

119TH CONGRESS
1ST SESSION

H. R. 3417

To establish uniform accessibility standards for websites and applications of employers, employment agencies, labor organizations, joint labor-management committees, public entities, public accommodations, testing entities, and commercial providers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 14, 2025

Mr. SESSIONS (for himself and Mr. HOYER) introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To establish uniform accessibility standards for websites and applications of employers, employment agencies, labor organizations, joint labor-management committees, public entities, public accommodations, testing entities, and commercial providers, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Websites and Software
5 Applications Accessibility Act of 2025”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—Congress finds the following:

3 (1) Section 2(b)(1) of the Americans with Dis-
4 abilities Act of 1990 (ADA) states that the Act pro-
5 vides “a clear and comprehensive national mandate
6 for the elimination of discrimination against individ-
7 uals with disabilities” (42 U.S.C. 12101(b)(1)).

8 (2) In 1990, websites and applications were es-
9 sentially nonexistent, but Congress made clear that
10 the ADA “should keep pace with the rapidly chang-
11 ing technology of the times” (H.R. Rep. No. 101–
12 485, pt. 2, at 381 (1990), as reprinted in 1990
13 U.S.C.C.A.N. 303, 391).

14 (3) Section 102 of the ADA (42 U.S.C. 12112),
15 section 202 of the ADA (42 U.S.C. 12132), and sec-
16 tion 302 of the ADA (42 U.S.C. 12182) broadly
17 prohibit discrimination on the basis of disability in
18 regard to employment; services programs, or activi-
19 ties of public entities; and of goods, services, facili-
20 ties, privileges, advantages, and accommodations of
21 any place of public accommodation, respectively.

22 (4) The Department of Justice has promulgated
23 regulations to address the intersection of the ADA
24 and emerging technologies, including the obligation
25 to ensure effective communication with and by indi-
26 viduals with disabilities by using technologies such

1 as video remote interpreting, real-time computer-
2 aided transcription, open and closed captioning,
3 audio description, videophones, captioned telephones,
4 screen reader software, optical readers, and tele-
5 phone systems that interact properly with internet-
6 based relay systems.

7 (5) The Department of Justice has also promul-
8 gated regulations implementing section 202 of the
9 ADA to establish specific requirements, including
10 the adoption of specific technical standards, for
11 making accessible the services, programs, and activi-
12 ties offered by public entities to the public through
13 the web and mobile applications.

14 (6) The activities of a vast number of ADA-cov-
15 ered entities now occur in whole or in part through
16 websites and applications, a shift that was acceler-
17 ated by a global pandemic. The digital economy ac-
18 counts for nearly 10 percent of the United States
19 gross domestic product, and 85 percent of United
20 States adults visit the internet at least once per day.

21 (7) Despite the ADA's clear language covering
22 all terms, conditions, and privileges of employment
23 and certain actions of employers; all services, pro-
24 grams, and activities of public entities; and all
25 goods, services, facilities, privileges, advantages, and

1 accommodations of public accommodations, includ-
2 ing when conducted through websites and applica-
3 tions, most websites and applications of entities cov-
4 ered by the ADA contain significant barriers for in-
5 dividuals with disabilities.

6 (8) Consistent with, Congress' intention for the
7 ADA to keep pace with rapidly changing technology,
8 the Department of Justice has rightly acknowledged
9 that the ADA requires covered entities to ensure
10 that their websites and mobile applications are ac-
11 cessible to individuals with disabilities.

12 (9) Some courts have misconstrued section 302
13 of the ADA, despite the clear language of the ADA's
14 provisions. 10 Some courts have said Section 302
15 only covers public accommodations that are physical
16 places. In addition, some courts have said that sec-
17 tion 302 only covers certain websites of public ac-
18 commodated depending on the relationship between
19 the website and a physical place. Section 302's cov-
20 erage is not limited to physical places. Section 302
21 covers all websites and applications of public accom-
22 modations, regardless of whether the public accom-
23 modation is a physical place or regardless of the re-
24 lationship between a website or application and a
25 physical place.

1 (10) Without equal access to websites and ap-
2 plications, many individuals with disabilities are
3 treated as second-class citizens and are excluded
4 from equal participation in and equal access to all
5 aspects of society.

6 (b) PURPOSE.—It is the purpose of this Act—

7 (1) to affirm that the ADA and this Act require
8 that websites and applications used by any covered
9 entity to communicate or interact with applicants,
10 employees, participants, customers, or other mem-
11 bers of the public be readily accessible to and use-
12 able by individuals with disabilities, whether the en-
13 tity has a physical location or is digital only;

14 (2) to require the Department of Justice and
15 the Equal Employment Opportunity Commission to
16 set and enforce additional standards for websites,
17 electronic documents, and software applications and
18 to periodically update such standards;

19 (3) to address and remedy the systemic nation-
20 wide problem of inaccessible websites and applica-
21 tions that exclude individuals with disabilities from
22 equal participation in and equal access to all aspects
23 of society; and

24 (4) to create effective mechanisms to respond to
25 emerging technologies and to ensure that such tech-

1 nologies do not impair the rights and abilities of in-
2 dividuals with disabilities to participate in all aspects
3 of society.

4 **SEC. 3. DEFINITIONS.**

5 In this Act:

6 (1) **ACCESSIBLE.**—The term “accessible” or
7 “accessibility”, used with respect to web content or
8 an application, means a perceivable, operable, under-
9 standable, and robust web content or an application
10 that enables individuals with disabilities to access
11 the same information as, to engage in the same
12 interactions as, to conduct the same transactions as,
13 to communicate and to be understood as effectively
14 as, and to enjoy the same services as are offered to,
15 other individuals with the same privacy, same inde-
16 pendence, and same ease of use as, individuals with-
17 out disabilities.

18 (2) **ACCESSIBILITY REGULATIONS.**—The term
19 “accessibility regulations” means the regulations
20 issued under section 5 in accordance with this Act.

21 (3) **ADA.**—The term “ADA” means the Ameri-
22 cans with Disabilities Act of 1990 (42 U.S.C. 12101
23 et seq.).

24 (4) **APPLICATION.**—The term “application”
25 means software that is designed to run on a device,

1 including a smartphone, tablet, self-service kiosk,
2 wearable technology item, or laptop or desktop com-
3 puter or another device, including a device devised
4 after the date of enactment of this Act, and that is
5 designed to perform, or to help the user perform, a
6 specific task.

7 (5) COMMERCIAL PROVIDER.—The term “com-
8 mercial provider” means any entity, including a pub-
9 lic or private entity—

10 (A) whose operations affect commerce; and

11 (B) that designs, develops, constructs, al-
12 ters, modifies, or adds an application or web
13 content for a covered entity (including a cov-
14 ered entity described in subparagraph (A) that
15 takes such an action for the covered entity’s
16 product) for covered use.

17 (6) COMMISSION.—The term “Commission”
18 means the Equal Employment Opportunity Commis-
19 sion.

20 (7) COVERED ENTITY.—The term “covered en-
21 tity” means an employment entity, public entity,
22 public accommodation, or testing entity.

23 (8) COVERED USE.—The term “covered use”
24 means—

1 (A) use by an employment entity in deter-
2 mining or conducting job application proce-
3 dures, hiring, advancement, or discharge of em-
4 ployees, employee compensation, job training, or
5 other term, condition, or privilege of employ-
6 ment, for employees or applicants to become
7 employees;

8 (B) use by a public entity to provide to an
9 applicant, participant, or other member of the
10 public a service, program, or activity covered
11 under title II of the ADA (42 U.S.C. 12131 et
12 seq.), section 504 of the Rehabilitation Act of
13 1973 (29 U.S.C. 794), or section 1557 of the
14 Patient Protection and Affordable Care Act (42
15 U.S.C. 1811), including information related to
16 such service, program, or activity; and

17 (C) use by a public accommodation or test-
18 ing entity to provide to customers or other
19 members of the public a good, service, facility,
20 privilege, advantage, or accommodation, includ-
21 ing information related to such good, service,
22 facility, privilege, advantage, or accommodation,
23 regardless of whether the public accommodation
24 or testing entity owns, operates, or utilizes a
25 physical location for covered use.

1 (9) DEPARTMENT.—The term “Department”
2 means the Department of Justice.

3 (10) DISABILITY.—The term “disability” has
4 the meaning given the term in section 3 of the ADA
5 (42 U.S.C. 12102).

6 (11) EMPLOYEE.—The term “employee” has
7 the meaning given the term in section 101 of the
8 ADA (42 U.S.C. 12111).

9 (12) EMPLOYER.—The term “employer” has
10 the meaning given the term in section 101 of the
11 ADA (42 U.S.C. 12111).

12 (13) EMPLOYMENT AGENCY.—The term “em-
13 ployment agency” has the meaning given the term in
14 section 701 of the Civil Rights Act of 1964 (42
15 U.S.C. 2000e).

16 (14) EMPLOYMENT ENTITY.—The term “em-
17 ployment entity” means an employer, employment
18 agency, labor organization, or joint labor-manage-
19 ment committee.

20 (15) INFORMATION AND COMMUNICATION
21 TECHNOLOGY.—The term “information and commu-
22 nication technology”—

23 (A) means—

24 (i) any equipment or interconnected
25 system or subsystem of equipment, used in

1 the automatic acquisition, storage, anal-
2 ysis, evaluation, manipulation, manage-
3 ment, movement, control, display, switch-
4 ing, interchange, transmission, or reception
5 of data or information; and

6 (ii) other equipment or technology, or
7 another system or process, for which the
8 principal function is the creation, manipu-
9 lation, storage, display, receipt, or trans-
10 mission of electronic data and information,
11 as well as any associated content; and

12 (B) includes computers and peripheral
13 equipment, information kiosks and transaction
14 machines, telecommunications equipment, cus-
15 tomer premises equipment, multifunction office
16 machines, software, applications, web content,
17 videos, and electronic documents.

18 (16) JOINT LABOR-MANAGEMENT COM-
19 MITTEE.—The term “joint labor-management com-
20 mittee” means a labor management committee es-
21 tablished pursuant to section 205A of the Labor
22 Management Relations Act, 1947 (29 U.S.C. 175a)
23 and engaged in commerce.

24 (17) LABOR ORGANIZATION.—The term “labor
25 organization” has the meaning given the term in

1 section 701 of the Civil Rights Act of 1964 (42
2 U.S.C. 2000e).

3 (18) OPERABLE.—The term “operable”, used
4 with respect to web content or an application, means
5 that user interface components and navigation for
6 the web content or application can be operated by
7 individuals with disabilities.

8 (19) PERCEIVABLE.—The term “perceivable”,
9 used with respect to web content or an application,
10 means that information and user interface compo-
11 nents for the web content or application are present-
12 able in ways that individuals with disabilities can
13 perceive.

14 (20) PUBLIC ACCOMMODATION.—The term
15 “public accommodation” means a private entity de-
16 scribed in paragraph (7) of section 301 of the ADA
17 (42 U.S.C. 12181) that owns, operates, or utilizes
18 web content or an application for covered use.

19 (21) PUBLIC ENTITY.—The term “public enti-
20 ty” has the meaning given the term “public entity”
21 in section 201 of the ADA (42 U.S.C. 12131).

22 (22) QUALIFIED INDIVIDUAL.—The term
23 “qualified individual”, used with respect to an em-
24 ployee or an applicant to become an employee, has

1 the meaning given the term in section 101 of the
2 ADA (42 U.S.C. 12111).

3 (23) ROBUST.—The term “robust”, used with
4 respect to web content or an application, means web
5 content or an application for which the content can
6 be interpreted by and the interface can be accessed
7 by a wide variety of tools, including assistive tech-
8 nology, used by individuals with disabilities.

9 (24) SMALL ENTITY.—The term “small entity”
10 means an entity or provider defined as a small entity
11 in the regulations issued under subsection (a) or (b)
12 of section 5.

13 (25) SOFTWARE DEFINITIONS.—

14 (A) PLATFORM SOFTWARE.—

15 (i) IN GENERAL.—The term “platform
16 software” means software—

17 (I) that interacts with hardware
18 or provides services for other soft-
19 ware;

20 (II) that may run or host other
21 software, and may isolate the other
22 software from underlying software or
23 hardware layers; and

1 (III) a single component of which
2 may have both platform and non-plat-
3 form aspects.

4 (ii) PLATFORM.—For purposes of
5 clause (i), the term “platform” includes—

6 (I) a desktop operating system;

7 (II) an embedded operating sys-
8 tem, including a mobile system;

9 (III) a web browser;

10 (IV) a plugin to a web browser
11 that renders a particular media or
12 format; and

13 (V) a set of components that al-
14 lows another application to execute,
15 such as an application which supports
16 macros or scripting.

17 (B) SOFTWARE.—In subparagraphs (A)
18 and (C), the term “software”—

19 (i) means a program, a procedure,
20 and a rule (any of which may include re-
21 lated data or documentation), that directs
22 the use and operation of information and
23 communication technology to perform a
24 given task or function; and

1 (ii) includes applications, non-web
2 software, platform software, and software
3 tools.

4 (C) SOFTWARE DEVELOPMENT TOOL.—

5 (i) IN GENERAL.—The term “software
6 tool” means software—

7 (I) for which the primary func-
8 tion is the development of other soft-
9 ware; and

10 (II) that usually comes in the
11 form of an Integrated Development
12 Environment (IDE) and is an applica-
13 tion suite of related products and util-
14 ities.

15 (ii) INTEGRATED DEVELOPMENT EN-
16 VIRONMENT.—In clause (i), the term “In-
17 tegrated Development Environment”
18 means an application such as—

19 (I) Microsoft® Visual Studio
20 Code®;

21 (II) Apple® Xcode®; and

22 (III) Eclipse Foundation
23 Eclipse®.

1 (26) STATE.—The term “State” means each of
2 the several States, the District of Columbia, and any
3 territory or possession of the United States.

4 (27) TESTING ENTITY.—The term “testing en-
5 tity” means any person whose operations affect com-
6 merce, as defined in section 301 of the ADA (42
7 U.S.C. 12181) and that offers examinations or
8 courses related to, applying, licensing, certification,
9 or credentialing for secondary or postsecondary edu-
10 cation, professional, or trade purposes.

11 (28) UNDERSTANDABLE.—The term “under-
12 standable”, used with respect to web content or an
13 application, means that the components of the user
14 interface for the web content or application, includ-
15 ing any input fields, error messages, and correction
16 opportunities, are predictable and can be understood
17 and used by individuals with disabilities.

18 (29) WEB CONTENT AND RELATED TERMS.—

19 (A) WEB CONTENT.—The term “web con-
20 tent” means information and sensory experience
21 communicated to a user by means of a user
22 agent, including code or markup that defines
23 the content’s structure, presentation, and inter-
24 actions.

1 (B) PRESENTATION.—The term “presen-
2 tation” means the rendering of the content in
3 a form to be perceived by users.

4 (C) STRUCTURE.—The term “structure”
5 means the way in which the parts of a web page
6 are organized in relation to each other and how
7 a collection of web pages is organized.

8 (D) USER AGENT.—The term “user
9 agent” means any software that retrieves and
10 presents web content for users.

11 **SEC. 4. ACCESS TO WEB CONTENT AND APPLICATIONS.**

12 (a) GENERAL RULES FOR COVERED ENTITIES.—

13 (1) EMPLOYMENT ENTITY.—No employment
14 entity shall subject to discrimination, related to web
15 content or an application owned, operated, or uti-
16 lized for covered use by the employment entity, an
17 individual with a disability in regard to an activity
18 described in section 102 of the ADA (42 U.S.C.
19 12112).

20 (2) PUBLIC ENTITY.—No individual with a dis-
21 ability shall, by reason of such disability—

22 (A) be excluded from participation in or be
23 denied the benefits of the services, programs, or
24 activities, or information related to such serv-
25 ices, programs, or activities, including informa-

1 tion offered through web content or an applica-
2 tion owned, operated, or utilized, for a covered
3 use, by a public entity; or

4 (B) be otherwise subjected to discrimina-
5 tion related to web content or an application
6 owned, operated, or utilized for covered use by
7 a public entity.

8 (3) PUBLIC ACCOMMODATION AND TESTING EN-
9 TITY.—No individual shall be discriminated against
10 on the basis of disability in the full and equal enjoy-
11 ment of the goods, services, facilities, privileges, ad-
12 vantages, or accommodations, or information related
13 to such goods, services, facilities, privileges, advan-
14 tages, or accommodations, including information of-
15 fered through web content or an application owned,
16 operated, or utilized for covered use by a public ac-
17 commodation or testing entity.

18 (b) COVERED ENTITIES.—In order to comply with
19 subsection (a), a covered entity shall meet the following
20 requirements:

21 (1) ACCESSIBILITY.—A covered entity that en-
22 gages in an activity described in section 102 of the
23 ADA (42 U.S.C. 12112), or that provides goods,
24 services, facilities, privileges, advantages, accom-
25 modations, programs, activities, including informa-

1 tion related to such goods, services, facilities, privi-
2 leges, advantages, accommodations, programs, or ac-
3 tivities, through web content or an application shall
4 ensure that such content or application is accessible.

5 (2) EFFECTIVE COMMUNICATIONS.—A covered
6 entity shall ensure that communications through web
7 content and applications with applicants, employees,
8 participants, customers, and other members of the
9 public with disabilities are as effective as commu-
10 nications with individuals without disabilities.

11 (c) COMMERCIAL PROVIDERS.—No commercial pro-
12 vider shall design, develop, construct, alter, modify, or add
13 to an application or any web content for a covered entity
14 for covered use in a manner that results in the content
15 or application not being accessible, or otherwise provide
16 web content or an application to a covered entity for cov-
17 ered use that is not accessible.

18 (d) DEFENSES AND EXEMPTIONS.—

19 (1) EMPLOYMENT ENTITIES.—With respect to
20 a claim that an employment entity violated this sec-
21 tion, the entity shall not be considered to have vio-
22 lated this section if compliance with this section—

23 (A) would impose an undue burden on the
24 entity; or

1 (B) would fundamentally alter the nature
2 of the employment provided by the entity.

3 (2) PUBLIC ENTITIES.—With respect to a claim
4 that a public entity violated this section, the entity
5 shall not be considered to have violated this section
6 if compliance with this section—

7 (A) would impose an undue burden on the
8 entity; or

9 (B) would fundamentally alter the nature
10 of the services, programs, or activities, includ-
11 ing information provided by the entity.

12 (3) PUBLIC ACCOMMODATIONS OR TESTING EN-
13 TITIES.—With respect to a claim that a public ac-
14 commodation or testing entity violated this section,
15 the accommodation or entity shall not be considered
16 to have violated this section if compliance with this
17 section—

18 (A) would impose an undue burden on the
19 accommodation or entity; or

20 (B) would fundamentally alter the nature
21 of the goods, services, facilities, privileges, ad-
22 vantages, accommodations, including informa-
23 tion provided by the accommodation or entity.

24 (4) COMMERCIAL PROVIDERS.—With respect to
25 a claim that a commercial provider violated this sec-

1 tion, the commercial provider shall not be considered
2 to have violated this section if compliance with this
3 section—

4 (A) would impose an undue burden on the
5 commercial provider; or

6 (B) would fundamentally alter the nature
7 of the goods, services, facilities, privileges, ad-
8 vantages, accommodations, programs, activities,
9 including information provided by the covered
10 entity served.

11 **SEC. 5. RULEMAKING.**

12 (a) PUBLIC ENTITIES, PUBLIC ACCOMMODATIONS,
13 AND TESTING ENTITIES.—

14 (1) NOTICE OF PROPOSED RULEMAKING.—

15 (A) ACCESSIBILITY.—Not later than 12
16 months after the date of enactment of this Act,
17 the Attorney General shall issue, for purposes
18 of section 4, a notice of proposed rulemaking
19 regarding the accessibility of web content and
20 applications applicable to covered entities that
21 are public entities or public accommodations or
22 testing entities, and the commercial providers
23 for the three types of covered entities, for cov-
24 ered use. Such notice shall propose regulations
25 to implement the accessibility obligations of this

1 Act, and include standards for accessible web
2 content and applications that offer equally ef-
3 fective experiences for users with disabilities
4 and users without disabilities.

5 (B) SMALL ENTITIES.—In proposing the
6 regulations described in subparagraph (A), the
7 Attorney General shall—

8 (i) determine which covered entities
9 and commercial providers should be consid-
10 ered small entities for the purposes of this
11 Act; and

12 (ii) take into account the capabilities
13 of small entities, such as small businesses,
14 to comply with standards for accessible
15 web content and applications.

16 (2) FINAL RULE.—

17 (A) IN GENERAL.—Not later than 24
18 months after the date of enactment of this Act,
19 the Attorney General shall issue, for purposes
20 of section 4, a final rule regarding the accessi-
21 bility of web content and applications applicable
22 to the covered entities, and the commercial pro-
23 viders, described in paragraph (1), for covered
24 use. Such final rule shall implement the accessi-
25 bility obligations of this Act, include standards

1 for accessible web content and applications that
2 offer equally effective experiences for users with
3 disabilities and users without disabilities, and
4 take into account the capabilities of small enti-
5 ties, as described in paragraph (1)(B)(ii).

6 (B) EFFECTIVE DATE.—The final rule
7 shall take effect—

8 (i) for small entities, 3 years after the
9 date of issuance of the final rule; and

10 (ii) for other entities, 30 days after
11 that date of issuance.

12 (3) PUBLIC POSTING OF ENFORCEMENT AC-
13 TIONS.—Not later than 6 months after such
14 issuance, the Attorney General shall, to the extent
15 permitted by law, post publicly on the Department
16 website any and all settlement documents and docu-
17 ments specifying other resolutions, resulting from
18 the initiation of enforcement actions, or filing of ad-
19 ministrative or civil actions, by the Attorney General
20 pursuant to this Act concerning the covered entities,
21 and the commercial providers, described in para-
22 graph (1).

23 (b) EMPLOYMENT ENTITIES.—

24 (1) NOTICE OF PROPOSED RULEMAKING.—

1 (A) ACCESSIBILITY.—Not later than 12
2 months after the date of enactment of this Act,
3 the Commission shall issue, for purposes of sec-
4 tion 4, a notice of proposed rulemaking regard-
5 ing the accessibility of web content and applica-
6 tions applicable to employment entities, and the
7 commercial providers for employment entities,
8 for covered use. Such notice shall propose regu-
9 lations to implement the accessibility obligations
10 of this Act, and include standards for accessible
11 web content and applications that offer equally
12 effective experiences for users with disabilities
13 and users without disabilities.

14 (B) SMALL ENTITIES.—In proposing the
15 regulations described in subparagraph (A), the
16 Commission shall—

17 (i) determine which covered entities
18 and commercial providers should be consid-
19 ered small entities for the purposes of this
20 Act; and

21 (ii) take into account the capabilities
22 of small entities, such as small businesses,
23 to comply with standards for accessible
24 web content and applications.

25 (2) FINAL RULE.—

1 (A) IN GENERAL.—Not later than 24
2 months after the date of enactment of this Act,
3 the Commission shall issue, for purposes of sec-
4 tion 4, a final rule regarding the accessibility of
5 web content and applications applicable to the
6 employment entities, and the commercial pro-
7 viders, described in paragraph (1), for covered
8 use. Such final rule shall implement the accessi-
9 bility obligations of this Act, include standards
10 for accessible web content and applications that
11 offer equally effective experiences for users with
12 disabilities and users without disabilities, and
13 take into account the capabilities of small enti-
14 ties, as described in paragraph (1)(B)(ii).

15 (B) EFFECTIVE DATE.—The final rule
16 shall take effect—

17 (i) for small entities, 2 years after the
18 date of issuance of the final rule; and

19 (ii) for other entities, 30 days after
20 that date of issuance.

21 (3) PUBLIC POSTING OF ENFORCEMENT AC-
22 TIONS.—Not later than 6 months after such
23 issuance, the Commission shall, to the extent per-
24 mitted by law, post publicly on the Commission
25 website any and all settlement documents, and docu-

1 ments specifying other resolutions, resulting from
2 the initiation of enforcement actions, or filing of ad-
3 ministrative or civil actions, by the Commission pur-
4 suant to this Act concerning the employment enti-
5 ties, and the commercial providers, described in
6 paragraph (1).

7 **SEC. 6. PERIODIC REVIEW.**

8 (a) REVIEW.—For each of the first 3 years after the
9 date of enactment of this Act, and every 2 years there-
10 after, each Federal agency receiving complaints or engag-
11 ing in enforcement (including compliance reviews and in-
12 vestigations), administrative (including administrative res-
13 olution of a claim of a violation), or civil actions under
14 this Act shall submit a report on the complaints and ac-
15 tivities to the Department and the Commission. The At-
16 torney General and the Commission shall, for each of the
17 first 3 years and every 2 years thereafter, review com-
18 plaints received and enforcement, administrative, or civil
19 actions taken under this Act, to determine whether the
20 purpose of this Act is being achieved. In conducting such
21 reviews, the Attorney General and the Commission may
22 award grants, contracts, or cooperative agreements to en-
23 tities that have documented experience and expertise in
24 collecting and analyzing data associated with imple-

1 menting reviews of complaints, and enforcement, adminis-
2 trative, and civil actions.

3 (b) REPORT.—The Attorney General and the Com-
4 mission shall prepare a report containing the results of
5 each such review of complaints and actions described in
6 subsection (a), and shall submit the report to the Com-
7 mittee on Health, Education, Labor, and Pensions and the
8 Committee on the Judiciary of the Senate and the Com-
9 mittee on Education and Workforce and the Committee
10 on the Judiciary of the House of Representatives.

11 (c) UPDATED REGULATIONS.—The Attorney General
12 and the Commission shall issue, in accordance with this
13 Act, updated accessibility regulations every 3 years fol-
14 lowing the date of issuance of the initial accessibility regu-
15 lations issued under this Act.

16 **SEC. 7. ENFORCEMENT AND ADMINISTRATIVE ACTION, AND**
17 **PRIVATE RIGHT OF ACTION.**

18 (a) CIVIL ACTIONS BY ATTORNEY GENERAL OR COM-
19 MISSIONER.—

20 (1) CIVIL ACTION BY ATTORNEY GENERAL.—

21 (A) IN GENERAL.—

22 (i) INVESTIGATION AFTER A COM-
23 PLAINT.—On receiving a complaint filed by
24 an individual with a disability, a class of
25 individuals with disabilities, or an entity

1 representing an individual with a disability
2 or such a class, of a violation of paragraph
3 (2) or (3) of subsection (a), as the case
4 may be, or a complaint filed by a covered
5 entity that is a public entity, public accom-
6 modation, or testing entity of a violation of
7 subsection (c), of section 4 (including a re-
8 lated provision of the final rule issued
9 under section 5(a)), the Attorney General
10 may conduct an investigation. The inves-
11 tigation shall consist of a review of the cor-
12 responding web content or application
13 owned, operated, or utilized for covered use
14 by such a covered entity, or provided to
15 such a covered entity by a commercial pro-
16 vider, to determine whether the covered en-
17 tity or commercial provider has violated
18 the corresponding provision of section 4.

19 (ii) OTHER INVESTIGATION AND RE-
20 VIEW.—In addition, the Attorney General
21 shall, on the Attorney General’s own au-
22 thority, investigate practices that may be
23 violations of, and undertake periodic re-
24 views of compliance of such covered enti-
25 ties and commercial providers with, the

1 corresponding provision of section 4 (in-
2 cluding a related provision of the final rule
3 issued under section 5(a)).

4 (iii) DETERMINATION OF VIOLA-
5 TION.—If, after investigation or review
6 under this subparagraph, the Attorney
7 General determines that such a covered en-
8 tity or commercial provider has violated
9 the corresponding provision of section 4
10 (including a related provision of the final
11 rule issued under section 5(a)), the Attor-
12 ney General may take administrative ac-
13 tion (including administrative resolution of
14 a claim of such a violation) or bring a civil
15 action in a district court of the United
16 States.

17 (B) INTERVENTION.—If the Attorney Gen-
18 eral brings such a civil action based on a com-
19 plaint filed by an individual, class of individ-
20 uals, or entity, described in subparagraph (A),
21 including a covered entity described in subpara-
22 graph (A) alleging a violation by a commercial
23 provider, such individual, class, or entity shall
24 have the right to intervene in such civil action.

1 (2) CIVIL ACTION BY OTHERS.—An individual,
2 class, or entity, described in paragraph (1)(A), in-
3 cluding a covered entity described in paragraph
4 (1)(A) alleging a violation by a commercial provider,
5 may bring a civil action alleging a violation of para-
6 graph (2) or (3) of subsection (a), or subsection (c),
7 as the case may be, of section 4 (including a related
8 provision of the final rule issued under section 5(a))
9 in an appropriate State or Federal court without
10 first filing a complaint with the Department or ex-
11 hausting any other administrative remedies.

12 (b) EMPLOYMENT ENTITIES.—

13 (1) CIVIL ACTION BY COMMISSIONER.—

14 (A) IN GENERAL.—

15 (i) INVESTIGATION AFTER A COM-
16 PLAINT.—On receiving a complaint filed by
17 a qualified individual, a class of qualified
18 individuals, or an entity representing a
19 qualified individual or such a class, of a
20 violation of subsection (a)(1), or a com-
21 plaint filed by an employment entity of a
22 violation of subsection (c), of section 4 (in-
23 cluding a related provision of the final rule
24 issued under section 5(b)), the Commission
25 may conduct an investigation. The inves-

1 tigation shall consist of a review of the cor-
2 responding web content or application
3 owned, operated, or utilized for covered use
4 by an employment entity, or provided to an
5 employment entity by a commercial pro-
6 vider, to determine whether the employ-
7 ment entity or commercial provider has
8 violated the corresponding provision of sec-
9 tion 4.

10 (ii) OTHER INVESTIGATION AND RE-
11 VIEW.—In addition, the Commission shall,
12 on the Commission’s own authority, inves-
13 tigate practices that may be violations of,
14 and undertake periodic reviews of compli-
15 ance of employment entities and commer-
16 cial providers with, the corresponding pro-
17 vision of section 4 (including a related pro-
18 vision of the final rule issued under section
19 5(b)).

20 (iii) DETERMINATION OF VIOLA-
21 TION.—If, after investigation or review de-
22 scribed in this subparagraph, the Commis-
23 sion determines that an employment entity
24 or commercial provider has violated the
25 corresponding provision of section 4 (in-

1 cluding a related provision of the final rule
2 issued under section 5(b)), the Commission
3 may take administrative action (including
4 administrative resolution of a claim of such
5 a violation) or bring a civil action in a dis-
6 trict court of the United States.

7 (B) INTERVENTION.—If the Commission
8 brings such a civil action based on a complaint
9 filed by a qualified individual, class of qualified
10 individuals, or entity, described in subpara-
11 graph (A), including an employment entity al-
12 leging a violation by a commercial provider,
13 such qualified individual, class, or entity shall
14 have the right to intervene in such civil action.

15 (2) CIVIL ACTION BY OTHERS.—A qualified in-
16 dividual, class, or entity, described in paragraph
17 (1)(A), including an employee or employment entity
18 alleging a violation by a commercial provider, may
19 bring a civil action alleging a violation of subsection
20 (a)(1) or subsection (c), as the case may be, of sec-
21 tion 4 (including a related provision of the final rule
22 issued under section 5(b)) in an appropriate State or
23 Federal court without first filing a complaint with
24 the Commission or exhausting any other administra-
25 tive remedies.

1 (3) FUNCTIONS OF THE ATTORNEY GEN-
2 ERAL.—The Attorney General shall carry out any
3 function of the Commission under this subsection
4 that the Attorney General carries out under section
5 107 of the ADA (42 U.S.C. 12117).

6 (c) RELIEF.—

7 (1) CIVIL ACTION BY ATTORNEY GENERAL OR
8 COMMISSIONER.—In a civil action brought under
9 subsection (a)(1) or (b)(1), the Attorney General or
10 Commissioner may seek—

11 (A) a civil penalty and all appropriate in-
12 junctive relief to bring the affected web content
13 or application into compliance with section 4;
14 and

15 (B) on behalf of affected individuals, all
16 economic and noneconomic damages including
17 compensatory and punitive damages.

18 (2) CIVIL ACTION BY OTHERS.—In a civil action
19 brought under subsection (a)(2) or (b)(2), the plain-
20 tiff may seek all appropriate injunctive relief de-
21 scribed in paragraph (1)(A) and the damages de-
22 scribed in paragraph (1)(B).

23 (3) ATTORNEY'S FEES.—The prevailing plain-
24 tiff (other than the United States) shall also be
25 awarded reasonable attorney's fees and costs.

1 **SEC. 8. RECOMMENDATIONS.**

2 (a) **ADVISORY COMMITTEE.**—

3 (1) **IN GENERAL.**—The Attorney General and
4 the Commission shall establish a standing advisory
5 committee (referred to in this section as the “Com-
6 mittee”) on accessible web content and applications.
7 The Committee shall be operated and receive re-
8 sources in accordance with the provisions of chapter
9 10 of title 5, United States Code (commonly known
10 as the “Federal Advisory Committee Act”), as an
11 advisory committee under the authority of the Attor-
12 ney General and Commission.

13 (2) **COMPOSITION.**—In establishing the Com-
14 mittee, the Attorney General and the Commission—

15 (A) shall include on the Committee—

16 (i) individuals with disabilities (com-
17 prising a majority of the members of the
18 Committee) who are—

19 (I) individuals who are blind (in-
20 cluding who have low vision), deaf,
21 hard of hearing, or deafblind;

22 (II) individuals who have speech
23 disabilities;

24 (III) individuals with physical
25 disabilities including those with lim-
26 ited to no manual dexterity; and

1 (IV) individuals who have disabil-
2 ities not specified in any of subclauses
3 (I) through (III);

4 (ii) experts regarding accessible web
5 content and applications for individuals
6 with disabilities; and

7 (iii) at least one representative from
8 the United States Access Board; and

9 (B) may include on the Committee rep-
10 resentatives of—

11 (i) State and local government;

12 (ii) covered entities, including such
13 entities who are small entities;

14 (iii) commercial providers;

15 (iv) testing entities; and

16 (v) other entities determined to be ap-
17 propriate by the Attorney General and the
18 Commission.

19 (3) FUNCTIONS.—The Committee shall provide
20 responsive advice and guidance to the Attorney Gen-
21 eral and the Commission, for purposes of carrying
22 out this Act, by—

23 (A) conducting public meetings twice per
24 year, at a minimum;

1 (B) submitting reports and recommenda-
2 tions to the Attorney General and Commission,
3 and making the reports and recommendations
4 publicly available, every 2 years at a minimum;
5 and

6 (C) otherwise assisting the Attorney Gen-
7 eral and Commission in identifying and under-
8 standing the impact and implications of innova-
9 tions with regard to accessible web content and
10 applications.

11 (b) CONFERRING.—The Attorney General and the
12 Commission, in carrying out this Act, shall confer with
13 the National Council on Disability, the Architectural and
14 Transportation Barriers Compliance Board, or any other
15 Federal department or agency that may have relevant ex-
16 pertise or experience.

17 **SEC. 9. TECHNICAL ASSISTANCE.**

18 (a) PURPOSE.—It is the purpose of this section to
19 establish a technical assistance center to provide, to cov-
20 ered entities, commercial providers, individuals with dis-
21 abilities, and other members of the public, information,
22 resources, training, and technical assistance regarding—

23 (1) the design, development, construction, alter-
24 ation, modification, or addition of accessible web

1 content and applications in accordance with this Act;
2 and

3 (2) the rights of individuals with disabilities,
4 covered entities, and commercial providers to access
5 web content and applications in accordance with the
6 ADA (42 U.S.C. 12101 et seq.) and this Act.

7 (b) SUPPORT FOR TRAINING AND TECHNICAL AS-
8 SISTANCE.—From amounts made available under section
9 13, the Attorney General, in coordination with the Com-
10 mission, the Secretary of Education, the United States Ac-
11 cess Board, and other heads of Federal agencies, as appro-
12 priate shall award, on a competitive basis, at least 1 grant,
13 contract, or cooperative agreement to a qualified training
14 and technical assistance provider to support the develop-
15 ment, establishment, and procurement of accessible web
16 content and applications.

17 (c) APPLICATION.—

18 (1) IN GENERAL.—To be eligible to receive a
19 grant, contract, or cooperative agreement under this
20 section, an entity shall submit an application to the
21 Attorney General at such time, in such manner, and
22 containing such information as the Attorney General
23 may require.

24 (2) INPUT.—In awarding a grant, contract, or
25 cooperative agreement under this section and in re-

1 viewing the activities proposed under the applica-
2 tions described in paragraph (1), the Attorney Gen-
3 eral, in coordination with the Commission, the Sec-
4 retary of Education, and other heads of Federal
5 agencies, as appropriate—

6 (A) shall consider the input of—

7 (i) individuals with disabilities who
8 are—

9 (I) individuals who are blind (in-
10 cluding individuals who have low vi-
11 sion), deaf, hard of hearing, or
12 deafblind;

13 (II) individuals who have speech
14 disabilities;

15 (III) individuals with physical
16 disabilities, including individuals with
17 limited to no manual dexterity; and

18 (IV) individuals who have disabil-
19 ities not specified in any of subclauses
20 (I) through (III);

21 (ii) experts regarding accessible web
22 content and applications for use by individ-
23 uals with disabilities; and

24 (iii) the United States Access Board;
25 and

1 (B) may consider the input of—
2 (i) State and local government;
3 (ii) covered entities;
4 (iii) commercial providers;
5 (iv) testing entities; and
6 (v) other entities determined to be ap-
7 propriate by the Attorney General, in co-
8 ordination with the Commission, the Sec-
9 retary of Education, and other heads of
10 Federal agencies, as appropriate.

11 (d) AUTHORIZED ACTIVITIES.—

12 (1) USE OF FUNDS.—

13 (A) REQUESTS FOR INFORMATION.—An
14 entity receiving a grant, contract, or cooperative
15 agreement under this section shall support a
16 training and technical assistance program that
17 addresses information requests, concerning ac-
18 cessible web content and applications, from cov-
19 ered entities and commercial providers, includ-
20 ing requests for information regarding—

21 (i) effective approaches for developing,
22 establishing, and procuring accessible web
23 content and applications;

24 (ii) state-of-the-art, or model, Federal,
25 State, and local laws, regulations, policies,

1 practices, procedures, and organizational
2 structures, that facilitate, and overcome
3 barriers to, receipt of funding for, and ac-
4 cess to, accessible web content and applica-
5 tions; and

6 (iii) examples of policies, practices,
7 procedures, regulations, or judicial deci-
8 sions that have enhanced or may enhance
9 access to and receipt of funding for acces-
10 sible web content and applications.

11 (B) COORDINATION.—An entity receiving a
12 grant, contract, or cooperative agreement under
13 this section may also provide technical assist-
14 ance and training, concerning accessible web
15 content and applications, for covered entities
16 and commercial providers by—

17 (i) facilitating onsite and electronic in-
18 formation sharing using state-of-the-art
19 internet technologies such as real-time on-
20 line discussions, multipoint video confer-
21 encing, and web-based audio or video
22 broadcasts, on emerging topics regarding
23 accessible web content and applications;

24 (ii) convening experts to discuss and
25 make recommendations with regard to na-

1 tional emerging issues regarding accessible
2 web content and applications;

3 (iii) sharing best practices and evi-
4 dence-based practices in developing, estab-
5 lishing, and procuring accessible web con-
6 tent and applications;

7 (iv) supporting and coordinating ac-
8 tivities designed to reduce the financial
9 costs of purchasing technology needed to
10 access accessible web content and applica-
11 tions; and

12 (v) carrying out such other activities
13 as the Attorney General, in coordination
14 with the Commission, the Secretary of
15 Education, the United States Access
16 Board, and other heads of Federal agen-
17 cies, as appropriate may require.

18 (C) COLLABORATION.—In developing and
19 providing training and technical assistance
20 under this section, an entity receiving a grant,
21 contract, or cooperative agreement under this
22 section shall collaborate with—

23 (i) organizations representing individ-
24 uals with disabilities;

1 (ii) organizations or entities that pro-
2 vide services for individuals with disabil-
3 ities, such as centers for independent liv-
4 ing, as defined in section 702 of the Reha-
5 bilitation Act of 1973 (29 U.S.C. 796a);

6 (iii) entities, such as the World Wide
7 Web Consortium and the National Insti-
8 tute of Standards and Technology, that de-
9 velop international standards for accessible
10 web content and applications;

11 (iv) existing (existing as of the date of
12 the application for the award involved)
13 technical assistance entities, such as the
14 ADA National Network;

15 (v) Federal, State, and territorial
16 agencies that provide assistance to small
17 businesses;

18 (vi) organizations or entities rep-
19 resenting State or local government, and
20 educational web content and technology
21 professionals;

22 (vii) entities or individuals with exper-
23 tise and experience in enforcing disability
24 rights law; and

1 (viii) other entities and technical as-
2 sistance providers determined to be appro-
3 priate by the Attorney General, in coordi-
4 nation with the Commission, the Secretary
5 of Education, the United States Access
6 Board, and other heads of Federal agen-
7 cies, as appropriate.

8 (D) GRANT ADMINISTRATION.—An entity
9 receiving a grant, contract, or cooperative
10 agreement under this section may use funds
11 made available under section 13 to administer
12 a program to make subgrants to small entities,
13 pursuant to section 11.

14 **SEC. 10. STUDY AND REPORT ON EMERGING TECH-**
15 **NOLOGIES.**

16 (a) STUDY AND REPORT.—

17 (1) IN GENERAL.—The National Council on
18 Disability (in this section referred to as the “Coun-
19 cil”) shall conduct a study and prepare a report
20 on—

21 (A) the effect that emerging technologies
22 have on the ability of individuals with disabili-
23 ties to participate in employment, education,
24 government, health care, commerce, culture,
25 and other aspects of society; and

1 (B) the effectiveness of this Act in achiev-
2 ing its purpose.

3 (2) CONSIDERATION OF EFFECT ON INDIVID-
4 UALS WITH PARTICULAR BARRIERS.—In conducting
5 the study and preparing the report, the Council shall
6 consider the effect of emerging technologies on indi-
7 viduals with disabilities who use those technologies
8 and have particular barriers to such participation
9 and communication, such as individuals with disabili-
10 ties using those technologies—

11 (A) who have limited language or limited
12 English language;

13 (B) who have significant or targeted dis-
14 abilities (including people who are blind, deaf,
15 or deafblind);

16 (C) who have disabilities limiting commu-
17 nication;

18 (D) whose household income is at or below
19 200 percent of the poverty line, as defined by
20 the Federal poverty guidelines of the Depart-
21 ment of Health and Human Services;

22 (E) who lack access to broadband services
23 and technology; or

24 (F) who are multiply marginalized due to
25 race, ethnicity, national origin, age, sex, sexual

1 orientation, gender identity, or socioeconomic
2 status.

3 (b) SUBMISSION OF REPORT.—Five years after the
4 date of enactment of this Act, the Council shall submit
5 the report required under subsection (a) to the appro-
6 priate committees of Congress, which shall at minimum
7 include the Committee on Health, Education, Labor, and
8 Pensions and the Committee on the Judiciary of the Sen-
9 ate and the Committee on Education and Workforce and
10 the Committee on the Judiciary of the House of Rep-
11 resentatives.

12 **SEC. 11. GRANTS TO SMALL ENTITIES.**

13 (a) PURPOSE.—The purpose of this section is to
14 award grants to provide assistance to small entities to en-
15 able the entities to remediate or replace existing (as of
16 the date of application for the award) web content and
17 applications to enable the small entities to comply with
18 the regulations established under this Act.

19 (b) SUPPORT FOR REMEDIATION ACTIVITIES.—

20 (1) IN GENERAL.—From amounts made avail-
21 able under section 13, for each of the first 5 years
22 after the date of issuance, the recipient of the award
23 under section 9 (relating to a technical assistance
24 center), in coordination with the Attorney General
25 and the Commission, shall award grants, in amounts

1 not to exceed \$10,000, to small entities to support
2 auditing, testing, and remediating inaccessible web
3 content or applications or to support procurement of
4 accessible web content and applications to replace in-
5 accessible web content or applications, in accordance
6 with this Act.

7 (2) DATE OF ISSUANCE.—In this subsection,
8 the term “date of issuance” means the date that is
9 the earlier of the first day on which a final rule is
10 issued under section 5(a) and the first day on which
11 a final rule is issued under section 5(b).

12 (c) APPLICATION.—To be eligible to receive a grant
13 under this section, a small entity shall submit an applica-
14 tion to the Attorney General and the Commission (or the
15 recipient of the award under section 9) at such time, in
16 such manner, and containing such information as the At-
17 torney General and the Commission (or the recipient of
18 the award under section 9) may require. At a minimum,
19 the applicant shall demonstrate—

20 (1) that the entity is a small entity;

21 (2)(A) if the entity is a covered entity, that it
22 owns, operates, or utilizes inaccessible web content
23 or an application that requires remediation or re-
24 placement for the entity to comply with this Act; or

1 (B) if the entity is a commercial provider, that
2 it provides, to a covered entity, inaccessible web con-
3 tent or an application that requires remediation for
4 the provider to comply with this Act; and

5 (3) that the small entity has a plan to reme-
6 diate or replace, as appropriate, the inaccessible web
7 content or application, so that the entity complies
8 with this Act.

9 (d) AUTHORIZED ACTIVITIES.—A small entity receiv-
10 ing a grant under this section—

11 (1) may use the grant funds, directly or
12 through a subgrant, to audit, test, or remediate the
13 inaccessible web content or application or procure
14 new accessible web content or an application to re-
15 place the inaccessible web content or application;

16 (2) shall use the grant funds to demonstrate
17 that the resulting web content or application is ac-
18 cessible; and

19 (3) may not use the grant funds to design, de-
20 velop, or procure inaccessible web content or an in-
21 accessible application.

22 **SEC. 12. RULES OF CONSTRUCTION.**

23 (a) OTHER PROVISIONS OF LAW.—Nothing in this
24 Act shall be construed to affect the scope of obligations
25 imposed by any other provision of law, including—

1 (1) section 504 of the Rehabilitation Act of
2 1973 (29 U.S.C. 794), title I, II or III of the ADA
3 (42 U.S.C. 12131 et seq.), and section 1557 of the
4 Patient Protection and Affordable Care Act (42
5 U.S.C. 18116); and

6 (2) section 508 of the Rehabilitation Act of
7 1973 (29 U.S.C. 794d) and section 255 of the Com-
8 munications Act of 1934 (47 U.S.C. 255).

9 (b) RELATIONSHIP TO OTHER LAWS.—Nothing in
10 this Act shall be construed to invalidate or limit the rem-
11 edies, rights, and procedures of any Federal law or law
12 of any State or political subdivision of any State or juris-
13 diction, that provides greater or equal protection for the
14 rights of individuals with disabilities than is afforded by
15 this Act.

16 (c) CONSISTENT REGULATIONS.—Regulations pro-
17 mulgated under this Act shall be consistent with, and shall
18 not contain a standard less protective of individuals with
19 disabilities than, the standards contained in—

20 (1) any regulations issued by the Attorney Gen-
21 eral or the Commission pursuant to—

22 (A) title I of the ADA (42 U.S.C. 12111
23 et seq.) for digital access to an item related to
24 an activity described in section 102 of the ADA
25 (42 U.S.C. 12112), by covered entities;

1 (B) title II of the ADA (42 U.S.C. 12131
2 et seq.) for digital access to services, programs,
3 or activities, including information related to
4 such services, programs, or activities of covered
5 entities; or

6 (C) title III of the ADA (42 U.S.C. 12181
7 et seq.) for digital access to goods, services, fa-
8 cilities, privileges, advantages, accommodations,
9 including information related to such goods,
10 services, facilities, privileges, advantages, or ac-
11 commodated of covered entities; and

12 (2) the regulations issued by the Federal Com-
13 munications Commission for video programming and
14 communications services provided via web content
15 and applications.

16 (d) PROHIBITION ON NOTIFICATION REQUIRE-
17 MENT.—The Attorney General and the Commission shall
18 not include, in the accessibility regulations, any require-
19 ment that an individual shall notify a covered entity or
20 commercial provider of an allegation of a violation of this
21 Act prior to commencing a civil action under this Act.

22 **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

23 There are authorized to be appropriated \$35,150,000
24 for each of fiscal years 2026 through 2035 to carry out
25 this Act.

1 **SEC. 14. EFFECTIVE DATE.**

2 This Act shall take effect 6 months after the date
3 of enactment of this Act, except that section 4 shall apply
4 to covered entities and commercial providers 12 months
5 after that date of enactment.

○