



Enforcing the ADA

A Status Report from the Department of Justice

(April-June 1997)

*This Status Report covers the ADA activities of the Department of Justice during the second quarter (April to June) of 1997. 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 \$50,000 for the first violation and \$100,000 for any subsequent violation.

1. Decisions

Application for Social Security Disability Benefits Does not Bar ADA Claim -- The U.S. Court of Appeals for the District of Columbia held in Swanks v. Washington Metropolitan Area Transit Authority (WMATA) that a successful application for Social Security disability benefits does not automatically prevent an individual from succeeding in an ADA

employment discrimination suit. After WMATA allegedly refused a request for reasonable accommodation and discharged the plaintiff from his job as a special transit police officer, he applied for Social Security disability benefits. The Social Security Administration concluded that his congenital abnormality of the spine and associated urinary incontinence left him unable to work within the meaning of the Social Security Act and awarded him disability benefits. The plaintiff then filed a title I ADA suit alleging that WMATA failed to make a reasonable accommodation for his disability -- 10-minute exercise periods each hour that would enable him to maintain better control of his bladder. The district court ruled that plaintiff's receipt of Social Security disability benefits is an admission that he is physically unable to work and thus bars any claim under the ADA asserting that he is qualified for the job. The Court of Appeals, however, agreed with the Department's amicus brief that, because Social Security does not consider reasonable accommodation in determining whether an individual is able to work, a finding by the Social Security Administration that an individual is unable to work should not automatically bar an ADA claim.

Appellate Court Finds Zoning Covered by Title II -- The U.S. Court of Appeals for the Second Circuit ruled in Innovative Health Systems, Inc. (IHS) v. City of White Plains that title II covers all the activities of State and local government, including zoning practices. The U.S. Attorney for the Southern District of New York filed an amicus brief supporting plaintiffs' efforts to obtain a preliminary injunction stopping White Plains, New York, from preventing the operation of an alcohol and drug dependency treatment program in its downtown area. The Court also ruled that Innovative Health Systems, Inc., as an organization, has standing to challenge the City's action under title II, and that IHS was entitled to a preliminary injunction.

Line of Sight Over Standing Spectators Required in New Sports Arenas -- As urged in the Department's amicus brief, the U.S. Court of Appeals for the District of Columbia Circuit ruled in Paralyzed Veterans of America v. D.C. Arena (MCI Center) that accessible wheelchair seating in the new MCI Center for basketball and hockey in Washington, D.C., must provide lines of sight over standing spectators. The Court deferred to the Department's longstanding interpretation of the ADA regulations that require wheelchair seating in assembly areas to provide lines of sight that are "comparable" to those of other spectators. As provided in the Department's *Title III Technical Assistance Manual*, in facilities where spectators can be expected to stand during the event, a comparable line of sight means a line of sight over spectators standing in front of a wheelchair user. The court, however, did not agree with the Department's argument that "all or substantially all" of the accessible seating locations must have a line of sight over standing spectators. Instead, it affirmed the district court's finding that the defendant's latest plan to provide sight lines over standing spectators in 75 to 88 percent of the wheelchair locations, depending on the seating

configuration for a particular event, represented substantial compliance with the line-of-sight requirement.

Backpay Awarded in Denver Police Litigation -- The U.S. District Court for the District of Colorado issued a decision in United States v. City and County of Denver granting plaintiff, Jack Davoll, full back pay with interest in the amount of \$149,858.75 and front pay of \$76,793.66. Davoll is a former Denver police officer who sought reassignment after he suffered injuries in the line of duty to his back, neck, and shoulder and could no longer perform the essential functions of a police officer. The Department earlier won a jury award on his behalf of \$300,000 in damages for pain and suffering because of Denver's refusal to reassign him to a vacant job that he was qualified to perform -- such as criminal investigator or probation officer. The Court also granted full back pay relief in simultaneous private litigation to two other plaintiffs who were denied reassignment. Paul Escobedo was granted \$250,000 in back pay and \$59,626.03 in front pay and Deborah Clair received \$250,000 in back pay and \$66,551.37 in front pay. The Department is continuing its efforts to identify all individuals who are entitled to relief.

2. New lawsuits

The Department initiated or intervened in the following lawsuits.

Title III

United States v. Kiddie Ranch Day Care and Learning Center; U.S. v. Happy Time Daycare and Learning Center, Inc.; U.S. v. ABC Nursery, Inc. -- The U.S. Attorney for the Western District of Wisconsin filed separate lawsuits against three child care centers alleging that they refused to admit a four-year old child to their programs because the child is HIV-positive.

The lawsuits seek orders requiring the three day care centers to cease any discriminatory practices and to comply with title III.

Allen v. Russell -- The U.S. Attorney for the Western District of Oklahoma intervened in this suit on behalf of an individual with quadriplegia who alleges that a commercial landlord refused to rent office space to him because of his disability. The landlord subsequently leased the premises to a friend of the plaintiff acting as plaintiff's representative. Several days later, however, the landlord allegedly told plaintiff that he would have to move. The plaintiff also alleges that the landlord retaliated against him for exercising his ADA rights, refused to remove architectural barriers, and even prevented the plaintiff from removing barriers at plaintiff's own expense.

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 I

United States v. Louisiana Department of Public Safety and Corrections -- The Department settled by consent decree a suit alleging that the Louisiana Department of Public Safety and Corrections violated title I by failing to provide a reasonable accommodation to Edward Smith, a former corrections sergeant in the Department of Corrections who sought to be rehired. Mr. Smith lost his sight in one eye after being assaulted by an inmate. When he asked to be rehired, he requested as a reasonable accommodation to be allowed to wear protective head gear to guard against the possibility of a second assault that could leave him blind. Louisiana refused. Under the consent decree Louisiana was required to pay \$47,000.00 in damages to Mr. Smith.

*** United States v. The Metropolitan Government of Nashville and Davidson County, Tennessee* -- The Department resolved by consent order a charge filed with the Equal Employment Opportunity Commission by Jeffrey Ola, who was denied a position as a paramedic in the Metro Government's Fire Department because he has

***** Friendly's Agrees to Chainwide Barrier Removal Program Under Title III*** -- The U.S. Attorney for the District of Massachusetts and the Massachusetts-based Friendly Ice Cream Corporation entered into a consent decree under which Friendly's will engage in an aggressive barrier-removal program to increase accessibility throughout its chain of 704 restaurants in 15 States. The consent order requires Friendly's to come into substantial compliance within six years. In the first year, Friendly's will complete barrier removal at 117 locations,

including altering the entrances (removing steps, widening doorways, and redesigning vestibules) at those 93 restaurants that currently have inaccessible entrances. Other alterations required by the consent order include redesigning dining areas to accommodate wheelchair users; striping parking areas to include accessible spaces; and altering bathrooms by widening doorways, increasing unobstructed floor space, installing grab bars and accessible door hardware. In addition, the consent order requires the company to pay a civil penalty of \$50,000.

hearing loss in one ear. The Metro Government based its rejection on National Fire Protection Association (NFPA) medical standards, which prescribe absolute exclusions for certain physical conditions. The consent order prohibits the Metro Government from following any standards that require categorical rejection based on medical conditions, including those of the NFPA. The consent order also requires the Metro Government to offer Mr. Ola an EMT position, pay \$54,295.74 in back pay and compensatory damages, and to change its policies to provide an individualized assessment of all candidates.

Title III

United States v. Days Inns of America -- The Department entered a consent decree with the owners, contractor, and architect of the Days Inn in Wall, South Dakota, partially settling a suit brought by the Department alleging violations of the ADA's new construction requirements at the Wall location. The parties agreed to provide accessible parking, an accessible path of travel from the parking lot to the hotel and through public guest areas, accessible toilet rooms in public areas, and accessible bathrooms in rooms designated as accessible rooms. The selection of accessible guest rooms in the hotel will include a choice of room types for guests with disabilities. Days Inns of America, Inc., and HFS Incorporated, the national franchisers of the hotel, did not enter into the agreement. They are continuing to litigate with the Department over their liability for the ADA violations at this hotel and in separate lawsuits involving four other locations. The Department asserts that all the parties who participated in the design and construction of the hotel, including the franchisers, are liable for violations of the ADA Standards for Accessible Design.

4. Amicus Briefs

The Department files briefs in selected ADA cases in which it is not a party in order to guide courts in interpreting the ADA.

Title II

Nelson v. Miller -- The Department filed an amicus brief in the United States Court of Appeals for the Sixth Circuit arguing that a group of blind Michigan voters should have the opportunity to prove that there are reasonable modifications of voting procedures that, if adopted by Michigan, would allow them to vote by secret ballot. The plaintiffs contend that the State's voter assistance procedures (which allow blind voters to cast their ballots with the assistance of another person of their choice) discriminate against them by denying them the ballot secrecy that is assured to other voters. They allege that inexpensive technologies exist that would allow blind voters to cast ballots secretly. The district court dismissed the complaint, ruling that neither the Voting Rights Act nor the Voting Accessibility for the Elderly and Handicapped Act guarantee a secret ballot in this situation and that the ADA does not provide any additional rights. The Department's amicus brief argues that the scope of the ADA is not limited by the earlier laws and that plaintiffs are entitled to prove that there are reasonable modifications that would give them equal access to ballot secrecy.

Bledsoe v. Palm Beach Soil and Water Conservation District; Martin v. South Carolina Department of Transportation -- The Department filed two amicus briefs arguing that title II covers the employment practices of public entities. In *Bledsoe* the district court held that, because title I of the ADA provided detailed procedures for pursuing employment claims against public entities, Congress could not have intended to provide an additional claim under title II that would allow complainants to bypass title I

procedures. In the U.S. Court of Appeals for the Eleventh Circuit the Department's brief argues that the language of the statute and the legislative history make clear that Congress intended there to be employment coverage under title II as well as title I, and that the title II procedures be patterned after those in place under section 504 of the Rehabilitation Act. These procedures give complainants the option of either filing an administrative complaint with the Federal funding agency or going directly to court to file suit. The Department made the same argument in its amicus brief in Martin in the U.S. District Court for the District of South Carolina.

B. Formal Settlement Agreements

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

Title II

**** Outagamie County, Wisconsin --** The Department entered a settlement agreement with Outagamie County, Wisconsin, resolving a complaint involving barriers to access at Outagamie County's Justice Center, a five-story building that includes nine courtrooms, a 500-bed detention center, the sheriff's department, the

district attorney's office and numerous county services such as the probate office. The county agreed to renovate the courtrooms to provide wheelchair seating for observers; provide permanent assistive listening systems for the courtrooms; provide accessible restrooms throughout the building; install equipment to reduce the door opening force on the public entrance and exit doors; and provide accessible jail cells, including grab bars in the shower facilities. The settlement agreement also requires the county to complete a self-evaluation report within 120 days, complete all renovations by the end of the calendar year, appoint ADA coordinators to assist people with disabilities having questions or problems, post a notice in the building that describes the county's efforts to comply with the ADA and identifies the ADA coordinators, ensure that the ADA coordinators will view an educational video on title II, and distribute materials describing the county's obligations under title II to all county employees working in the Justice Center.

**** State of Wisconsin --** The Department concluded a settlement agreement with the Wisconsin State Patrol to resolve a complaint alleging that State patrolmen improperly handled a traffic stop of a deaf individual. Allegedly, the officers initially refused several requests to provide the individual with pen-and-paper when they were

Compliance Reviews Result in 9-1-1 Settlements -- In eight additional agreements with the Department (including six with U.S. Attorney's offices), 9-1-1 emergency telephone centers in the following locations have agreed to take the steps necessary to provide direct access to TDD users --

- Arlington Heights, Illinois
- Bartlesville, Oklahoma
- County of Charleston, South Carolina

- Erie County, New York
- Franklin County, Ohio
- Hattiesburg, Mississippi
- Indianapolis Airport Authority,
Indianapolis, Indiana
- Pittsburgh, Pennsylvania

The agreements generally require centers to provide TDD equipment for each emergency call-taking position and to train personnel to recognize TDD calls, including recognizing silent calls as possible TDD calls.

trying to communicate with him; they pulled him from his vehicle into their patrol car without providing him with an explanation; they blocked the path between him and his traveling companion, who is deaf, when he was trying to communicate with her through sign language; and they threatened to handcuff him if he continued attempting to sign. The agreement requires the State Patrol to adopt a policy and procedures for providing effective communication to individuals with hearing impairments in various police situations, to place copies of the policy and procedures in the police operating manual, and to publicize the policy and procedures to the public. Further, the State Patrol is required to train its over 600 officers and other personnel on the new policy and procedures and on courteous treatment of persons with hearing impairments by March 31, 1998. Finally, the agreement requires the State Patrol to ensure that TDD's are placed in all police stations throughout the State.

Pitt County, North Carolina -- The Department entered into a formal settlement with the Pitt County North Carolina Board of Commissioners concerning the failure to provide effective communication for hard of hearing participants at their meetings, even after the commissioners obtained an assistive listening system. The settlement agreement requires commission members to use the system microphones to ensure that they can be heard. The board also established a policy by which members of the public can request reasonable modifications in policies, practices, and procedures of the commission.

Clinton Township, Pennsylvania -- The Board of Supervisors for Clinton Township agreed to purchase an amplification system for use during town meetings. In addition, the settlement agreement requires the board members to use the system microphones to ensure that members can be heard.

Wood County, Ohio -- The Department entered a settlement agreement with the Wood County, Ohio, Justice Center, resolving an ADA complaint filed by a deaf inmate. The inmate complained that the Justice Center had failed to comply with the ADA by failing to communicate effectively with him about jail policies and events, and by disciplining him for missing a head count about which they had not informed him. He also complained that he was excluded from jail programs, activities, and services -- such as classes, visitation, and the use of telephones -- because of a lack of auxiliary aids. Under the agreement, the sheriff's department agreed to provide interpreter services where necessary for effective communication and made arrangements with an agency to provide interpreters when needed. It

*Formal
Settlement
Agreements*

purchased a TDD so that a deaf or hard of hearing inmate, or an inmate with a family member who is deaf or hard of hearing, can use the telephones and visiting facilities. Inmates who are deaf or hard of hearing will be individually notified of all building events and emergencies, including meals, recreation, and head counts. The Sheriff's Department also named an officer to be ADA coordinator and established an ADA request and grievance procedure.

City of Tulsa and Tulsa County, Oklahoma -- Under separate settlements, the City of Tulsa Police Department and the County of Tulsa Sheriff's Department agreed to provide appropriate auxiliary aids and services, including qualified interpreters and TDD's, when necessary to assure effective communication between their departments and members of the public who are deaf or hard of hearing. Additionally, the county has purchased two TDD's for use at the city/county jail facility and will make them available for use at all times and under the same circumstances

that telephones are available to other inmates. At least one TDD will remain in the booking section of the facility at all times and a TDD will be available for use in holding cells occupied by persons with hearing disabilities. Detained individuals will be allowed to use a TDD whenever necessary to make calls, and the county will continue to permit inmates to have toll-free access to "800" numbers for the purpose of calling telephone relay services or TDD operators.

agreed to develop a company-wide policy on service animals, train its employees, and post the policy in all of its restaurants. The policy will state that all persons with disabilities, including those accompanied by service animals, are welcome, and that no proof of an animal's certification as a service animal is required. In addition, the settlement agreement includes a payment of \$1,000 to the complainant in compensatory damages.

Title III

***Budget Rent a Car Systems, Inc., Lisle, Illinois* -- The Department entered a nationwide settlement agreement with Budget to resolve a number of title III complaints involving its corporate-owned rental locations. Budget agreed to pay a total of \$6,000 in damages to three persons who were not allowed to board an airport shuttle bus because they were accompanied by service animals and to reaffirm a policy not to separate persons from their service animals. Budget also agreed to reaffirm a policy that persons who are unable to drive due to disabilities (such as those with visual impairments or seizure disorders) will be allowed to maintain primary financial responsibility for vehicle rentals when accompanied by licensed drivers. When implementing both of these policies, Budget will not inquire into the nature or severity of the renter's disability or ask for identification or certification of the service animals. Budget also agreed to include these policies in its employee education program and to send an announcement of the policies to all licensees, who are urged to adopt the policies as their own.

Shoney's, Inc., Nashville, Tennessee -- The Department entered into a nationwide settlement agreement with Shoney's resolving a complaint alleging that a Shoney's restaurant in Huntsville, Alabama, violated the ADA by failing to allow a service animal into the restaurant. Shoney's

*Formal
Settlement
Agreements*

Pavey's Grocery, Rushville, Indiana -- Pavey's Grocery store of Rushville, Indiana, entered into a settlement agreement with the U.S. Attorney

for the Southern District of Indiana to resolve a complaint alleging that the store was not accessible to patrons with mobility impairments. The complaint alleged that the ramp at the store's main entrance was too steep, and that the door did not open easily. The settlement agreement requires the store to modify the ramp, fix the door, and ensure that the future planned remodeling fully complies with the ADA.

Warner Theatre, Washington, D.C. -- The Warner Theatre agreed to provide interpreters upon request for any performance if the request is made at least ten days prior to the performance for which the individual holds a ticket. If a request for an interpreter is received later than ten days prior to the performance, the Warner Theatre will make reasonable efforts to provide interpreter service. The agreement further provides that the Warner Theatre will provide comprehensive training for its employees, including instruction on how to comply with the provisions of the agreement and instruction on handling telephone calls from individuals who are deaf or hard of hearing or who have speech impairments.

Hotel Bel-Air, Los Angeles, California; Lauderdale Beach Hotel, Fort Lauderdale, Florida -- The Department signed settlement agreements with hotels in California and Florida resolving complaints concerning their alleged failure to provide auxiliary aids and services to deaf and hard of hearing guests, including visual alarms to alert them to smoke and fire, visual notification devices to alert them of incoming telephone calls and door knocks or bells, TDD's, television decoders, and phone amplifiers. The hotels agreed to obtain all of the auxiliary aids and services, make a good faith effort to make arrangements to rent or share additional TDD's, if needed, upon request, and honor the request within two hours of receiving it. The complainant in each case received \$5,000 in compensatory damages.

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.

Title II

The sheriff's office in a small Washington town agreed to ensure that delivery trucks will not block a curb cut at the office.

A southeastern State department of parks, recreation, and tourism agreed to include information about accessible facilities and programs in its travel guides, State maps, and through its "800" information line and World Wide Web site.

A California prison altered two accessible parking spaces to comply with the requirements for accessible spaces under the ADA Standards for Accessible Design, posted accessible signage at the restrooms, and has provided signage in Braille describing the prison's visitation policies and procedures.

A California county court system has developed a policy for providing qualified interpreters for people who are deaf or hard of hearing.

Title III

An Oklahoma superstore agreed to make a portable TDD available at one of the interior pay phones in the store.

A suburban Maryland supermarket formalized its unwritten policy of allowing service animals into all of its stores, agreed to train all of its employees on ADA requirements, and to post signs in all stores indicating that service animals are welcome.

The U.S. Attorneys obtained informal settlements in the following cases --

Western District of Michigan --

A national licensing board agreed to make testing accommodations for a student with post-traumatic stress disorder, including placing the student in a separate room, allowing extra time to complete the exam, and providing a break between each portion of the exam.

A Michigan county court agreed to make restrooms in its annex building accessible and to build a ramp leading to the juvenile services area.

District of Delaware --

A Delaware beach town agreed to provide an easement on town property to enable a local restaurant to construct a ramp to its front entrance.

II. Mediation

Through a technical assistance grant from the Department, the Key Bridge Foundation is accepting referrals of complaints under titles II and III for mediation by professional mediators. The Foundation has trained 400 professional mediators in 42 States in the legal requirements of the ADA. Over 70 percent of the cases in which mediation has been completed have been successfully resolved. Following are recent examples of results reached through mediation.

In suburban Maryland, a wheelchair user complained that a restaurant refused to allow her mobility assistance dog to enter. The restaurant owner apologized and agreed to educate himself and his staff about the ADA. He agreed to contact other professionals in his field, as well as a restaurant trade organization, to inform them of his experience and educate them about the ADA. He agreed to make a donation to a charitable organization for service animals.

A wheelchair user in New York complained that a wedding reception hall was not accessible. The reception hall agreed to replace the steps located at the entrances to the lobby, the cocktail lounge, and the restrooms with accessible ramps.

A tenant in Missouri complained on behalf of his clients who use wheelchairs that a professional building was not accessible. The building owner agreed to allow the tenant's clients to enter through another office. A ramp will be installed in the walkway that leads to this office and another ramp will be installed at the entrance to the office so that it is accessible to people who use mobility devices. The owner agreed to ensure that wheelchair users will have an unobstructed path of travel through the office.

A California wheelchair user complained that a restaurant did not have an accessible restroom for men. The restaurant agreed to renovate the existing restroom to make it accessible.

An Indiana wheelchair user complained that a restaurant did not have accessible parking, an accessible entrance, or accessible restrooms. The restaurant agreed to create two accessible parking spaces adjacent to the front door. In addition, the restaurant agreed to patch the asphalt at the front entrance in order to facilitate wheelchair access. The restaurant also agreed to have grab bars installed in the accessible restroom stalls.

In California, a person with Tourette syndrome complained that a counseling organization rejected him from their program based on his disability. The organization agreed to include a statement prohibiting discrimination based on disability in its written policy for employee conduct. Employees must affirm that they will follow this policy by signing it. The counseling organization agreed to notify all client applications of its application review grievance policy. The organization also agreed to pay \$750 to the complainant.

A person with a disability complained that a Maryland beauty salon denied service to her because she used a service animal. The owner agreed to notify each employee in writing that the management supports the ADA. In addition, the owner agreed to require employees to sign a form stating that they had received and read the Department's "Commonly Asked Questions About Service Animals in Places of Business" and agree to abide by its contents. Finally, the owner agreed to contribute \$500 to a charitable organization for service animals.

A Texas wheelchair user complained that a restaurant was not accessible. The owner agreed to relocate a dining table large enough to accommodate the complainant's party whenever necessary to make the dining room accessible to the complainant or other wheelchair users.

A wheelchair user in Maryland complained that a restaurant did not have an accessible entrance or restroom. The owner agreed to install the ramps necessary to entrance and to renovate the restroom to make it accessible.

Two Florida wheelchair users complained that a restaurant located in a shopping center refused to allow them to enter or to provide them service because they used wheelchairs. The owner

agreed to welcome and serve both complainants as patrons. The owner agreed to post a sign in the front window of the restaurant stating a policy of nondiscrimination against people with disabilities. The owner agreed to educate all employees about the rights of people with disabilities. The shopping center owner agreed to provide space for a disability awareness event to be held at the shopping center, cooperate with the organization presenting the event, and contribute \$250 towards publicity for the event. The restaurant owner agreed to contribute some of the refreshments for the event. Finally, the restaurant owner agreed to pay the complainants \$500 and the shopping center owner agreed to pay \$500 in attorney's fees.

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, developing and disseminating technical assistance materials to the public, undertaking outreach initiatives, operating 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 (<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 Technical Assistance Grant Program.

The home page also provides direct access to:

- ADA regulations and technical assistance materials (which may be viewed online or downloaded for later use), and

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- links to the Department's press releases, Home Page, and ADA Bulletin Board, to bulletin boards of other Federal agencies, and to other Internet sites which have 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 for delivery by mail or fax, 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, call:

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

ADA Fax on Demand -- The ADA Information Line's Fax Delivery Service allows the public to obtain free ADA information by fax 24 hours a day, seven days a week. By entering the appropriate document code number, callers can select from among 21 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 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, and information about the Department's technical assistance grant program, can be obtained by calling the ADA Information Line or writing to the address listed at the top of the next page. All materials are available by mail in standard print as well as large print, Braille, audiotape, or computer disk for persons with disabilities.

Two new technical assistance documents are now available --

*****Restriping Parking Lots*** is the first of a series of planned brief ADA Design Guides that provide specific information about discrete ADA design and construction requirements. The illustrated two-page document is designed for use by construction and maintenance staffs who restripe parking lots. Its format permits the document to be easily faxed or reproduced.

*****Common ADA Errors and Omissions in New Construction and Alterations*** presents a sampling of common mistakes identified through the Department's enforcement efforts. This 13-page illustrated publication includes a brief discussion of the significance of each error or omission followed by the relevant requirements from the ADA Standards for Accessible Design. The publication, which is designed for architects and the construction industry, was first distributed at the Universal Accessibility Conference which was co-sponsored by the American Institute of Architects.

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 five thousand 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.

ADA regulations and technical assistance materials can also be downloaded from the Department's ADA Bulletin Board System (ADA-BBS) or the Internet. The ADA-BBS, which includes selected ADA documents from other agencies, can be reached by computer modem by dialing 202-514-6193 or accessed on the Internet through telnet fedworld.gov Gateway D. The ADA Home Page also provides a link to the fedworld gateway. The Department's regulations and technical assistance materials, as well as press releases on ADA cases and other issues, are available on the ADA Home Page at <http://www.usdoj.gov/crt/ada/adahom1.htm>.

IV. Other Sources of ADA Information

The Equal Employment Opportunity Commission offers technical assistance to the public concerning 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)

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)

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

ADA documents
202-857-3800 (voice)
202-293-8810 (TDD)

ADA questions
202-418-1098 (voice)
202-418-2224 (TDD)

The *National Institute on Disability and Rehabilitation Research (NIDRR)* of the U.S. Department of Education has funded centers in ten regions of the country to provide technical assistance to the public on the ADA.

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

The *U.S. Department of Transportation* offers technical assistance to the public concerning the public transportation provisions of title II and title III of the ADA.

Project ACTION
800-659-6428 (voice/relay)
202-347-3066 (voice)
202-347-7385 (TDD)

ADA documents and general questions
202-366-1656 (voice/relay)

ADA questions
202-366-1936 (voice/relay)

Complaints and enforcement
202-366-2285 (voice)
202-366-0153 (TDD)

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)

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