



Fact Sheet

Advance Notice of Proposed Rulemaking on Accessibility of Web Information and Services Provided by Entities Covered by the ADA

The Department of Justice’s Consideration of Regulations Requiring Entities Covered by the ADA To Make Their Websites Accessible to Individuals with Disabilities

When the Americans with Disabilities Act (ADA) was enacted in 1990, the Internet as we know today did not exist. Today, the Internet—most notably the sites of the World Wide Web (Web)—plays a critical role in the daily personal, professional, civic, and business life of Americans. Increasingly, governmental and private entities covered by the ADA are providing goods, services, and programs to the public through their websites. However, many of these websites are not readily accessible to individuals with disabilities. While the Department did not include proposed Web accessibility provisions in its 2008 Notice of Proposed Rulemaking (NPRM) regarding revisions to the ADA regulations, the Department received numerous comments urging it to establish such provisions. In light of these developments, this advance notice presents for public review and comment a series of questions seeking comments and suggestions regarding what a NPRM issued by the Department on Web accessibility should contain.

Summary: The Department is providing advance notice that it is considering revising the regulations implementing title II and III of the ADA to establish specific requirements for State and local governments and public accommodations to make their websites accessible to individuals with disabilities. The purpose of the Department’s proposal is to solicit public comment on various issues relating to the establishment of any such Web accessibility requirements and to determine the costs and benefits of any requirements that the Department might adopt.

In its advance notice, the Department is seeking information regarding what standards, if any, it should adopt for website accessibility, whether the Department should adopt coverage limitations for certain entities, like small businesses, and what resources and services are available to make existing websites accessible to individuals with disabilities. The Department is also soliciting comments on the costs of making websites accessible, whether there are effective and reasonable alternatives to make websites accessible that the Department should consider permitting, and when any Web accessibility requirements adopted by the Department should become effective.

Comments on this notice will be available for public review at www.regulations.gov. The Regulations.gov Docket ID is DOJ-CRT-0110. The comments will be also available by appointment at 1425 New York Avenue, NW, Washington, DC 20005. For access to the Docket materials, call (800) 514-0301 (voice) or (800) 514-0383 (TTY) to make an appointment. The Department will hold at least one public hearing to solicit additional comments on the issues raised in this notice.

For more information: The Federal Register notice and this fact sheet are available in electronic format on the Department's ADA Website at <http://www.ada.gov>. For additional information or to order copies of any documents, call the ADA Information Line (800) 514-0301 (voice) or (800) 514-0383 (TTY). Copies will be available in accessible formats.