



Enforcing the ADA:

A Status Report from the Department of Justice

October - December 2010

This Status Report covers the ADA activities of the Department of Justice during the fourth quarter (October - December) of 2010. This report, previous status reports, and a wide range of other ADA information, including the consent decrees and formal settlement agreements mentioned in this report, are available through the Department's ADA Home Page at www.ada.gov (see page 14).

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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 thousands 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 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. New Lawsuits

Defending the constitutionality of the ADA -- When a party in a lawsuit challenges any provision of a Federal law as unconstitutional, the Department is permitted to intervene to defend the law's constitutionality. During this quarter, the Department intervened in two cases to defend the constitutionality of private title II lawsuits against State claims of immunity under the 11th Amendment.

Kilroy v. Maine (First Circuit) -- a lawsuit by an individual who receives in-home services from the State of Maine, challenging a State decision that he claims will put him at risk of institutionalization.

Guttman v. State of New Mexico (Tenth Circuit) -- a lawsuit by a doctor challenging the State of New Mexico's revocation of his medical license on the grounds of his disabilities.

2. Decisions

Title II

Hiltibran v. Levy -- On December 27, 2010, the U.S. District Court for the Western District of Missouri issued an injunction in Hiltibran v. Levy, a lawsuit challenging the State's refusal to provide incontinence supplies for individuals with disabilities who live in the community. The plaintiffs allege that Missouri's policy to provide incontinence supplies for nursing home residents but not for individuals who

reside in the community places them at risk of institutionalization in violation of the ADA's integration mandate and the Supreme Court's Olmstead decision. On October 15, 2010, the Department filed a Statement of Interest arguing that the plaintiffs are likely to win the lawsuit and should be provided with the needed supplies while the case is pending. The court agreed and issued a state-wide preliminary injunction requiring the State to provide the supplies to Medicaid-eligible adults who live in the community. (See other Olmstead cases in the Amicus Briefs section on page 6.)

During this quarter, one case in which the Department had intervened to defend the constitutionality of a private title II lawsuit against State claims of immunity under the 11th Amendment was decided.

McCullum v. Owensboro Community and Technical College -- This lawsuit involves a former employee's claim that, because she advocated for a blind student to receive accommodations, the college retaliated against her to the point where she was forced to resign. The court rejected the defendant's immunity argument and agreed with the Department that the plaintiff has the right to sue the college for retaliation under the ADA.

3. Consent Decrees

Title III

U.S. v. Norwegian Cruise Line -- On October 25, 2010, the Department simultaneously filed a lawsuit and a consent decree in the U.S. District Court for the Southern District of Florida resolving allegations that Norwegian Cruise Line (NCL) had discriminated against nine individuals who took NCL cruises around the Hawaiian Islands. NCL had required guests who are deaf or hard of hearing to bring companions to provide the communication services they needed and had failed to provide accessible

ground transportation for guests who use wheelchairs. Under the terms of the decree, which was approved by the court on October 31, 2010, NCL will provide sign language interpreters, written transcripts, closed caption televisions, TTYs, and other communication aids so that passengers who are deaf or hard of hearing can fully enjoy on-board activities and shore excursions offered by NCL and can participate in emergency drills while on board. NCL will also provide accessible transportation between the airport, cruise ship, and hotels, and for shore excursions, so that passengers who use wheelchairs do not have to wait longer than other passengers for transportation services. In addition, NCL

will pay \$100,000 in compensatory damages to nine complainants and pay a \$40,000 civil penalty to the United States.

U.S. v. Hilton Worldwide, Inc. -- On November 9, 2010, the Department simultaneously filed a lawsuit and a consent decree in the U.S. District Court for the District of Columbia resolving multiple complaints of discrimination by Hilton Worldwide, Inc. (HWI). The decree, which was approved by the court on November 30, 2010, covers all hotels that HWI owns, manages, or franchises in the ten hotel brands owned by HWI: Hilton Hotels, Conrad Hotels & Resorts, Waldorf Astoria Hotels & Resorts, Hilton Grand Vacations, Hilton Garden Inn, Hampton Inn, Homewood Suites, Embassy Suites Hotels, Home2Suites, and Doubletree Hotels. HWI owns, manages, or franchises 2,800 hotels nationally. Of that number, 2,200 hotels were constructed after 1993. Under the terms of the decree, all HWI-owned hotels built after January 26, 1993, as well as all HWI-managed and franchised hotels built since then that experience a “triggering event” (a new franchise or management agreement, a renewal or extension of a franchise agreement, or a change of ownership) will be required to conduct an accessibility survey of its facilities and certify to an HWI-hired ADA consultant that the hotel complies with the ADA requirements specified in the survey. If the survey identifies barriers to access, the hotel will be required to develop a plan to comply with the ADA Standards for Accessible Design and submit the plan to the ADA consultant for review. It is anticipated that approximately 900 of the 2,200 Hilton branded hotels in the United States built after 1993 will undergo an accessibility survey during the term of

the decree. In addition, HWI will amend its standard requirements imposed on all 2,800 hotels to require compliance with the ADA, obtain an ADA compliance certificate from an architect when a new facility is constructed, train employees on the ADA, and designate an ADA contact person at each hotel. HWI’s reservations system will be improved so individuals with disabilities can learn what types of accessible rooms, features, and amenities are available when reserving by telephone or online and can guarantee a reservation as easily as other customers. HWI also paid a civil penalty of \$50,000 to the United States.

Regal Entertainment Group and AMC Entertainment, Inc. -- Regal Entertainment Group, America’s largest movie theater company with more than 6,700 screens nationwide, and AMC Entertainment, Inc., the second largest company with more than 5,300 screens, have entered into consent decrees with the Department resolving claims that they violated the ADA by failing to provide patrons who use wheelchairs with comparable lines of sight relative to other movie patrons in their stadium-style theaters. The consent order negotiated with AMC, which was approved by the Federal court in Los Angeles on November 29, 2010, and the renewed consent order negotiated with Regal, which was endorsed by the Federal court in Boston on December 9, 2010, have similar accessibility provisions. Both companies agreed to ensure that a specified percentage of existing stadium-style theaters provide wheelchair spaces and companion seating in the stadium section. In addition, all new stadium-style theaters opened by AMC or Regal during the respective five- and three-year terms of the consent decrees

will be constructed in accordance with design requirements that place accessible seating near the middle of the auditorium. AMC also will pay \$25,000 in civil penalties to the United States and a total of \$50,000 in monetary damages to individual complainants.

Portsmouth Regional Hospital -- On November 23, 2010, the Department simultaneously filed a lawsuit and a consent decree in the U.S. District Court for the District of New Hampshire resolving claims against HCA Health Services of New Hampshire, Inc., d/b/a Portsmouth Regional Hospital, alleging that the hospital failed to provide effective communication to deaf patients on multiple occasions and frequently relied upon unqualified friends or relatives to serve as interpreters both in emergency room and inpatient settings. Under the terms of the decree, which was signed by the court on December 2, 2010, the hospital agreed to adopt a comprehensive effective communication policy, including the appointment of a program administrator who will be responsible for coordinating the provision of effective communication services for patients who are deaf or hard of hearing. In addition, the hospital will pay a total of \$60,000 in damages to the three complainants and pay \$20,000 in civil penalties to the United States.

4. Amicus Briefs/Statements of Interest

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

CALIF v. Los Angeles -- On October 7, 2010, the Department filed a Statement of Interest in Communities Actively Living Independently and Free v. City and County of Los Angeles, a lawsuit challenging the city's failure to consider the needs of people with disabilities in its emergency preparedness plans. The Department argued that (1) the city has failed to plan and prepare to meet the needs of individuals with disabilities in emergencies and disasters and has failed to integrate planning for individuals with disabilities into its general emergency planning process; (2) the city's assertion that, during emergencies and disasters, it will grant reasonable modifications upon request for individuals with disabilities is insufficient to meet the requirements of the ADA and the Rehabilitation Act in the emergency preparedness context; (3) the ADA's provision stating that public entities are not required to provide personal services and devices for individuals with disabilities does not apply in the context of emergencies and disasters where public entities plan to provide life-sustaining services and equipment for the general public; and (4) the city had not met its burden in asserting the defenses of undue financial and administrative burden and fundamental alteration. The Department urged the court to grant the plaintiffs' motion for summary judgment. Subsequently, the plaintiffs and the county agreed to work together to amend the emergency management plans to bring them into compliance with the ADA and Rehabilitation Act.

Department Files Briefs to Enforce Olmstead Decision -- The Department has launched an aggressive effort to enforce the Supreme Court decision in Olmstead v. L.C., a 1999 ruling recognizing that the unjustified isolation of individuals in institutional settings is a form of discrimination under the ADA. The Olmstead decision has often been called the Brown v. Board of Education of the disability rights movement. In June 2009, President Obama directed Federal Agencies to redouble their enforcement efforts. During this quarter, the Department filed briefs in cases in Alabama, Florida, and Georgia.

Knipp v. Perdue -- On October 6, 2010, the Department filed a Statement of Interest in Knipp v. Perdue, a lawsuit pending in the U.S. District Court for the Northern District of Georgia, on behalf of individuals with mental disabilities whose community-based Medicaid services are being terminated by the State. The Department's brief urged the court to grant the plaintiffs' motion for a preliminary injunction requiring the State to continue providing services to them while the case is pending and to deny the State's motion challenging both the plaintiffs' right to sue and their claim that the State's action violates the Olmstead decision and the ADA's integration mandate.

Boyd v. Herrmann-Steckel -- On October 12, 2010, the Department filed a Statement of Interest in Boyd v. Herrmann-Steckel, a lawsuit challenging the State of Alabama's refusal to provide community-based services for a 36-year old man with quadraplegia who currently resides in a nursing home. The facility's rigid rules and restrictions make it difficult for him to pursue his graduate studies at a local state university. The Department's brief, filed in the U.S. District Court for the Middle District of Alabama, argued that the plaintiff is suffering irreparable harm and should be provided with community-based services while the case is pending.

Lee v. Dudek -- On December 20, 2010, the Department filed a Statement of Interest in Lee v. Dudek, a class action lawsuit against the State of Florida pending in the U.S. District Court for the Northern District of Florida. The plaintiffs are Medicaid-eligible individuals with disabilities who reside in nursing homes but want to reside in the community. The parties filed cross motions for summary judgment on November 15, 2010. In its brief, the Department argued that the plaintiffs are entitled to summary judgment with respect to the State's lack of a fundamental alteration defense and that the State's motion should be denied because it is premised on factual disputes and legal arguments that lack merit.

Title III

State of Arizona v. Harkins Amusement Enterprises -- On December 6, 2010, the Department filed a Statement of Interest in State of Arizona v. Harkins Amusement Enterprises, a lawsuit pending in the U.S. District Court for the District of Arizona. This case concerns a movie theater chain and its affiliates that refuse to provide movie captioning and video description for patrons with sensory disabilities. The court had previously granted the defendants' motion to dismiss the case, based on their claim that captioning and video description would fundamentally alter the nature of their goods and services. On appeal, the Ninth Circuit Court of Appeals reversed this ruling and remanded the case to the district court. On remand, the defendants filed a motion to dismiss or stay the litigation, claiming that the doctrine of primary jurisdiction requires the court to await the Department's potential rule-making on movie captioning and video description before considering the case. In its brief, the Department explained that DOJ is not the type of agency to which this doctrine applies.

B. Formal Settlement Agreements

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

Title II

Cailloux Theater -- On October 26, 2010, the City of Kerrville, Texas, which owns the Cailloux Theater, and Playhouse 2000, which

manages and operates the theater, entered into a settlement agreement with the Department to bring the theater into compliance with the ADA Standards, after making significant alterations in 2003 that did not meet the Standards. Under the agreement, the city and management company will retrofit the facility to provide wheelchair and companion seating locations in areas with a variety of ticket prices and provide accessible routes throughout the theater. They will also implement a nondiscriminatory reservations policy. In addition, they will pay \$2,500 in compensatory damages to the complainant.

Wolfeboro, New Hampshire -- On October 26, 2010, the Town of Wolfeboro, New Hampshire, entered into a settlement agreement with the U.S. Attorney's Office for the District of New Hampshire to resolve an allegation that town programs and facilities violated the "program access" requirements of title II of the ADA. The town agreed to make a host of architectural changes to improve physical access to a variety of town facilities, including the town hall, public safety building, library, and community center. The agreement sets forth changes that the town made during the course of the investigation and establishes a three-year timetable for the completion of additional changes.

Title III

Frisbie Memorial Hospital -- On October 18, 2010, Frisbie Memorial Hospital of Rochester, New Hampshire, entered into a settlement agreement with the Department to resolve allegations that it violated the ADA by failing to provide appropriate auxiliary aids and services to ensure effective communication for individuals who are deaf or hard-of-hearing. Under the terms of the settlement,

the hospital will establish a comprehensive policy for providing effective communication in the future. It also agreed to pay \$35,000 in compensatory damages to the complainants.

Modern Hairstyling Institute -- On December 2, 2010, Modern Hairstyling Institute, Inc., a cosmetology school in Bayamon, Puerto Rico, entered into a settlement agreement with the Department resolving an allegation that it refused to enroll an applicant with HIV, based on unfounded fears and stereotypes about the disease. Modern Hairstyling Institute agreed to enroll the complainant, pay her \$8,000 in damages, and pay a civil penalty of \$5,000 to the United States.

Millennium Broadway Hotel and Renaissance Hotel -- On December 12 and 21, 2010, the U.S. Attorney's Office for the Southern District of New York signed settlement agreements with the 752-room Millennium Broadway Hotel and the 310-room Renaissance Hotel under its initiative to ensure that hotels in New York's Theater District are accessible. The Renaissance will create 12 fully accessible guest rooms (four with roll-in showers) and an additional 20 guest rooms that are accessible to people who are deaf or hard of hearing. The Millennium Broadway will create 24 fully accessible guest rooms (eight with roll-in showers) and an additional 40 guest rooms that are accessible to people who are deaf or hard of hearing. This brings the number of hotels involved in the initiative to 37 -- 32 resolved by settlement agreements and five resolved by consent decrees after lawsuits were filed.

C. Other Settlements

The Department resolves numerous cases without litigation or a formal settlement agreement. In some instances, the public accommodation 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

An individual complained that he was denied an opportunity by a Florida state agency to serve as a volunteer guardian ad litem because he is blind. The agency adopted a disability nondiscrimination policy, including provisions to ensure effective communication, designated an ADA coordinator, created ADA training materials for staff and volunteers, and posted a notice to the public about the new policy.

An inmate, who has severe heart disease and other conditions that affect his mobility, complained that a Georgia state prison took his wheelchair away in retaliation for a grievance he filed about his medical care. The prison has reclassified the inmate as a chronic care patient who needs regular medical appointments, returned his wheelchair and provided him with a cane; housed him in a dorm closer to the medical unit and the dining hall; assigned him to a low bunk in his sleeping quarters; and agreed to provide him with catheters and diapers on a regular basis.

An inmate with quadriplegia who uses a wheelchair complained that a Missouri state prison denied him accessible housing, a specialized mattress for his disability, employment opportunities offered to other inmates, and accessible transportation. The prison is now housing the complainant in its infirmary and has provided a bed with a mattress that accommodates his medical needs. He has also been assigned a prison job. The Missouri Department of Corrections has amended existing policies and procedures to ensure that inmates who use wheelchairs and other mobility aids are transported in accessible vehicles.

An inmate who uses a prosthetic eye complained that officers of a Washington state correctional facility lost his prosthetic while conducting a search of his cell. The facility has scheduled the inmate for medical appointments to fit him with a new prosthetic eye.

An inmate who has a mobility disability and uses a wheelchair complained that the campus of a Washington state prison was difficult to navigate because of hilly terrain. The prison has assigned the complainant an inmate to assist in pushing the wheelchair around the facility as needed.

An individual with a chronic medical condition and a mobility disability complained that a Missouri municipality asked him to leave a public meeting when his service animal barked during the proceedings. The municipality has adopted and implemented a service animal policy, distributed the policy to employees, posted the policy in public areas, and trained staff on the policy and other ADA requirements.

An individual with a disability complained that an Oregon state agency did not have an ADA coordinator. The agency did have a designated employee whose role was limited to addressing employment-related complaints. This employee's role will be expanded to handle and resolve complaints from the general public regarding the agency's responsibilities to make its programs and services accessible to people with disabilities. The agency will post its ADA policy and contact information for the ADA coordinator on its website.

An individual who is blind complained that a Texas county court failed to provide legal documents to him in Braille as he had requested. The court agreed to adopt, implement, and enforce an effective communications policy, including the provision of Braille materials, as needed when conducting business with individuals who have disabilities. The court will disseminate the policy to all of its employees and contractors, train staff about the policy and the ADA, and post the policy on its website.

An inmate with a mobility disability complained that a Nevada state prison was inaccessible. The prison installed accessible parking, curb ramps, and accessible routes leading to visitation areas for visitor and inmate access; modified public toilet rooms at the main gatehouse and visitation areas; provided accessible tables in the dining areas; modified five cells and built one new accessible shower. The prison also designated an ADA coordinator; established and implemented a grievance procedure for resolving inmate complaints; amended policies and procedures to ensure effective communication for inmates who are deaf

or hard of hearing; and established and implemented procedures to ensure that inmates with mobility disabilities are housed in accessible cells.

An individual with a mobility disability complained that an Indiana county jail was inaccessible to people who use wheelchairs. The county reduced the opening force of the doors in the Sheriff's Department to 5 lbs of force or less; installed an accessible shower in the booking area; installed accessible mirrors and towel dispensers in the men's and women's toilet rooms serving the jail's lobby; and provided rooms for face-to-face visitation for inmates and visitors who, because of their disabilities, cannot use the video equipment in regular visitation areas.

Title III

An individual with a disability complained that she was refused entry to a Colorado restaurant because she uses a service dog. The restaurant adopted and implemented a service animal policy, posted signage regarding the policy, and trained staff to allow patrons to be accompanied by their service animals.

An individual with a mobility disability complained that an Arizona chain motel would not allow him to stay because he uses a service animal. The motel adopted a service animal policy, posted signs welcoming service animals, and trained its employees on the new policy.

An individual with a mobility disability complained that a Wisconsin food bank did not provide accessible parking. The food bank agreed to provide an access aisle for its designated accessible parking space, with required signage.

An individual complained that a Georgia restaurant was inaccessible to individuals with mobility disabilities because of a six-inch step at the main entrance. Because a permanent ramp would have infringed on the public right-of-way, the restaurant agreed to provide a portable ramp on an as-needed basis and to assist patrons with disabilities to get up and down the ramp as necessary.

An individual with a mobility disability complained that a New York restaurant did not have an accessible entrance. The restaurant installed an accessible ramp to the public entrance.

The spouse of a woman who uses a walker alleged that a Florida casino was inaccessible to individuals who have mobility disabilities. The casino agreed to provide accessible parking spaces and an accessible route from the parking lot to the accessible main entrance, with signage at inaccessible entrances directing patrons to accessible entrances. It also agreed to install additional wheelchair seating in the facility, lower service counters in a deli and a bar, and reduce the opening force of interior doors. In addition, the casino agreed to install assistive listening systems in the main poker room and a tournament room.

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

Southern District of New York --

An individual with a mobility disability complained that a seafood restaurant was not accessible to people who use wheelchairs. The restaurant agreed to install a permanent ramp at the public entrance, redesign the floor layout to increase access, and install a new accessible restroom.

Southern District of New York --

An individual who uses a wheelchair complained that the visitor center and all but one of the restaurants in a large department store were inaccessible. The

barriers were removed and other access improvements were made during store renovations.

Middle District of Tennessee -- The mother of a child with a mobility disability complained that a parking lot serving two retail businesses did not have a van accessible parking space. The businesses added a van accessible space.

District of Vermont -- An individual with a mobility disability complained that a shopping center lacked a sufficient number of accessible parking spaces and required signage. The shopping center added additional accessible spaces, including one van-accessible space, and installed appropriate signage.

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. Many people with disabilities and disability rights organizations request the Department to refer their complaints to mediation. More than 400 professional mediators are available nationwide to mediate ADA cases. Over 75 percent of the cases in which mediation has been completed have been successfully resolved. Following are recent examples of results reached through mediation.

- In Maryland, a woman with low vision complained that a doctor's office refused to allow her into the treatment area with her service animal. The office modified its policy to allow service animals to accompany individuals in all public areas of the medical practice, posted the policy on its website, and instructed employees on the policy. In addition, the office paid the complainant \$4,000 and donated \$500 to a service animal organization.
- In Texas, an individual who uses a wheelchair complained that a fitness center had inaccessible parking and restrooms, and that equipment blocked the accessible route. The center installed accessible parking spaces and signage, installed an accessible toilet and grab bars in the accessible restroom, and moved exercise equipment to provide an accessible route throughout the facility.
- In Pennsylvania, a person who uses a wheelchair complained that a chain clothing store refused her access to a fitting room because she needed her husband's assistance in trying on the clothes. The chain changed its policy to allow customers requiring dressing assistance because of a disability to be accompanied into fitting rooms by an assistant of either gender, distributed the policy to nearly 300 locations, circulated frequently asked questions to all employees, and agreed to ongoing ADA staff training. In addition, store officials met with the department manager involved in the incident to discuss proper methods for accommodating individuals with disabilities.
- An individual who is deaf complained that a North Carolina physical therapy office refused to provide a sign language interpreter for her initial appointment. The office adopted a policy to provide qualified interpreters upon request, trained its staff in providing effective communication, revised its client intake procedure to help identify when interpreters would be needed, and posted signs in the office about its policy.
- In Pennsylvania, an individual who is deaf complained that a hospital refused to provide a sign language interpreter despite repeated requests during a hospital stay. The hospital developed new policies and procedures to ensure effective communication for deaf patients, including the provision of interpreters upon request, trained 500 hospital staff on ADA requirements, and purchased three video phones and trained staff in their use.

- In Montana, an individual who uses a wheelchair complained that a parking lot serving several medical offices had insufficient accessible parking and no van-accessible spaces. The offices resurfaced and restriped the parking lot to create ten additional accessible parking spaces, including five van-accessible spaces.
- An individual whose aunt uses a wheelchair complained that a Michigan hotel was inaccessible. The hotel installed accessible parking near the accessible rooms, a curb ramp, and directional signage. In addition, the hotel installed an accessible room with a roll-in shower, and added a transfer bench and visual alarm in an existing accessible room.
- In Texas, a woman with a neurological disorder complained that staff and management at a chain fast food restaurant repeatedly ask her to leave because she uses a service animal for mobility assistance. The chain reaffirmed its policy of serving customers with service animals, trained employees on the policy at the 39 locations owned by the franchisee, and agreed to provide ongoing training for employees. In addition, the owner of the chain committed to working with statewide restaurant associations to educate them on service animal issues and personally apologized to the complainant.
- In Nebraska, a person with a mobility disability complained that a restaurant's accessible parking was not located on the closest route to the accessible entrance and that the restaurant regularly piled snow into the accessible parking spaces. The restaurant moved two accessible parking spaces, including one van-accessible space, closer to the accessible entrance and informed its snow removal company that it cannot pile snow in the accessible parking spaces.
- A woman whose daughter is deaf complained that a Florida hospital refused to provide a sign language interpreter while her daughter was on suicide watch. The hospital adopted a policy for providing effective communication, including providing sign language interpreters, developed annual staff training on ADA requirements, and paid the complainant \$2,000.

III. Technical Assistance

The ADA requires the Department of Justice to provide technical assistance to businesses, State and local governments, and individuals with rights or responsibilities under the law. The Department provides education and technical assistance through a variety of means to encourage voluntary compliance. Activities include providing direct technical assistance and guidance to the public through the ADA Website and ADA Information Line; developing and disseminating technical assistance materials to the public; and undertaking outreach initiatives.

ADA Website

The Department's ADA Website (www.ada.gov) provides direct access to the Department's publications, briefs, and settlement agreements, and other information about its enforcement, mediation, technical assistance, and certification programs, including proposed changes in ADA regulations and requirements, links to ADA press releases, and links to other Federal agencies' websites that contain ADA information.

In addition, the website provides access to --

- ◆ electronic versions of the ADA Standards for Accessible Design, including illustrations and hyperlinked cross-references;
- ◆ the ADA Business Connection, with links to materials of particular interest to businesses;
- ◆ Reaching Out to Customers With Disabilities, a web-based, interactive online course that explains the requirements of title III;
- ◆ the ADA Video Gallery, with links to accessible streaming videos about the ADA; and
- ◆ online ordering forms for selected ADA videos.

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 order publications by mail, is available 24 hours a day, seven days a week. ADA specialists, who can assist callers in understanding how the ADA applies to their situation, are available on Monday, Tuesday, Wednesday, and Friday from 9:30 a.m. until 5:30 p.m. and on Thursday from 12:30 p.m. until 5:30 p.m. (Eastern Time). Foreign language service is also available. To get answers to technical questions, obtain general ADA information, order free ADA materials, or ask about filing a complaint, please call:

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

ADA Publications and Documents

Copies of the Department's ADA regulations and technical assistance publications can be obtained by calling the ADA Information Line, visiting the ADA Website, or writing to the address listed below. All materials are available in standard print as well as large print, Braille, audiotape, or computer disk for people with disabilities. Some publications are available in foreign languages.

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

Spanish language documents can be accessed through the ADA Website (www.ada.gov/publicat_spanish.htm).

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

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
FOIA/PA Branch, NALC Room 311
Washington, D.C. 20530
Fax: 202-514-6195

Currently, the FOIA/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 FOIA/PA Branch also provides internet access to ADA materials at www.usdoj.gov/crt/foia/crt.htm. Links to search or visit this website are provided from the ADA Website.

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 publications
800-669-3362 (voice)
800-800-3302 (TTY)

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

www.eeoc.gov

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

ADA publications and questions
888-225-5322 (voice)
888-835-5322 (TTY)

www.fcc.gov/cgb/dro

U.S. Department of Transportation, Federal Transit Administration provides information to the public on the transportation provisions of title II of the ADA.

ADA Assistance Line for regulations and complaints
888-446-4511(voice/relay)

www.fta.dot.gov/ada

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

ADA publications and questions
800-872-2253 (voice)
800-993-2822 (TTY)

www.access-board.gov

The **DBTAC: ADA 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 & TTY)

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)

www.projectaction.org

The **Job Accommodation Network (JAN)** is a free telephone consulting service funded by the U.S. Department of Labor. 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)
877-781-9403 (TTY)

www.jan.wvu.edu

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 (TTY) 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 --

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, N.W.
Disability Rights Section - NYAV
Washington, D.C. 20530

If you wish your complaint to be considered for referral to 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.