services for persons with disabilities, which includes a commitment to transportation-based advocacy.

NDRN believes that all Americans should have the ability to leverage the full force of the law to protect their rights. However, Amtrak's arbitration policy prohibits passengers from filing lawsuits in response to "gross negligence, physical impairment, pain and suffering, and mental anguish". Furthermore, forced arbitration institutes high fees and long timelines that disincentivizes passengers from filing claims. Consequently, people with disabilities cannot sufficiently protect their rights granted under the Americans with Disabilities Act. This issue is

especially prescient, as Amtrak has over 78 inaccessible stations that obstruct people with disabilities' right to travel.

NDRN especially appreciates the intent of the bill to reinstate the full legal right of passengers to hold Amtrak accountable for safety violations and discriminatory actions. NDRN hopes that assisting passengers in their pursuit of legal accountability will augment Amtrak's safety and accessibility.

Again, NDRN applauds the introduction of this important piece of legislation. We look forward to working with you to enact the Ending Passenger Rail Forced Arbitration Act into law. Should you have any questions, please do not hesitate to contact Claire Stanley, Public Policy Analyst, at Claire.stanley@ndrn.org

Sincerely,

Curtis L. Decker
Executive Director
National Disability Rights Network