



# Enforcing the ADA

## *A Status Report from the Department of Justice*

*(January-March 2000)*

*This Status Report covers the ADA activities of the Department of Justice during the first quarter (January - March) of 2000. This report, previous status reports, and a wide range of other ADA information are available through the Department's ADA Home Page on the World Wide Web (see page 11). The symbol (\*\*) indicates that the document is available on the ADA Home Page.*

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The Americans with Disabilities Act (ADA) is a comprehensive civil rights law for people with disabilities. The Department of Justice enforces the ADA's requirements in three areas -

Title I: Employment practices by units of State and local government

Title II: Programs, services, and activities of State and local government

Title III: Public accommodations and commercial facilities

## I. Enforcement

*Through lawsuits and both formal and informal settlement agreements, the Department has achieved greater access for individuals with disabilities in hundreds of cases. Under general rules governing lawsuits brought by the Federal Government, the Department of Justice may not file a lawsuit unless it has first unsuccessfully attempted to settle the dispute through negotiations.*

### A. Litigation

*The Department may file lawsuits in Federal court to enforce the ADA and may obtain court orders including compensatory damages and back pay to remedy discrimination. Under title III the Department may also obtain civil penalties of up to \$55,000 for the first violation and \$110,000 for any subsequent violation.*

#### 1. Decisions

***Casey Martin May Use Golf Cart, Ninth Circuit Rules*** -- The U.S. Court of Appeals for the Ninth Circuit ruled in Martin v. PGA Tour, Inc. that Casey Martin, a professional golfer from Oregon with a rare disability, Klippel-Trenaunay

Syndrome, which substantially limits his ability to walk, has the right to a reasonable modification of the PGA Tour's ban on carts that would allow him to use a golf cart in tournament competition. The PGA argued that its rules governing tournament competition were not covered by title III because the area of the golf course that is restricted to competitors is not open to the general public and is not a "place of public accommodation." It also argued that allowing Martin to use a cart would "fundamentally alter" the competition. The Department filed an amicus brief arguing that the no-carts rule could be challenged under title III and that waiving the rule in this case would be a reasonable modification required by the ADA. The court of appeals agreed with the Department and ruled that the PGA's tournament rules are covered by title III because the playing areas are part of a place of public accommodation. It also concluded that permitting Martin to use a cart would not fundamentally alter the competition because, in Martin's particular case, it would not give him an unfair advantage. The court found that the purpose of the rule was to inject fatigue into the game, but that Martin experiences more fatigue than the other golfers, even if he uses a cart, and would not gain a competitive advantage.

***Fifth Circuit Upholds AIDS Insurance Cap*** -- In McNeil v. Time Insurance Company the U.S. Court of Appeals for the Fifth Circuit ruled that title III does not regulate the terms or content of a health insurance policy and that a limit on AIDS coverage does not violate the ADA. The plaintiff, who died of AIDS during the litigation, challenged the policy's \$10,000 cap on expenses for treatment of AIDS and HIV-related conditions during the first two years the policy was in effect. The policy did not contain such a cap for most other conditions. The Department filed an amicus brief in the court of appeals arguing that discrimination in the terms of an insurance policy could be challenged under title III. The Fifth Circuit disagreed and ruled that public accommodations are not required to modify or alter the actual goods and services that they offer, including insurance policies. It also ruled that the policy was not discriminatory, because the same

policy, including the capped AIDS coverage, was offered on an equal basis to all customers whether or not they were individuals with disabilities.

***Department Unsuccessful in HIV Suit against Chicago Funeral Home*** -- The U.S. District Court for the Northern District of Illinois ruled in United States v. Vasquez Funeral Home that a Chicago funeral home did not violate the ADA in handling the funeral of a deceased individual who died of AIDS. The Department filed suit against the Vasquez Funeral Home alleging that it discriminated against the individual and his family by charging an additional fee of \$100 to provide funeral services because of the individual's HIV status. Because funeral homes are required to assume that all human remains harbor infectious diseases and to take the same required precautions in every case, the Department claimed it violated the ADA to charge

***Supreme Court Will Review Constitutionality of ADA Damages Suits Against States*** -- The Supreme Court will review the decision of the U.S. Court of Appeals for the Eleventh Circuit in Garrett v. University of Alabama at Birmingham, which upheld the constitutionality of title I and title II lawsuits brought by individuals seeking damages awards from States. The Department intervened to defend the ADA in numerous suits nationwide, including Garrett. Garrett is a consolidation of two employment suits against Alabama State agencies. One involves the alleged discriminatory demotion of an individual with breast cancer by the University of Alabama, and the other a claim that the Alabama Department of Youth Services failed to reasonably accommodate an individual with chronic asthma. States have argued that, because the ADA's protections go beyond the equal protection rights guaranteed by the Fourteenth Amendment, Congress lacks authority to subject them to lawsuits under title I and title II of the ADA. The Department, however, believes that the ADA is constitutionally appropriate legislation to remedy the history of pervasive discrimination against people with disabilities, and almost all of the appellate courts have agreed. Recently, the U.S. Court of Appeals for the Second Circuit agreed with the Department and upheld the ADA as appropriate Fourteenth Amendment legislation in Jackan v. New York State Department of Labor and Kilcullen v. New York State Department of Labor. The U.S. Court of Appeals for the Seventh Circuit disagreed with the Department in a suit against Illinois, Erickson v. Board of Governors. The Department also intervened in M.C. v. Fort Lee Board of Education in the U.S. District Court for the District of New Jersey, a case that was settled before a decision was issued.

extra only for handling the body of an individual who died of AIDS. The Department entered into a formal settlement agreement with the Vasquez Home in May 1998 in which Vasquez agreed to change its policy, designate an employee to be in charge of compliance, train its staff in the use of universal precautions, and pay damages of \$3,000 to the family. Vasquez, however, refused to carry out any part of the agreement, and the Department then sued. The court assumed that an additional \$100 AIDS fee would violate the ADA, but after trial it found that there was not enough evidence to show that the additional \$100 fee was charged because the deceased individual had AIDS. The defendant claimed at trial that the extra fee was for covering the added cost of sending the body to Mexico for burial.

## 2. New lawsuits

*The Department initiated or intervened in the following lawsuits.*

### Title II

*Richardson and Steele v. City of Steamboat Springs, Colorado* -- The Department intervened in an ongoing lawsuit in the U.S. District Court for the District of Colorado brought by two wheelchair users who claim that they were denied equal access to the public transit system in Steamboat Springs, Colorado. The Department alleges that the city violated the ADA by purchasing inaccessible used buses without first making the required good faith efforts to purchase accessible buses, by failing to repair inoperable wheelchair lifts and to provide alternative transportation when wheelchair lifts were inoperable, and by not adequately training bus drivers in the operation of wheelchair lifts.

### Title III

*U.S. v. Neurological Surgery, Inc.* -- The Department filed suit in the U.S. District Court for the Northern District of Oklahoma against Neurological Surgery, Inc.(NSI), a Tulsa consortium of privately practicing neurosurgeons who allegedly violated the ADA by refusing to render medical services to an individual because he was HIV-positive. During a medical evaluation of the patient, the NSI physician allegedly became aware of the patient's HIV-positive status and then refused to provide medical services solely because of that status.

*U.S. v. York Obstetrics and Gynecology* -- The U.S. Attorney for the District of Maine filed suit against York Obstetrics and Gynecology, a medical practice that allegedly rejected repeated requests to provide a sign language interpreter for office visits by an expectant deaf couple during the course of a high-risk pregnancy involving gestational diabetes. Because of the lack of an interpreter, the couple was unable to fully communicate with the practice about dietary concerns and other complications caused by the diabetes.

## 3. Consent Decrees

*Some litigation is resolved at the time the suit is filed or afterwards by means of a negotiated consent decree. Consent decrees are monitored and enforced by the Federal court in which they are entered.*

### Title III

*U.S. v. Days Inns of America, Inc.* -- The architect of the Evansville, Indiana, Days Inn entered into a consent decree resolving the last outstanding claim in Federal district court in the Days Inns litigation. This nationwide enforcement effort originally involved five lawsuits brought by the Department against the national franchiser,

Days Inns of America, and the franchisees, contractors, and architects involved in the design and construction of five individual Days Inns hotels. In the consent decree the architect, John Heard Associates, Inc., admitted having designed the Evansville Days Inn in violation of the ADA. The agreement requires the architect to certify that future designs of any public accommodations or commercial facilities are in compliance with the ADA; to undergo a minimum of twenty-four hours of training on the ADA Standards, and to pay a civil penalty in the amount of \$4500.

### **B. Formal Settlement Agreements**

*The Department sometimes resolves cases without filing a lawsuit by means of formal written settlement agreements.*

#### **Titles I and II**

*South Carolina Department of Social Services, Columbia, South Carolina --* The South Carolina Department of Social Services agreed to issue new State requirements for caregivers employed in child care facilities that will no longer automatically disqualify persons with disabilities who, because of their disability, were unable to earn a high school diploma. A caregiver is any member of a child-care provider's staff who assumes some responsibility for supervising children. Under the new rules individuals who receive a certificate of completion instead of a high school diploma and who can perform the essential functions of the caregiver position must be given an equal opportunity to be hired and may not be discriminated against in the terms and conditions of their employment. South Carolina also agreed to revise the job requirements for caregivers to ensure that they accurately reflect the actual knowledge, skills, and abilities necessary to perform the essential functions of the position.

#### **Title II**

*Sioux City, Iowa --* The Department entered an agreement with the Sioux City Human Rights Commission resolving a complaint alleging that the commission refused to provide an American Sign Language interpreter to a deaf participant at a public forum. The commission agreed to adopt policies and procedures that will ensure effective communication for persons with hearing and speech impairments.

*Adair County, Oklahoma --* The Department reached an agreement with Adair County, Oklahoma, resolving a complaint concerning the accessibility of programs, services, and activities offered in the Adair County Courthouse. The county agreed to relocate court proceedings from the inaccessible courthouse to an accessible courtroom in the courthouse annex upon appropriate notice by individuals with mobility impairments. Court spectators are required, and court participants, such as parties, jurors, attorneys, and witnesses, are requested, to give reasonable notice. The county also agreed to install appropriate signage for a van accessible parking space, adjust opening force on the interior doors, install stable, accessible writing surfaces in the clerk of court's office, and remodel the men's and women's restrooms to be accessible.

*Knowlton, Wisconsin --* Under an agreement with the U.S. Attorney for the Western District of Wisconsin, the Town of Knowlton, with approximately 400 residents, agreed to relocate public meetings from its town hall to an accessible location upon request. The town also agreed to install a ramp at the entrance to the town hall if cost estimates show that it will not result in an undue burden.

**\*\* *Houston Police, Courts, and Jail to Improve Communication with Deaf Individuals*** -- The City of Houston will significantly improve the way its municipal courts system, police department, and jail communicate with people who are deaf or hard of hearing. Under the settlement, the Houston police, courts, and jails will each appoint an ADA coordinator, purchase TTY devices that will enable the agencies to communicate effectively by telephone with deaf TTY users, and train staff in how to operate the devices.

The Houston Police Department will --

- Adopt a new “General Order” instructing police officers on how to interact with witnesses, victims, and suspected criminals who are deaf or hard of hearing;
- Require that a qualified interpreter be called in any time a person who is deaf and needs an interpreter is involved in a major accident, is suspected of a felony, is under arrest, is being given a test measuring alcohol consumption, or is giving a statement in a case; and,
- Provide training about the new procedures for every officer at the rank of sergeant and above, and ensure that the new General Order is discussed with every officer during roll call.

The city jail will --

- Inform all people under arrest, who are deaf or hard of hearing, that they have a right to auxiliary aids and services at every step of the criminal justice process;
- Maintain a list of qualified interpreters, who will generally be available within one hour of a request; and,
- Ensure that there is effective communication between persons who are deaf or hard of hearing and the medical staff at the jail health clinic.

In addition, the municipal court system will --

- Adopt a new written policy guaranteeing appropriate auxiliary aids and services for participants in court proceedings, including parties, witnesses, jurors, and spectators;
- Provide information about the new policies on all official notices of court dates, including tickets, summonses, and other similar notices, and publish notices in legal periodicals that reach the city’s legal community; and,
- Provide training on the new policies for every judge and court administrator.

**Title III**

*Sleepy Hollow Motel, Green River, Utah* -- The Department entered an agreement with Sleepy Hollow Motel resolving a complaint alleging that the motel denied available lodging to a person accompanied by his service animal. The motel agreed to develop a policy permitting guests with service animals to occupy available lodging. The motel will also train its staff and pay the complainant \$500.

*Country Ruffles and Victorian Lace, Montgomery, Indiana* -- The U.S. Attorney for the Southern District of Indiana entered an agreement with Country Ruffles and Victorian Lace requiring the store to stop excluding service animals. The store also agreed to maintain an accessible route throughout the facility and pay \$100 in damages to the complainant, a wheelchair user who, along with her service animal, was barred from the store.

**\*\* Duke Will Make Comprehensive Changes for Campus Accessibility** -- Duke University in Durham, North Carolina, agreed to make a broad range of programs and facilities more accessible to persons with disabilities including academics, dining and living facilities, and social aspects of campus life. Under the agreement, Duke will --

- Modify elevators, entrances, counters, food service lines, telephones, and bathrooms throughout campus so they are accessible to persons with disabilities;
- Create accessible circulation paths to, among, and within university buildings and other facilities by repairing sidewalks and modifying hallways, doors, and ramps;
- Ensure that all programs and classes in which individuals with physical disabilities are enrolled are located in accessible spaces;
- Modify shuttle bus route schedules to ensure that accessible buses run regularly and frequently on each route;
- Make dormitory rooms fully accessible upon enrollment of students with disabilities until two percent of all dormitory rooms on campus are accessible;
- Enlarge doorways in at least half of the rooms on floors with accessible rooms in 18 of 25 dormitories, so students using wheelchairs can visit friends;
- Provide accessible seating in the Cameron Indoor Stadium and other assembly areas, access to stages and backstage areas around campus, and assistive listening devices in assembly areas;
- Provide accessible parking throughout campus;
- Replace signs throughout campus so they can be read by people with vision impairments and so that people with mobility impairments are properly directed to accessible routes and spaces; and,
- Pay \$25,000 in civil penalties to the United States and \$7,500 in compensatory damages to the complainant, a wheelchair user who graduated from Duke in 1997.

*Gulliver Academy, Coral Gables, Florida --*  
 The Department entered an agreement with Gulliver Academy, a private for-profit school, resolving a complaint filed by a student with cerebral palsy who alleged that, after she was admitted to the school, she was excluded because of the accommodations she needed. The school agreed to identify and remove architectural barriers, modify practices to provide individual assistance in the use of campus facilities, designate a disability coordinator, and adopt an extensive administrative protocol for the admission and accommodation of students with disabilities.

*O'Neill's Place, Portland, Pennsylvania --* The Department signed an agreement resolving a complaint alleging that O'Neill's Place, a tavern and restaurant, barred a patron with epilepsy from its premises, unless accompanied by his parents, after the patron had a seizure during a visit there. The agreement requires O'Neill's to allow the complainant and other persons with disabilities to frequent its premises on the same basis as persons without disabilities and to post a notice that it has entered into a settlement agreement with the Department.

**C. Other Settlements**

*The Department resolves numerous cases without litigation or a formal settlement agreement. In some instances, the public accommodation, commercial facility, or State or local government promptly agrees to take the necessary actions to achieve compliance. In others, extensive negotiations are required. Following are some examples of what has been accomplished through informal settlements.*

An Ohio township made the restroom in its municipal building accessible, installed accessible parking, and made assistive listening devices available to persons upon request.

A Georgia county jail widened the entrance of a visitor's booth, purchased two text telephones, and installed call buttons and toilet grab bars in several rooms of its medical ward.

**II. Mediation**

*Under a contract with the Department of Justice, The Key Bridge Foundation receives referrals of complaints under titles II and III for mediation by professional mediators who have been trained in the legal requirements of the ADA. An increasing number of people with disabilities and disability rights organizations are specifically requesting the Department to refer their complaints to mediation. More than 450 professional mediators are available nationwide to mediate ADA cases. Over 80 percent of the cases in which mediation has been completed have*

*been successfully resolved. Following are recent examples of results reached through mediation --*

- In Minnesota, a person with a hearing disability complained that she could not hear the proceedings at city council meetings. The city agreed to purchase an assistive listening system and to instruct all city council members in writing to speak directly into the microphones. It also agreed to pay the complainant \$500 for attorneys fees and costs.



- A wheelchair user complained that the upper floors of a Tennessee courthouse located in a historic building were not accessible. The historical society agreed to have an elevator installed in the courthouse.
- In Illinois, a person who is deaf complained that a lawyer refused to provide effective communication during a meeting. The lawyer agreed to change his policy and provide qualified sign language interpreters when requested. The lawyer also agreed to donate \$500 to a disability rights organization to fund a seminar to teach attorneys how to comply with the ADA.
- A wheelchair user complained that a city hall in Ohio was not accessible. The city agreed to create additional accessible parking spaces and to install a ramp to the front entrance and three sets of automatic doors. The city also agreed to install safety sensors in the elevator doors, ensure that they are available for use by people with disabilities, and create accessible parking spaces at another city building.
- In Pennsylvania, a wheelchair user complained that the entrance to a doctor's office was not accessible. While the parties agreed that it is not readily achievable to remove the barriers to this office, the doctor agreed to install a ramp at the entrance to a second office to provide access. He agreed to inform people with disabilities of the location of his second office and to reimburse them for any extra transportation costs.
- A wheelchair user complained that a California theater was not adequately accessible. Because the parties agreed it would not be readily achievable to remove certain barriers to restrooms, the director made arrangements for patrons with disabilities to use the

*Mediation*

accessible restrooms of a business next door and agreed to post appropriate directional signage in the theater lobby. The theater agreed to post signage at the box office directing people with disabilities to the accessible route to purchase tickets, provide disability awareness training to staff, and include information in promotional materials about the availability of assistive listening devices, sign language interpreters, and audio descriptions. The parties also agreed to continue to work together to locate additional funding and resources to make the theater as accessible as possible in the future.

- In the states of Washington, Texas, New Jersey, and Pennsylvania, wheelchair users complained that a variety of public accommodations did not have adequate accessible parking. The management of each agreed to create additional accessible parking spaces in compliance with the ADA.
- A wheelchair user complained that an Arizona restaurant was not accessible. The owner agreed to install a new accessible door and threshold and modify two booths to be accessible to wheelchair users. The owner also apologized to the complainant for any inconvenience and discourtesy she may have experienced.
- A wheelchair user complained that a conference facility in Kentucky was inaccessible. The president of the facility agreed to post signs directing people with disabilities to the accessible parking spaces, to repair a walkway surface, and to have a wheelchair lift reinspected and repaired. He also agreed to make the restrooms accessible and to find a way to modify the existing thresholds to provide access for persons with disabilities while maintaining the historical significance of the building.

- In Missouri, a wheelchair user complained that a restaurant did not have an accessible nonsmoking section. Because there was not enough space to install a permanent ramp, the owners agreed to purchase and use a portable ramp.
- In Pennsylvania, a wheelchair user complained that a hotel had assigned his previously reserved accessible room to someone else. The owner agreed to establish policies and procedures to ensure that reserved accessible rooms are given only to the customers who reserved them. He also agreed to provide disability awareness training to staff, apologized in writing to the complainant, and offered him a free three-night weekend stay.
- A person with a heart condition complained that a Rhode Island restaurant's accessible restroom was not available to people with disabilities because it was routinely occupied by staff using it as a changing room. The restaurant agreed to issue a written policy statement to the staff prohibiting employees from using accessible restrooms as changing rooms except in an emergency.
- In Kentucky, a wheelchair user complained that city commission meetings were held in an inaccessible location. The city agreed to advertise the commission meetings and to hold them at an accessible location. The city also provided the complainant with a copy of its ADA self-evaluation and transition plan and reaffirmed its commitment to continue to take steps to comply with the ADA.
- In Florida, a person complained that a policy restricting the amount of time a person has to mark a ballot discriminated against people with disabilities. The voting official agreed to modify the policy for persons with disabilities and to educate poll workers about the policy. The official agreed to inform the public by issuing a public service announcement to all media outlets and to develop an informational web site.
- A wheelchair user complained that a Texas restaurant did not have an accessible entrance, an accessible restroom, or any accessible parking. The owner agreed to install ramps to the main entrance, restrooms, and other interior public areas and to modify the restrooms. He agreed to install three accessible parking spaces and to reimburse the complainant \$66 for costs incurred.
- A wheelchair user complained that a New York theater was not accessible and had no accessible restrooms. The theater agreed to create accessible paths of travel from each parking lot to the entrance and to install a ramp to the entrance of the building. The theater agreed to create several wheelchair accessible seating locations in the theater, to modify a restroom to make it accessible, and to install handrails for stairs at side and back entrances to the building.
- In Nebraska, a wheelchair user complained that a courthouse was not accessible. The courthouse representative agreed to modify the lift providing access to the first floor so that it could be operated independently without staff assistance. He agreed to relocate any proceedings scheduled for the second floor upon request by persons with disabilities and to post directional signage identifying the location of accessible parking and the accessible entrance at the jail. He also agreed to have a disability rights organization complete an accessibility survey of the courthouse, to have sensitivity training provided for courthouse employees, and to pay the complainant \$500.

*Mediation*

- A person who is deaf complained that a Nebraska dentist's office refused to provide effective communication during an office visit. The dentist agreed to institute a policy ensuring compliance with the ADA and to attend training on both the requirements of the ADA and disability awareness. She agreed to join with a disability rights lawyer in conducting four presentations for professional organizations on the ADA and dentists, wrote a letter of apology to the complainant, and agreed to pay the complainant \$100.
- A group of deaf individuals complained that an Illinois amusement park refused to provide the services of sign language interpreters for effective communication during an annual event sponsored by the park. The manager agreed to provide qualified sign language interpreters during the event, written scripts for the shows, and sign language interpreters during the narrated train rides. He agreed to provide four TTY phones in locations throughout the park and to provide information at the gate about the availability of auxiliary aids and services. He also agreed to hire a permanent liaison to address the needs of customers who are deaf.
- In New Jersey, a wheelchair user complained that a restaurant's accessible parking did not comply with the ADA and that the entrance to the dining room was not accessible. The manager agreed to modify the accessible parking space, to install an additional ramp at the entrance to the restaurant, to relocate the service podium at the entrance to the dining room to provide access for wheelchair users, and to train the staff to maintain a clear path of travel between the accessible seating and the accessible restrooms. The manager also agreed to install a bell at the counter that rings in the kitchen, so that staff is alerted that customers have entered the restaurant.

### III. Technical Assistance

*The ADA requires the Department of Justice to provide technical assistance to entities and individuals with rights and responsibilities under the law. The Department encourages voluntary compliance by providing education and technical assistance to businesses, governments, and members of the general public through a variety of means. Our activities include providing direct technical assistance and guidance to the public through our ADA Information Line, ADA Home Page, and Fax on Demand, developing and disseminating technical assistance materials to the public, undertaking outreach initiatives, administering an ADA technical assistance grant program, and coordinating ADA technical assistance government-wide.*

#### ADA Home Page

An ADA home page is operated by the Department on the Internet's World Wide Web ([www.usdoj.gov/crt/ada/adahom1.htm](http://www.usdoj.gov/crt/ada/adahom1.htm)). The home page provides information about:

- the toll-free ADA Information Line,
- the Department's ADA enforcement activities,
- the ADA technical assistance program,
- certification of State and local building codes,
- proposed changes in ADA regulations and requirements, and
- the ADA mediation program.

**\*\* Two New Technical Assistance Documents for Cities and Towns are Now Available --** The Department has issued two new illustrated documents that provide Title II guidance for cities and towns. The ADA Guide for Small Towns discusses ADA issues in smaller communities, including program accessibility, effective communication, alterations to town facilities, and new construction. The ADA and City Governments: Common Problems addresses common misconceptions of cities in efforts to achieve ADA compliance. Both documents are available through the ADA Information line, the Fax on Demand Service (document numbers 3307 and 3308), and the ADA Home Page.

The home page also provides direct access to:

- ADA regulations and technical assistance materials (which may be viewed online or downloaded for later use),
- Freedom of Information Act (FOIA) ADA materials, and
- Links to the Department's press releases, and Internet home pages of other Federal agencies that contain ADA information.

### **ADA Information Line**

The Department of Justice operates a toll-free ADA Information Line to provide information and publications to the public about the requirements of the ADA. Automated service, which allows callers to listen to recorded information and to order publications, is available 24 hours a day, seven days a week. ADA specialists are available on Monday, Tuesday, Wednesday, and Friday from 10:00 a.m. until 6:00 p.m. and on Thursday from 1:00 p.m. until 6:00 p.m. (Eastern Time). Spanish language service is also available.

To obtain general ADA information, get answers to technical questions, order free ADA materials, or ask about filing a complaint, please call:

800-514-0301 (voice)  
800-514-0383 (TTY)

### **ADA Fax On Demand**

The ADA Information Line Fax Delivery Service allows the public to obtain free ADA information by fax 24 hours a day, seven days a week. By calling the number above and following the directions, callers can select from among 32 different ADA technical assistance publications and receive the information, usually within minutes, directly on their fax machines or computer fax/modems. A list of available documents and their code numbers may also be ordered through the ADA Information Line.

### **Publications and Documents**

Copies of the Department's ADA regulations and publications, including the Technical Assistance Manuals for titles II and III, can be obtained by calling the ADA Information Line, visiting the ADA Home Page, or writing to the address listed below. All materials are available in standard print as well as large print, Braille, audiotope, or computer disk for persons with disabilities.

Disability Rights Section  
Civil Rights Division  
U.S. Department of Justice  
P. O. Box 66738  
Washington, D.C. 20035-6738

Copies of the legal documents and settlement agreements mentioned in this publication can be obtained by writing to:

Freedom of Information/  
Privacy Act Branch  
Administrative Management Section  
Civil Rights Division  
U.S. Department of Justice  
P.O. Box 65310  
Washington, D.C. 20035-5310  
Fax: 202-514-6195

Currently, the FOI/PA Branch maintains approximately 10,000 pages of ADA material. The records are available at a cost of \$0.10 per page (first 100 pages free). Please make your requests as specific as possible in order to minimize your costs.

The FOI/PA Branch also provides access to ADA materials on the World Wide Web at [www.usdoj.gov/crt/foia/records.htm](http://www.usdoj.gov/crt/foia/records.htm). A link to search or visit this website is provided from the ADA Home Page.

## IV. Other Sources of ADA Information

The *Equal Employment Opportunity Commission* offers technical assistance to the public concerning the employment provisions of title I of the ADA.

ADA documents  
800-669-3362 (voice)  
800-800-3302 (TDD)

ADA questions  
800-669-4000 (voice)  
800-669-6820 (TDD)

[www.eeoc.gov](http://www.eeoc.gov)

The *Federal Communications Commission* offers technical assistance to the public concerning the communication provisions of title IV of the ADA.

ADA documents and questions  
888-225-5322 (voice)  
888-835-5322 (TDD)

[www.fcc.gov/cib/dro](http://www.fcc.gov/cib/dro)

The *U.S. Department of Transportation* through the *Federal Transit Administration* offers technical assistance concerning the transportation provisions of title II and title III of the ADA.

ADA Assistance Line for information, questions, or complaints  
888-446-4511 (voice/relay)  
202-366-2285 (voice)  
202-366-0153 (TDD)

ADA legal questions  
202-366-4011 (voice/relay)

[www.fta.dot.gov/office/civ.htm](http://www.fta.dot.gov/office/civ.htm)

The *U.S. Architectural and Transportation Barriers Compliance Board*, or *Access Board*, offers technical assistance to the public on the ADA Accessibility Guidelines.

ADA documents and questions  
800-872-2253 (voice)  
800-993-2822 (TDD)

[www.access-board.gov](http://www.access-board.gov)

The *Disability Rights Education and Defense Fund ADA Hotline* is funded by the Department of Justice to provide technical assistance to the public on all titles of the ADA.

ADA technical assistance  
800-466-4232 (voice & TDD)

[www.dredf.org](http://www.dredf.org)

The *Job Accommodation Network (JAN)* is a free telephone consulting service funded by the President's Committee on Employment of People with Disabilities. It provides information and advice to employers and people with disabilities on reasonable accommodation in the workplace.

Information on workplace  
accommodation  
800-526-7234 (voice & TDD)

<http://janweb.icdi.wvu.edu/english>

The *Disability and Business Technical Assistance Centers* are funded by the U.S. Department of Education through the National Institute on Disability and Rehabilitation Research (NIDRR) in ten regions of the country to provide resources and technical assistance on the ADA.

ADA technical assistance  
800-949-4232 (voice & TDD)

[www.adata.org](http://www.adata.org)

*Project ACTION* is funded by the U.S. Department of Transportation to provide ADA information and publications on making transportation accessible.

Information on accessible transportation  
800-659-6428 (voice/relay)  
202-347-3066 (voice)  
202-347-7385 (TDD)

[www.projectaction.org](http://www.projectaction.org)

## V. How to File Complaints

### Title I

Complaints about violations of title I (employment) by units of State and local government or by private employers should be filed with the Equal Employment Opportunity Commission. Call 800-669-4000 (voice) or 800-669-6820 (TDD) to reach the field office in your area.

### Titles II and III

Complaints about violations of title II by units of State and local government or violations of title III by public accommodations and commercial facilities should be filed with --

Disability Rights Section  
Civil Rights Division  
U.S. Department of Justice  
Post Office Box 66738  
Washington, D.C. 20035-6738

If you wish the complaint to be resolved through the Department's ADA Mediation Program, please mark "Attention: Mediation" on the outside of the envelope.

*The Attorney General has determined that publication of this periodical is necessary in the transaction of the public business required by law of the Department of Justice.*