

Disability discrimination, Request for enforcement of anti-discrimination laws

5 messages

Mathew Tyler <*****>

Thu, Jul 11, 2024 at 3:49 PM

To: ismail.ramsey@usdoj.gov, pamela.johann@usdoj.gov

[42 U.S.C. § 1987](#)

Relief sought--

A writ of mandamus or any other means necessary that you decide to compel the Department of Justice to effectuate compliance of my section 504 / ADA Title I and Title II request for reasonable accommodations to all 50 states for the 2024 general election.

Preface--

My name is Mathew Tyler, I am a 2024-2084 US Presidential candidate, US citizen, Butte county [California] resident, and qualified individual with a disability([42 US Code § 12131\[2\]](#)); proof is available upon request if necessary. Major life activities affected by Central core disease: performing manual tasks, walking, standing, lifting, bending, breathing, and stamina.

I have made a section 504 / ADA Title I and Title II request for reasonable accommodations for a medical exception to the collection and submission of [hundreds of thousands of signatures](#) for a person to be on the ballot in the general election and for an exception to introduce a measure on the ballot to the Secretary of State for all 50 states. All requests have been made in writing, utilizing USPS and email. All requests have been refused without satisfying the requirements set forth in 28 C.F.R. § 35.164. I have since filed discrimination complaints with the Department of Justice against each Secretary of State's office that has discriminated against me.

The Department of Justice has emailed me indicating,

"Team members from the Civil Rights Division reviewed the information you submitted. Based on our review, we have decided not to take any further action on your complaint. We receive several thousand reports of civil rights violations each year. We unfortunately do not have the resources to take direct action for every report."

What the Department of Justice is doing is not only unconstitutional (violating people's equal protections without first being afforded due process), it is also illegal, 29 CFR § 794(a). It also commits another crime against all people with a disability by under-representing/distorting crimes so that the government can potentially see a pattern and work to resolve it. Which also goes against Congress' will for the ADA as promulgated in 42 U.S. Code § 12101(b).

As far as I can tell, the following other laws are being violated by the Department of Justice's actions;

1. Failure by the Department of Justice to request such additional funds as may be necessary to apply the policy set forth in this section throughout the United States, [42 U.S.C. § 2000d-6\(d\)](#)
2. Failure by the Department of Justice to promulgate and denial of the benefits of the Department of Justice, [29 U.S.C. § 794\(a\)](#)
3. Failure by the Department of Justice to induce compliance, [28 C.F.R. § 42.108\(a\)](#)
4. Failure by the Department of Justice to investigate alleged violations of this subchapter, [42 U.S.C. § 12188\(b\)\(1\)\(A\)\(i\)](#)
5. Failure of the Assistant Attorney General to coordinate the compliance activities of Federal agencies with respect to State and local government components, [28 C.F.R. § 35.190\(a\)](#)
6. Failure by the Department of Justice to investigate section 504 complaints, [28 C.F.R. § 35.171\(ii\)\(3\)\(i\)](#)
7. Failure by the Department of Justice to notify the public entity of the receipt and acceptance of the complaint, [28 C.F.R. § 35.171\(c\)\(1\)](#)
8. Failure by the Department of Justice to investigate complaints for which it is responsible under § 35.171, [28 C.F.R. § 35.172\(a\)](#)
9. Failure of the Department of Justice to attempt informal resolution of any matter being investigated under this section, [28 C.F.R. § 35.172\(c\)](#)
10. Seemingly constituting a deprivation of rights, [42 U.S.C. § 1983](#)
11. Negligent to prevent, [42 U.S.C. § 1986](#)

12. Interference by administrative employees of Federal, State, [18 U.S.C. § 595](#)

13. Deprivation of rights, [18 U.S.C. § 242](#)

Authority--

Preemption of inconsistent state law when necessary to effectuate a required "reasonable modification" is established by the "Supremacy Clause" and is affirmed by, [Mary Jo C. v. New York State and Local Retirement Sys.](#), No. 11-2215, 35 at 6 - 36 at 2, 37 at 7 - 39 at 9 (2d Cir. 2013).

The State is required to operate in the most integrated setting for the individual; [28 C.F.R. § 35.130\(a\), \(d\)](#); [28 C.F.R. § 35.160\(b\)\(1\)](#); [42 U.S.C. § 12182\(b\)\(1\)\(B\), \(2\)\(A\)\(iii\)](#); [42 U.S.C. § 2000a\(a\), \(d\)](#); [42 U.S.C. § 2000d](#).

"...a state amendment is unconstitutional when it has the likely effect of handicapping a class of candidates and has the sole purpose of creating additional qualifications indirectly;" [U.S. Term Limits, Inc. v. Thornton](#), 514 U.S. 779, 836 (1995)

The State cannot impose eligibility criteria that screens out or tends to screen out an individual with a disability; [28 C.F.R. § 35.130\(b\)\(3\), \(6\), \(8\)](#); [42 U.S.C. § 12182\(b\)\(1\)\(A\)\(i\), \(2\)\(A\)\(iii\)](#).

The State is required to make reasonable modifications; [28 C.F.R. § 35.130\(b\)\(1\)\(i\)-\(iii\), \(iv\)-\(vii\), \(2\), \(7\)](#); [42 U.S.C. § 12182\(b\)\(2\)\(A\)\(ii\)](#).

DOJ involvement in related matters--

ADA stuff from the DOJ and ADA websites for the subsequent quotes is publicly accessible on my Google drive via the subsequent link. Please let me know if you have a problem accessing the files and I can email them to you; https://drive.google.com/drive/folders/1eyOqitflj37wTdgDooXibhml2ZXUP4d3?usp=drive_link

"...under the ADA, voters with disabilities must have an equal opportunity to vote ... this equal opportunity requirement is separate from the requirement that public entities make reasonable modifications" ([statement_of_interest-in_re_georgia_sb_202.pdf](#))

"Under Title II of the ADA, no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity. [42 U.S.C. § 12132](#); [28 C.F.R. § 35.130\(a\)](#). This means that the County must give individuals with disabilities an equal opportunity to participate in and benefit from any service provided to others. [42 U.S.C. § 12132](#); [28 C.F.R. § 35.130\(b\)\(1\)](#). These legal requirements include providing equal access to the County's website and the public content posted there." ([letter_of_findings-upton_county_tx_election_website_accessibility_1.pdf](#))

"...to avoid discrimination, a public entity must reasonably modify its policies, procedures, or practices when necessary to avoid disability discrimination, unless it can show that the modifications would fundamentally alter the nature of the service, program, or activity." ([statement_of_interest-in_re_georgia_sb_202.pdf](#))

"...when a state law directly conflicts with the ADA, the state law must be interpreted in a way that complies with the ADA" ([American-Nurses-Assoc.-v.-ODonnell,-California-Superintendent-of-Schools-United-States-Amicus-Brief.pdf](#))

"the ADA requires Wisconsin to make reasonable modifications in policies, practices, and procedures when the modifications are necessary to avoid discrimination on the basis of disability." ([statement_of_interest-carey_v_wisconsin_election_commission.pdf](#))

Qualification standards and selection criteria that screen out people based on their disabilities that are not job-related or consistent with business necessity violate the ADA ([complaint_-_united_states_v_alabama_department_of_transportation.pdf](#))

Prohibition of discrimination when federal financial assistance is involved--

Prohibition of discrimination in any program or activity by recipients or applicants of Federal financial assistance pursuant to basically all federal policy; i.e., [42 U.S.C. § 12132](#); [42 U.S.C. § 12133](#); [42 U.S. Code § 2000a\(a\), \(d\)](#); [42 U.S. Code § 2000a-1](#); [42 U.S. Code § 2000a-2\(a\)](#); [42 U.S. Code § 2000d](#); [28 CFR § 42.503](#), [28 C.F.R. § 42.108](#)

Disability discrimination, "Subject to the provisions of this subchapter, no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity." 42 U.S.C. § 12132

"It shall be discriminatory to subject an individual or class of individuals on the basis of a disability or disabilities of such individual or class, directly, or through contractual, licensing, or other arrangements, to a denial of the opportunity of the individual or class to participate in or benefit from the goods, services, facilities, privileges, advantages, or accommodations of an entity." 42 U.S.C. § 12182(b)(1)(A)(i)

"the imposition or application of eligibility criteria that screen out or tend to screen out an individual with a [disability](#) or any class of individuals with disabilities from fully and equally enjoying any goods, services, facilities, privileges, advantages, or accommodations, unless such criteria can be shown to be necessary for the provision of the goods, services, facilities, privileges, advantages, or accommodations being offered;" 42 U.S.C. § 12182(b)(2)(A)(i)

"a failure to make reasonable modifications in policies, practices, or procedures, when such modifications are necessary to afford such goods, services, facilities, privileges, advantages, or accommodations to individuals with disabilities, unless the entity can demonstrate that making such modifications would fundamentally alter the nature of such goods, services, facilities, privileges, advantages, or accommodations;" 42 U.S.C. § 12182(b)(2)(A)(ii)

"a failure to take such steps as may be necessary to ensure that no individual with a [disability](#) is excluded, denied services, segregated or otherwise treated differently than other individuals because of the absence of [auxiliary aids and services](#), unless the entity can demonstrate that taking such steps would fundamentally alter the nature of the good, service, facility, privilege, advantage, or accommodation being offered or would result in an undue burden;" 42 U.S.C. § 12182(b)(2)(A)(iii)

"...compelled to follow the directive from the state, but the Supremacy Clause of the Constitution requires a different order of priority. A **discriminatory state law** is **not a defense** to liability under federal law; **it is a source of liability under federal law**. *Williams v. General Foods Corp.*, 492 F.2d 399, 404 (7th Cir. 1974)"; (*emphasis added*) *Quinones v. City of Evanston*, 58 F.3d 275, 277 (7th Cir. 1995)

"A public entity shall administer services, programs, and activities in the most integrated setting appropriate to the needs of qualified individuals with disabilities. ," 28 C.F.R. § 35.130(d)

"Except as provided in paragraph (b) of this section, this part **applies to all services, programs, and activities provided or made available by public entities**." 28 C.F.R. § 35.102(a)

"Under Title II of the ADA, **no qualified individual with a disability shall, on the basis of disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by any such entity**. 42 U.S.C. § 12132; 28 C.F.R. § 35.130(a). This means that the County must give individuals with disabilities an equal opportunity to participate in and benefit from any service provided to others. 42 U.S.C. § 12132; 28 C.F.R. § 35.130(b)(1). These legal requirements include providing equal access to the County's website and the public content posted there." ([letter_of_findings-upton_county_tx_election_website_accessibility_1.pdf](#))

"The ADA is meant to ensure that people with disabilities can fully participate in all aspects of civic life. Under Title II, all state/local governments must follow the ADA regardless of their size." via <https://www.ada.gov/topics/title-ii/> (An official Department of Justice .gov website)

"The Americans with Disabilities Act (ADA) is a federal civil rights law that provides protections to people with disabilities to **ensure that they are treated equally in all aspects of life**. **Title II of the ADA requires state and local governments ("public entities") to ensure that people with disabilities have a full and equal opportunity to vote. The ADA's provisions apply to all aspects of voting**," <https://www.ada.gov/resources/polling-places-checklist/>

Constitutionally--


U.S. Const. art. I, § 4, cl. 1 does not include setting criteria; times, places, and manner, not qualifications or criteria.

If states lack the power to impose criteria for the House and the Senate(1)(2)(3), why would states have the power to impose criteria for the highest job of the land?

"...until the late 1800's, all ballots cast in this country were write-in ballots. The system of state-prepared ballots, also known as the Australian ballot system, was introduced in this country in 1888. See L.E. Fredman, *The Australian Ballot: The Story of an American Reform* ix (1968). Prior to this, voters prepared their own ballots or used preprinted tickets offered by political parties. Since there were no state-imposed restrictions on whose name could appear on a ballot, individuals could always vote for the candidates of their choice." *Burdick v. Takushi*, 504 U.S. 428, 446 (1992)

A state's presidential eligibility requirements (e.g., requiring candidates to get X amount of signatures of eligible voters from that state, PER state) are plainly unconstitutional, an illegal and illegitimate government overreach. Violating the tenth amendment to the US Constitution, by the state attempting to defraud or thievingly conniving "the people" of the right to establish qualifications for the Presidency as explicitly conferred to the US Constitution pursuant to Article II, section 1, clause 5 of the US Constitution. Violating my due process and equal protection rights. In accordance with the "Supremacy Clause" (Article 6, clause 2 of the US Constitution), the US Constitution is the supreme law of the land, superseding/preempting conflicting state laws, in this case inferior subordinate state laws conflict with all Presidency eligibility requirements as vested in the supreme law of the land; i.e., it is established, "Qualifications for the Presidency," not "Qualifications for the Presidency and inferior subordinate state requirements"

Promulgated by *Trump v. Anderson*, No. 23-719, 601 U.S. (2024), "It would be incongruous to read this particular Amendment as granting the States the power — silently no less — to disqualify a candidate for federal office," establishes: (1) States lack the power to disqualify a candidate for federal office and, (2) that not including a candidate on the ballot, even for a primary would be disqualifying the candidate. Constituting violations of: 18 U.S.C. § 595, 18 U.S.C. § 241, 18 U.S.C. § 242, and of Article 1, section 1 to the US Constitution; "All legislative Powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives."

-Mathew Tyler, US Presidential candidate (I), 2016-2084. 

(1) *Powell v. McCormack*, 395 U.S. 486, 550 (1969) (invalidating House's decision not to seat a Member accused of misuse of funds) ("[I]n judging the qualifications of its members Congress is limited to the standing qualifications prescribed in the Constitution.")

(2) *Exon v. Tiemann*, 279 F. Supp. 609, 613 (D. Neb. 1968) ("There being no such requirement in the Constitution itself, a state cannot require that a Representative live in the District from which he was nominated."); *State ex rel. Chavez v. Evans*, 446 P.2d 445, 448 (N.M. 1968) ("[The New Mexico statute,] by requiring that each candidate for representative in Congress be a resident of and a qualified elector of the district in which he seeks office, adds additional qualifications to becoming a candidate for that office.... [W]e must hold the provisions of the Federal Constitution prevail and that this statute unconstitutionally adds additional qualifications."); *Hellman v. Collier*, 141 A.2d 908, 912 (Md. 1958) (same); cf. *U.S. Term Limits, Inc. v. Thornton*, 514 U.S. 779 (1995) (state may not impose term limits on its congressional delegation)

(3) *Cook v. Gralike*, 531 U.S. 510 (2001), was a United States Supreme Court case in which the Court held that an attempt by the state of Missouri to influence Congressional elections in favor of candidates who supported term limits was unconstitutional. The Court held that the powers delegated to the states by the Elections Clause related only to the power over the procedural mechanisms of elections. Because this amendment sought to influence the outcome of elections, it exceeded state powers over national elections.

 20240710_ADA-request-for-accommodations_v2_CA.pdf
2224K

Mathew Tyler <*****>

To: Mathew Tyler <*****>

Cc: ismail.ramsey@usdoj.gov, pamela.johann@usdoj.gov

Sat, Jul 13, 2024 at 7:38 AM

I forgot to mention, "*Discrimination or segregation by an establishment is supported by State action within the meaning of this subchapter if such discrimination or segregation (1) is carried on under color of any law, statute, ordinance, or regulation; or (2) is carried on under color of any custom or usage required or enforced by officials of the State or political subdivision thereof; or (3) is required by action of the State or political subdivision thereof.*" [42 U.S.C. § 2000a\(d\)](#)

I was pushed in a wheelchair for the 8th grade Washington DC trip because I wasn't able to walk it.

Violating my federally protected activities,

1. Interfering with my ability to qualify and campaign as a candidate for elective office in any primary, special, or general election; [18 U.S.C. § 245\(b\)\(1\)\(A\)](#),
2. Interfering with my participating in or enjoying any benefit, service, privilege, program, facility, or activity provided or administered by the United States; [18 U.S.C. § 245\(b\)\(1\)\(B\)](#),
3. Interfering with my participating in or enjoying the benefits of any program or activity receiving Federal financial assistance; [18 U.S.C. § 245\(b\)\(1\)\(E\)](#)
4. Violating at least one international law, the [1990 Copenhagen Commitment](#); specifically sections: [5.1](#), [5.3](#), [5.4](#), [6](#), [7.1](#), [7.3](#), [7.5](#), [7.6](#), [7.7](#), [7.8](#)

Without knowing a lot of people and with a cabinet needing to be filled, and a US Attorney General position needing to be filled that doesn't commit crimes against me, I do remember people.

-Mathew Tyler, US Presidential candidate (I), 2016-2084. 

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5 attachments



Photo in 8th grade Washington DC trip.png
288K



06-30-2010 02:31:25PM_1.jpg
455K



Photo in 8th grade Washington DC trip_2.png
135K



06-30-2010 02:31:25PM_2.jpg
872K



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5601K


Mathew Tyler <*****>

Mon, Jul 15, 2024 at 10:12 AM

To: Mathew Tyler <*****>

Cc: ismail.ramsey@usdoj.gov, pamela.johann@usdoj.gov

Pursuant to [42 U.S.C. § 12132](#) -> [42 U.S.C. § 12133](#) -> [29 U.S.C. § 794a\(a\)\(2\)](#) -> [42 U.S.C. § 2000d-1](#) and [29 U.S.C. § 794](#), termination and denial of Federal financial assistance for elections, including the 2024 elections, and possibly the Department of Justice if they're funded through "Federal financial assistance" to effectuate compliance with federally required anti disability discrimination.

-Mathew Tyler, US Presidential candidate (I), 2016-2084. 

[Quoted text hidden]


Mathew Tyler <*****>

Fri, Jul 19, 2024 at 12:06 PM

To: Mathew Tyler <*****>

Cc: ismail.ramsey@usdoj.gov, pamela.johann@usdoj.gov

[Section 504 of the Rehabilitation Act of 1973](#) does mandate "...effective communication..."

-Mathew Tyler, US Presidential candidate (I), 2016-2084. 

"Section 504 of the Rehabilitation Act," https://en.wikipedia.org/wiki/Section_504_of_the_Rehabilitation_Act

[Quoted text hidden]

Mathew Tyler <*****>

Sat, Aug 3, 2024 at 7:56 AM

To: ayin@chicagotribune.com

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