

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 3974

To establish uniform accessibility standards for web content 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.

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## IN THE SENATE OF THE UNITED STATES

MARCH 3, 2026

Ms. DUCKWORTH (for herself, Mr. MARKEY, and Ms. WARREN) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To establish uniform accessibility standards for web content 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 2026”.

6       **SEC. 2. FINDINGS AND PURPOSES.**

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

1           (1) Section 2(b)(1) of the Americans with Dis-  
2           abilities Act of 1990 (referred to in this Act as the  
3           “ADA”) states that the Act provides “a clear and  
4           comprehensive national mandate for the elimination  
5           of discrimination against individuals with disabili-  
6           ties” (42 U.S.C. 12101(b)(1)).

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

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

21          (4) The Department of Justice has promulgated  
22          regulations to address the intersection of the ADA  
23          and emerging technologies, including the obligation  
24          to ensure effective communication with and by indi-  
25          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 web content and applications.

14 (6) The activities of a vast number of ADA-cov-  
15 ered entities now occur in whole or in part through  
16 web content and applications, a shift that was accel-  
17 erated by a global pandemic. The digital economy  
18 accounts 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 web content and appli-  
3 cations, most web content and applications of enti-  
4 ties covered by the ADA contain significant barriers  
5 for individuals 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 web content and applications are acces-  
11 sible 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. Some courts have said that section 302  
15 of the ADA only covers public accommodations that  
16 are physical places. In addition, some courts have  
17 said that section 302 of the ADA only covers certain  
18 web content of public accommodations depending on  
19 the relationship between the web content and a  
20 physical place. The coverage of section 302 of the  
21 ADA is not limited to physical places. Section 302  
22 of the ADA covers all web content and applications  
23 of public accommodations, regardless of whether the  
24 public accommodation is a physical place, and re-

1        regardless of the relationship between web content or  
2        an application, and a physical place.

3            (10) Without equal access to web content and  
4        applications, many individuals with disabilities are  
5        treated as second-class citizens and are excluded  
6        from equal participation in and equal access to all  
7        aspects of society.

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

9            (1) to affirm that the ADA and this Act require  
10        that web content and applications used by any cov-  
11        ered entity to communicate or interact with appli-  
12        cants, employees, participants, customers, or other  
13        members of the public be readily accessible to and  
14        useable by individuals with disabilities, whether the  
15        entity has a physical location or is digital only;

16            (2) to require the Department of Justice and  
17        the Equal Employment Opportunity Commission to  
18        set and enforce additional standards for web content  
19        (including electronic documents on websites) and ap-  
20        plications and to periodically update such standards;

21            (3) to address and remedy the systemic nation-  
22        wide problem of inaccessible web content and appli-  
23        cations that exclude individuals with disabilities from  
24        equal participation in and equal access to all aspects  
25        of society; and

1           (4) to create effective mechanisms to respond to  
2           emerging technologies and to ensure that such tech-  
3           nologies do not impair the rights and abilities of in-  
4           dividuals with disabilities to participate in all aspects  
5           of society.

6 **SEC. 3. DEFINITIONS.**

7           In this Act:

8           (1) **ACCESSIBLE.**—The term “accessible” or  
9           “accessibility”, used with respect to web content or  
10          an application, means web content or an application  
11          that is perceivable, operable, understandable, and ro-  
12          bust and that enables individuals with disabilities to  
13          access the same information as, to engage in the  
14          same interactions as, to conduct the same trans-  
15          actions as, to communicate and to be understood as  
16          effectively as, and to enjoy the same services as are  
17          offered to, other individuals with the same privacy,  
18          same independence, and same ease of use as, indi-  
19          viduals without disabilities.

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

23          (3) **APPLICATION.**—The term “application”  
24          means software that is designed to run on a device,  
25          including a mobile device, such as a smartphone or

1 tablet, or on a self-service kiosk, wearable technology  
2 item, or laptop or desktop computer or another de-  
3 vice, including a device devised after the date of en-  
4 actment of this Act, and that is designed to perform,  
5 or to help the user perform, a specific task.

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

9 (A) whose operations affect commerce; and

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

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

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

22 (7) **COVERED USE.**—The term “covered use”  
23 means—

24 (A) use by an employment entity in deter-  
25 mining or conducting job application proce-

1           dures, hiring, advancement, or discharge of em-  
2           ployees, employee compensation, job training, or  
3           other term, condition, or privilege of employ-  
4           ment, for employees or applicants to become  
5           employees;

6           (B) use by a public entity to provide to an  
7           applicant, participant, or other member of the  
8           public a service, program, or activity covered  
9           under title II of the ADA (42 U.S.C. 12131 et  
10          seq.), section 504 of the Rehabilitation Act of  
11          1973 (29 U.S.C. 794), or section 1557 of the  
12          Patient Protection and Affordable Care Act (42  
13          U.S.C. 18116), including information related to  
14          such service, program, or activity; and

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

24          (8) DEPARTMENT.—The term “Department”  
25          means the Department of Justice.

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

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

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

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

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

18          (14) INFORMATION AND COMMUNICATION  
19 TECHNOLOGY.—The term “information and commu-  
20 nication technology”—

21               (A) means—

22                       (i) any equipment or interconnected  
23 system or subsystem of equipment, used in  
24 the automatic acquisition, storage, anal-  
25 ysis, evaluation, manipulation, manage-

1           ment, movement, control, display, switch-  
2           ing, interchange, transmission, or reception  
3           of data or information; and

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

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

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

22          (16) LABOR ORGANIZATION.—The term “labor  
23          organization” has the meaning given the term in  
24          section 701 of the Civil Rights Act of 1964 (42  
25          U.S.C. 2000e).

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

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

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

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

20           (21) QUALIFIED INDIVIDUAL.—The term  
21 “qualified individual”, used with respect to an em-  
22 ployee or an applicant to become an employee, has  
23 the meaning given the term in section 101 of the  
24 ADA (42 U.S.C. 12111).

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

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

11          (24) SOFTWARE DEFINITIONS.—

12           (A) PLATFORM SOFTWARE.—

13           (i) IN GENERAL.—The term “platform  
14           software” means software—

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

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

22           (III) a single component of which  
23           may have both platform and non-plat-  
24           form aspects.

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

3 (I) a desktop operating system;

4 (II) an embedded operating sys-  
5 tem, including a mobile system;

6 (III) a web browser;

7 (IV) a plugin to a web browser  
8 that renders a particular media or  
9 format; and

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

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

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

22 (ii) includes applications, non-web  
23 software, platform software, and software  
24 tools.

25 (C) SOFTWARE TOOL.—

1 (i) IN GENERAL.—The term “software  
2 tool” means software—

3 (I) for which the primary func-  
4 tion is the development of other soft-  
5 ware; and

6 (II) that usually comes in the  
7 form of an Integrated Development  
8 Environment (commonly known as an  
9 “IDE”) and is an application suite of  
10 related products and utilities.

11 (ii) INTEGRATED DEVELOPMENT EN-  
12 VIRONMENT.—In clause (i), the term “In-  
13 tegrated Development Environment”  
14 means an application such as—

15 (I) Microsoft® Visual Studio  
16 Code®;

17 (II) Apple® Xcode®; and

18 (III) Eclipse Foundation  
19 Eclipse®.

20 (25) STATE.—The term “State” means each of  
21 the several States, the District of Columbia, and any  
22 territory or possession of the United States.

23 (26) TESTING ENTITY.—The term “testing en-  
24 tity” means any person whose operations affect com-  
25 merce, as defined in section 301 of the ADA (42

1 U.S.C. 12181) and that offers examinations or  
2 courses related to, applying, licensing, certification,  
3 or credentialing for secondary or postsecondary edu-  
4 cation, professional, or trade purposes.

5 (27) UNDERSTANDABLE.—The term “under-  
6 standable”, used with respect to web content or an  
7 application, means that the components of the user  
8 interface for the web content or application, includ-  
9 ing any input fields, error messages, and correction  
10 opportunities, are predictable and can be understood  
11 and used by individuals with disabilities.

12 (28) WEB CONTENT AND RELATED TERMS.—

13 (A) WEB CONTENT.—The term “web con-  
14 tent” means content that is information or sen-  
15 sory experience, and is communicated to a user  
16 by means of a user agent. Such content in-  
17 cludes code or markup that defines the presen-  
18 tation of or interactions of a user with such in-  
19 formation or experience.

20 (B) RELATED TERMS.—In this paragraph:

21 (i) MARKUP.—The term “markup”  
22 means a language, such as HTML or  
23 XML, that uses tags to define the struc-  
24 ture, semantics, or presentation of content  
25 described in subparagraph (A), allowing

1 the content to be interpreted by a user  
2 agent.

3 (ii) PRESENTATION.—The term “pres-  
4 entation” means the rendering of the infor-  
5 mation or experience in a form to be per-  
6 ceived by users.

7 (iii) STRUCTURE.—The term “struc-  
8 ture”, used with respect to web content,  
9 means the way in which the parts of web  
10 content are organized in relation to each  
11 other and how a collection of web content  
12 is organized.

13 (iv) USER AGENT.—The term “user  
14 agent” means any software that retrieves  
15 and presents the information or experience  
16 for users.

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

18 (a) GENERAL RULES FOR COVERED ENTITIES.—

19 (1) EMPLOYMENT ENTITY.—No employment  
20 entity shall subject to discrimination, related to web  
21 content or an application owned, operated, or uti-  
22 lized for covered use by the employment entity, an  
23 individual with a disability in regard to an activity  
24 described in section 102 of the ADA (42 U.S.C.  
25 12112).

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

3                   (A) be excluded from participation in or be  
4                   denied the benefits of the services, programs, or  
5                   activities, or information related to such serv-  
6                   ices, programs, or activities, including informa-  
7                   tion offered through web content or an applica-  
8                   tion owned, operated, or utilized, for covered  
9                   use by a public entity; or

10                   (B) be otherwise subjected to discrimina-  
11                   tion related to web content or an application  
12                   owned, operated, or utilized for covered use by  
13                   a public entity.

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

1 (b) COVERED ENTITIES.—In order to comply with  
2 subsection (a), a covered entity shall meet the following  
3 requirements:

4 (1) ACCESSIBILITY.—A covered entity that en-  
5 gages in an activity described in section 102 of the  
6 ADA (42 U.S.C. 12112), or that provides goods,  
7 services, facilities, privileges, advantages, accom-  
8 modations, programs, or activities, including infor-  
9 mation related to such goods, services, facilities,  
10 privileges, advantages, accommodations, programs,  
11 or activities, through web content or an application  
12 shall ensure that such content or application is ac-  
13 cessible.

14 (2) EFFECTIVE COMMUNICATIONS.—A covered  
15 entity shall ensure that communications through web  
16 content and applications with applicants, employees,  
17 participants, customers, and other members of the  
18 public with disabilities are as effective as commu-  
19 nications with individuals without disabilities.

20 (c) COMMERCIAL PROVIDERS.—No commercial pro-  
21 vider shall design, develop, construct, alter, modify, or add  
22 to any web content or an application for a covered entity  
23 for covered use in a manner that results in the content  
24 or application not being accessible, or otherwise provide

1 web content or an application to a covered entity for cov-  
2 ered use that is not accessible.

3 (d) DEFENSES AND EXEMPTIONS.—

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

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

10 (B) would fundamentally alter the nature  
11 of the employment provided by the entity.

12 (2) PUBLIC ENTITIES.—With respect to a claim  
13 that a public entity violated this section, the entity  
14 shall not be considered to have violated this section  
15 if compliance with this section—

16 (A) would impose an undue burden on the  
17 entity; or

18 (B) would fundamentally alter the nature  
19 of the services, programs, or activities, includ-  
20 ing related information, provided by the entity.

21 (3) PUBLIC ACCOMMODATIONS OR TESTING EN-  
22 TITIES.—With respect to a claim that a public ac-  
23 commodation or testing entity violated this section,  
24 the accommodation or entity shall not be considered

1 to have violated this section if compliance with this  
2 section—

3 (A) would impose an undue burden on the  
4 accommodation or entity; or

5 (B) would fundamentally alter the nature  
6 of the goods, services, facilities, privileges, ad-  
7 vantages, or accommodations, including related  
8 information, provided by the accommodation or  
9 entity.

10 (4) COMMERCIAL PROVIDERS.—With respect to  
11 a claim that a commercial provider violated this sec-  
12 tion, the commercial provider shall not be considered  
13 to have violated this section if compliance with this  
14 section—

15 (A) would impose an undue burden on the  
16 commercial provider; or

17 (B) would fundamentally alter the nature  
18 of the goods, services, facilities, privileges, ad-  
19 vantages, accommodations, programs, or activi-  
20 ties, including related information, provided by  
21 the covered entity served.

22 **SEC. 5. RULEMAKING.**

23 (a) PUBLIC ENTITIES, PUBLIC ACCOMMODATIONS,  
24 AND TESTING ENTITIES.—

25 (1) NOTICE OF PROPOSED RULEMAKING.—

1           (A) ACCESSIBILITY.—Not later than 12  
2 months after the date of enactment of this Act,  
3 the Attorney General shall issue, for purposes  
4 of section 4, a notice of proposed rulemaking  
5 regarding the accessibility of web content and  
6 applications applicable to covered entities that  
7 are public entities or public accommodations or  
8 testing entities, and the commercial providers  
9 for the three types of covered entities, for cov-  
10 ered use. Such notice shall propose regulations  
11 to implement the accessibility obligations of this  
12 Act, and include standards for accessible web  
13 content and applications that offer equally ef-  
14 fective experiences for users with disabilities  
15 and users without disabilities.

16           (B) SMALL ENTITIES.—In proposing the  
17 regulations described in subparagraph (A), the  
18 Attorney General shall—

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

23                   (ii) take into account the capabilities  
24                   of small entities, such as small businesses,

1 to comply with standards for accessible  
2 web content and applications.

3 (2) FINAL RULE.—

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

18 (B) EFFECTIVE DATE.—The final rule  
19 shall take effect—

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

22 (ii) for other entities, 30 days after  
23 that date of issuance.

24 (3) PUBLIC POSTING OF ENFORCEMENT AC-  
25 TIONS.—Not later than 6 months after such

1 issuance, the Attorney General shall, to the extent  
2 permitted by law, post publicly on the Department  
3 website any and all settlement documents and docu-  
4 ments specifying other resolutions, resulting from  
5 the initiation of enforcement actions, or filing of ad-  
6 ministrative or civil actions, by the Attorney General  
7 pursuant to this Act concerning the covered entities,  
8 and the commercial providers, described in para-  
9 graph (1).

10 (b) EMPLOYMENT ENTITIES.—

11 (1) NOTICE OF PROPOSED RULEMAKING.—

12 (A) ACCESSIBILITY.—Not later than 12  
13 months after the date of enactment of this Act,  
14 the Commission shall issue, for purposes of sec-  
15 tion 4, a notice of proposed rulemaking regard-  
16 ing the accessibility of web content and applica-  
17 tions applicable to employment entities, and the  
18 commercial providers for employment entities,  
19 for covered use. Such notice shall propose regu-  
20 lations to implement the accessibility obligations  
21 of this Act, and include standards for accessible  
22 web content and applications that offer equally  
23 effective experiences for users with disabilities  
24 and users without disabilities.

1 (B) SMALL ENTITIES.—In proposing the  
2 regulations described in subparagraph (A), the  
3 Commission shall—

4 (i) determine which covered entities  
5 and commercial providers shall be consid-  
6 ered small entities for the purposes of this  
7 Act; and

8 (ii) take into account the capabilities  
9 of small entities, such as small businesses,  
10 to comply with standards for accessible  
11 web content and applications.

12 (2) FINAL RULE.—

13 (A) IN GENERAL.—Not later than 24  
14 months after the date of enactment of this Act,  
15 the Commission shall issue, for purposes of sec-  
16 tion 4, a final rule regarding the accessibility of  
17 web content and applications applicable to the  
18 employment entities, and the commercial pro-  
19 viders, described in paragraph (1), for covered  
20 use. Such final rule shall implement the accessi-  
21 bility obligations of this Act, include standards  
22 for accessible web content and applications that  
23 offer equally effective experiences for users with  
24 disabilities and users without disabilities, and

1 take into account the capabilities of small enti-  
2 ties, as described in paragraph (1)(B)(ii).

3 (B) EFFECTIVE DATE.—The final rule  
4 shall take effect—

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

7 (ii) for other entities, 30 days after  
8 that date of issuance.

9 (3) PUBLIC POSTING OF ENFORCEMENT AC-  
10 TIONS.—Not later than 6 months after such  
11 issuance, the Commission shall, to the extent per-  
12 mitted by law, post publicly on the Commission  
13 website any and all settlement documents, and docu-  
14 ments specifying other resolutions, resulting from  
15 the initiation of enforcement actions, or filing of ad-  
16 ministrative or civil actions, by the Commission pur-  
17 suant to this Act concerning the employment enti-  
18 ties, and the commercial providers, described in  
19 paragraph (1).

20 **SEC. 6. PERIODIC REVIEW.**

21 (a) REVIEW.—For each of the first 3 years after the  
22 date of enactment of this Act, and every 2 years there-  
23 after, each Federal agency receiving complaints or engag-  
24 ing in enforcement (including compliance reviews and in-  
25 vestigations), administrative (including administrative res-

1 olution of a claim of a violation), or civil actions under  
2 this Act shall submit a report on the complaints and ac-  
3 tivities to the Department and the Commission. The At-  
4 torney General and the Commission shall, for each of the  
5 first 3 years and every 2 years thereafter, review com-  
6 plaints received and enforcement, administrative, or civil  
7 actions taken under this Act, to determine whether the  
8 purpose of this Act is being achieved. In conducting such  
9 reviews, the Attorney General and the Commission may  
10 award grants, contracts, or cooperative agreements to en-  
11 tities that have documented experience and expertise in  
12 collecting and analyzing data associated with imple-  
13 menting reviews of complaints, and enforcement, adminis-  
14 trative, and civil actions.

15 (b) REPORT.—The Attorney General and the Com-  
16 mission shall prepare a report containing the results of  
17 each such review of complaints and actions described in  
18 subsection (a), and shall submit the report to the Com-  
19 mittee on Health, Education, Labor, and Pensions and the  
20 Committee on the Judiciary of the Senate and the Com-  
21 mittee on Education and Workforce and the Committee  
22 on the Judiciary of the House of Representatives.

23 (c) UPDATED REGULATIONS.—The Attorney General  
24 and the Commission shall issue, in accordance with this  
25 Act, updated accessibility regulations every 3 years fol-

1 lowing the date of issuance of the initial accessibility regu-  
2 lations issued under this Act.

3 **SEC. 7. ENFORCEMENT AND ADMINISTRATIVE ACTION, AND**  
4 **PRIVATE RIGHT OF ACTION.**

5 (a) CIVIL ACTIONS BY ATTORNEY GENERAL.—

6 (1) CIVIL ACTION BY ATTORNEY GENERAL.—

7 (A) IN GENERAL.—

8 (i) INVESTIGATION AFTER A COM-  
9 PLAINT.—On receiving a complaint filed by  
10 an individual with a disability, a class of  
11 individuals with disabilities, or an entity  
12 representing an individual with a disability  
13 or such a class, of a violation of paragraph  
14 (2) or (3) of subsection (a), as the case  
15 may be, or a complaint filed by a covered  
16 entity that is a public entity, public accom-  
17 modation, or testing entity of a violation of  
18 subsection (c), of section 4 (including a re-  
19 lated provision of the final rule issued  
20 under section 5(a)), the Attorney General  
21 may conduct an investigation. The inves-  
22 tigation shall consist of a review of the cor-  
23 responding web content or application  
24 owned, operated, or utilized for covered use  
25 by such a covered entity, or provided to

1 such a covered entity by a commercial pro-  
2 vider, to determine whether the covered en-  
3 tity or commercial provider has violated  
4 the corresponding provision of section 4.

5 (ii) OTHER INVESTIGATION AND RE-  
6 VIEW.—In addition, the Attorney General  
7 shall, on the Attorney General’s own au-  
8 thority, investigate practices that may be  
9 violations of, and undertake periodic re-  
10 views of compliance of such covered enti-  
11 ties and commercial providers with, the  
12 corresponding provision of section 4 (in-  
13 cluding a related provision of the final rule  
14 issued under section 5(a)).

15 (iii) DETERMINATION OF VIOLA-  
16 TION.—If, after investigation or review  
17 under this subparagraph, the Attorney  
18 General determines that such a covered en-  
19 tity or commercial provider has violated  
20 the corresponding provision of section 4  
21 (including a related provision of the final  
22 rule issued under section 5(a)), the Attor-  
23 ney General may take administrative ac-  
24 tion (including administrative resolution of  
25 a claim of such a violation) or bring a civil

1           action in a district court of the United  
2           States.

3           (B) INTERVENTION.—If the Attorney Gen-  
4           eral brings such a civil action based on a com-  
5           plaint filed by an individual, class of individ-  
6           uals, or entity, described in subparagraph (A),  
7           including a covered entity described in subpara-  
8           graph (A) alleging a violation by a commercial  
9           provider, such individual, class, or entity shall  
10          have the right to intervene in such civil action.

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

22          (b) EMPLOYMENT ENTITIES.—

23                  (1) CIVIL ACTION BY COMMISSION.—

24                          (A) IN GENERAL.—

1 (i) INVESTIGATION AFTER A COM-  
2 PLAINT.—On receiving a complaint filed by  
3 a qualified individual, a class of qualified  
4 individuals, or an entity representing a  
5 qualified individual or such a class, of a  
6 violation of subsection (a)(1), or a com-  
7 plaint filed by an employment entity of a  
8 violation of subsection (c), of section 4 (in-  
9 cluding a related provision of the final rule  
10 issued under section 5(b)), the Commission  
11 may conduct an investigation. The inves-  
12 tigation shall consist of a review of the cor-  
13 responding web content or application  
14 owned, operated, or utilized for covered use  
15 by an employment entity, or provided to an  
16 employment entity by a commercial pro-  
17 vider, to determine whether the employ-  
18 ment entity or commercial provider has  
19 violated the corresponding provision of sec-  
20 tion 4.

21 (ii) OTHER INVESTIGATION AND RE-  
22 VIEW.—In addition, the Commission shall,  
23 on the Commission’s own authority, inves-  
24 tigate practices that may be violations of,  
25 and undertake periodic reviews of compli-

1           ance of employment entities and commer-  
2           cial providers with, the corresponding pro-  
3           vision of section 4 (including a related pro-  
4           vision of the final rule issued under section  
5           5(b)).

6           (iii) DETERMINATION OF VIOLA-  
7           TION.—If, after investigation or review de-  
8           scribed in this subparagraph, the Commis-  
9           sion determines that an employment entity  
10          or commercial provider has violated the  
11          corresponding provision of section 4 (in-  
12          cluding a related provision of the final rule  
13          issued under section 5(b)), the Commission  
14          may take administrative action (including  
15          administrative resolution of a claim of such  
16          a violation) or bring a civil action in a dis-  
17          trict court of the United States.

18          (B) INTERVENTION.—If the Commission  
19          brings such a civil action based on a complaint  
20          filed by a qualified individual, class of qualified  
21          individuals, or entity, described in subpara-  
22          graph (A), including an employment entity al-  
23          leging a violation by a commercial provider,  
24          such qualified individual, class, or entity shall  
25          have the right to intervene in such civil action.

1           (2) CIVIL ACTION BY OTHERS.—A qualified in-  
2           dividual, class, or entity, described in paragraph  
3           (1)(A), including an employee or employment entity  
4           alleging a violation by a commercial provider, may  
5           bring a civil action alleging a violation of subsection  
6           (a)(1) or subsection (c), as the case may be, of sec-  
7           tion 4 (including a related provision of the final rule  
8           issued under section 5(b)) in an appropriate State or  
9           Federal court without first filing a complaint with  
10          the Commission or exhausting any other administra-  
11          tive remedies.

12          (3) FUNCTIONS OF THE ATTORNEY GEN-  
13          ERAL.—The Attorney General shall carry out any  
14          function of the Commission under this subsection  
15          that the Attorney General carries out under section  
16          107 of the ADA (42 U.S.C. 12117).

17          (c) RELIEF.—

18                 (1) CIVIL ACTION BY ATTORNEY GENERAL OR  
19                 COMMISSIONER.—In a civil action brought under  
20                 subsection (a)(1) or (b)(1), the Attorney General or  
21                 Commissioner may seek—

22                         (A) a civil penalty and all appropriate in-  
23                         junctive relief to bring the affected web content  
24                         or application into compliance with section 4;  
25                         and

1 (B) on behalf of affected individuals, all  
2 economic and noneconomic damages including  
3 compensatory and punitive damages.

4 (2) CIVIL ACTION BY OTHERS.—In a civil action  
5 brought under subsection (a)(2) or (b)(2), the plain-  
6 tiff may seek all appropriate injunctive relief de-  
7 scribed in paragraph (1)(A) and the damages de-  
8 scribed in paragraph (1)(B).

9 (3) ATTORNEY’S FEES.—The prevailing plain-  
10 tiff (other than the United States) shall also be  
11 awarded reasonable attorney’s fees and costs.

12 **SEC. 8. RECOMMENDATIONS.**

13 (a) ADVISORY COMMITTEE.—

14 (1) IN GENERAL.—The Attorney General and  
15 the Commission shall establish a standing advisory  
16 committee (referred to in this section as the “Com-  
17 mittee”) on accessible web content and applications.  
18 The Committee shall be operated and receive re-  
19 sources in accordance with the provisions of chapter  
20 10 of title 5, United States Code (commonly known  
21 as the “Federal Advisory Committee Act”), as an  
22 advisory committee under the authority of the Attor-  
23 ney General and Commission.

24 (2) COMPOSITION.—In establishing the Com-  
25 mittee, the Attorney General and the Commission—

1 (A) shall include on the Committee—

2 (i) individuals with disabilities (com-  
3 prising a majority of the members of the  
4 Committee) who are—

5 (I) individuals who are blind (in-  
6 cluding who have low vision), deaf,  
7 hard of hearing, or deafblind;

8 (II) individuals who have speech  
9 disabilities;

10 (III) individuals with physical  
11 disabilities including those with lim-  
12 ited to no manual dexterity; and

13 (IV) individuals who have disabil-  
14 ities not specified in any of subclauses  
15 (I) through (III);

16 (ii) experts regarding accessible web  
17 content and applications for individuals  
18 with disabilities; and

19 (iii) at least one representative from  
20 the United States Access Board; and

21 (B) may include on the Committee rep-  
22 resentatives of—

23 (i) State and local government;

24 (ii) covered entities, including such  
25 entities who are small entities;

- 1 (iii) commercial providers;
- 2 (iv) testing entities; and
- 3 (v) other entities determined to be ap-  
4 propriate by the Attorney General and the  
5 Commission.

6 (3) FUNCTIONS.—The Committee shall provide  
7 responsive advice and guidance to the Attorney Gen-  
8 eral and the Commission, for purposes of carrying  
9 out this Act, by—

10 (A) conducting public meetings twice per  
11 year, at a minimum;

12 (B) submitting reports and recommenda-  
13 tions to the Attorney General and Commission,  
14 and making the reports and recommendations  
15 publicly available, every 2 years at a minimum;  
16 and

17 (C) otherwise assisting the Attorney Gen-  
18 eral and Commission in identifying and under-  
19 standing the impact and implications of innova-  
20 tions with regard to accessible web content and  
21 applications.

22 (b) CONFERRING.—The Attorney General and the  
23 Commission, in carrying out this Act, shall confer with  
24 the National Council on Disability, the Architectural and  
25 Transportation Barriers Compliance Board, or any other

1 Federal department or agency that may have relevant ex-  
2 pertise or experience.

3 **SEC. 9. TECHNICAL ASSISTANCE.**

4 (a) PURPOSE.—It is the purpose of this section to  
5 establish a technical assistance center to provide, to cov-  
6 ered entities, commercial providers, individuals with dis-  
7 abilities, and other members of the public, information,  
8 resources, training, and technical assistance regarding—

9 (1) the design, development, construction, alter-  
10 ation, modification, or addition of accessible web  
11 content and applications in accordance with this Act;  
12 and

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

17 (b) SUPPORT FOR TRAINING AND TECHNICAL AS-  
18 SISTANCE.—From amounts made available under section  
19 13, the Attorney General, in coordination with the Com-  
20 mission, the Secretary of Education, the United States Ac-  
21 cess Board, and other heads of Federal agencies, as appro-  
22 priate shall award, on a competitive basis, at least 1 grant,  
23 contract, or cooperative agreement to a qualified training  
24 and technical assistance provider to support the develop-

1 ment, establishment, and procurement of accessible web  
2 content and applications.

3 (c) APPLICATION.—

4 (1) IN GENERAL.—To be eligible to receive a  
5 grant, contract, or cooperative agreement under this  
6 section, an entity shall submit an application to the  
7 Attorney General at such time, in such manner, and  
8 containing such information as the Attorney General  
9 may require.

10 (2) INPUT.—In awarding a grant, contract, or  
11 cooperative agreement under this section and in re-  
12 viewing the activities proposed under the applica-  
13 tions described in paragraph (1), the Attorney Gen-  
14 eral, in coordination with the Commission, the Sec-  
15 retary of Education, and other heads of Federal  
16 agencies, as appropriate—

17 (A) shall consider the input of—

18 (i) individuals with disabilities who  
19 are—

20 (I) individuals who are blind (in-  
21 cluding individuals who have low vi-  
22 sion), deaf, hard of hearing, or  
23 deafblind;

24 (II) individuals who have speech  
25 disabilities;

1 (III) individuals with physical  
 2 disabilities, including individuals with  
 3 limited to no manual dexterity; and

4 (IV) individuals who have disabil-  
 5 ities not specified in any of subclauses  
 6 (I) through (III);

7 (ii) experts regarding accessible web  
 8 content and applications for use by individ-  
 9 uals with disabilities; and

10 (iii) the United States Access Board;

11 and

12 (B) may consider the input of—

13 (i) State and local government;

14 (ii) covered entities;

15 (iii) commercial providers;

16 (iv) testing entities; and

17 (v) other entities determined to be ap-  
 18 propriate by the Attorney General, in co-  
 19 ordination with the Commission, the Sec-  
 20 retary of Education, and other heads of  
 21 Federal agencies, as appropriate.

22 (d) AUTHORIZED ACTIVITIES.—

23 (1) USE OF FUNDS.—

24 (A) REQUESTS FOR INFORMATION.—An  
 25 entity receiving a grant, contract, or cooperative

1 agreement under this section shall support a  
2 training and technical assistance program that  
3 addresses information requests, concerning ac-  
4 cessible web content and applications, from cov-  
5 ered entities and commercial providers, includ-  
6 ing requests for information regarding—

7 (i) effective approaches for developing,  
8 establishing, and procuring accessible web  
9 content and applications;

10 (ii) state-of-the-art, or model, Federal,  
11 State, and local laws, regulations, policies,  
12 practices, procedures, and organizational  
13 structures, that facilitate, and overcome  
14 barriers to, receipt of funding for, and ac-  
15 cess to, accessible web content and applica-  
16 tions; and

17 (iii) examples of policies, practices,  
18 procedures, regulations, or judicial deci-  
19 sions that have enhanced or may enhance  
20 access to and receipt of funding for acces-  
21 sible web content and applications.

22 (B) COORDINATION.—An entity receiving a  
23 grant, contract, or cooperative agreement under  
24 this section may also provide technical assist-  
25 ance and training, concerning accessible web

1 content and applications, for covered entities  
2 and commercial providers by—

3 (i) facilitating onsite and electronic in-  
4 formation sharing using state-of-the-art  
5 internet technologies such as real-time on-  
6 line discussions, multipoint video confer-  
7 encing, and web-based audio or video  
8 broadcasts, on emerging topics regarding  
9 accessible web content and applications;

10 (ii) convening experts to discuss and  
11 make recommendations with regard to na-  
12 tional emerging issues regarding accessible  
13 web content and applications;

14 (iii) sharing best practices and evi-  
15 dence-based practices in developing, estab-  
16 lishing, and procuring accessible web con-  
17 tent and applications;

18 (iv) supporting and coordinating ac-  
19 tivities designed to reduce the financial  
20 costs of purchasing technology needed to  
21 access accessible web content and applica-  
22 tions; and

23 (v) carrying out such other activities  
24 as the Attorney General, in coordination  
25 with the Commission, the Secretary of

1 Education, the United States Access  
2 Board, and other heads of Federal agen-  
3 cies, as appropriate, may require.

4 (C) COLLABORATION.—In developing and  
5 providing training and technical assistance  
6 under this section, an entity receiving a grant,  
7 contract, or cooperative agreement under this  
8 section shall collaborate with—

9 (i) organizations representing individ-  
10 uals with disabilities;

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

16 (iii) entities, such as the World Wide  
17 Web Consortium and the National Insti-  
18 tute of Standards and Technology, that de-  
19 velop international standards for accessible  
20 web content and applications;

21 (iv) existing (existing as of the date of  
22 the application for the award involved)  
23 technical assistance entities, such as the  
24 ADA National Network;

1 (v) Federal, State, and territorial  
2 agencies that provide assistance to small  
3 businesses;

4 (vi) organizations or entities rep-  
5 resenting State or local government, and  
6 educational web content and technology  
7 professionals;

8 (vii) entities or individuals with exper-  
9 tise and experience in enforcing disability  
10 rights law; and

11 (viii) other entities and technical as-  
12 sistance providers determined to be appro-  
13 priate by the Attorney General, in coordi-  
14 nation with the Commission, the Secretary  
15 of Education, the United States Access  
16 Board, and other heads of Federal agen-  
17 cies, as appropriate.

18 (D) GRANT ADMINISTRATION.—An entity  
19 receiving a grant, contract, or cooperative  
20 agreement under this section may use funds  
21 made available under section 13 to administer  
22 a program to make subgrants to small entities,  
23 pursuant to section 11.

1 **SEC. 10. STUDY AND REPORT ON EMERGING TECH-**  
2 **NOLOGIES.**

3 (a) STUDY AND REPORT.—

4 (1) IN GENERAL.—The National Council on  
5 Disability (in this section referred to as the “Coun-  
6 cil”) shall conduct a study and prepare a report  
7 on—

8 (A) the effect that emerging technologies  
9 have on the ability of individuals with disabil-  
10 ities to participate in employment, education,  
11 government, health care, commerce, culture,  
12 and other aspects of society; and

13 (B) the effectiveness of this Act in achiev-  
14 ing its purpose.

15 (2) CONSIDERATION OF EFFECT ON INDIVID-  
16 UALS WITH PARTICULAR BARRIERS.—In conducting  
17 the study and preparing the report, the Council shall  
18 consider the effect of emerging technologies on indi-  
19 viduals with disabilities who use those technologies  
20 and have particular barriers to such participation  
21 and communication, such as individuals with disabil-  
22 ities using those technologies—

23 (A) who have limited language or limited  
24 English language;

1           (B) who have significant or targeted dis-  
2 abilities (including people who are blind, deaf,  
3 or deafblind);

4           (C) who have disabilities limiting commu-  
5 nication;

6           (D) whose household income is at or below  
7 200 percent of the poverty line, as defined by  
8 the Federal poverty guidelines of the Depart-  
9 ment of Health and Human Services;

10          (E) who lack access to broadband services  
11 and technology; or

12          (F) who are multiply marginalized due to  
13 race, ethnicity, national origin, age, sex, sexual  
14 orientation, gender identity, or socioeconomic  
15 status.

16          (b) SUBMISSION OF REPORT.—Five years after the  
17 date of enactment of this Act, the Council shall submit  
18 the report required under subsection (a) to the appro-  
19 priate committees of Congress, which shall at minimum  
20 include the Committee on Health, Education, Labor, and  
21 Pensions and the Committee on the Judiciary of the Sen-  
22 ate and the Committee on Education and Workforce and  
23 the Committee on the Judiciary of the House of Rep-  
24 resentatives.

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

2 (a) PURPOSE.—The purpose of this section is to  
3 award grants to provide assistance to small entities to en-  
4 able the entities to remediate or replace existing (as of  
5 the date of application for the award) web content and  
6 applications to enable the small entities to comply with  
7 the regulations established under this Act.

8 (b) SUPPORT FOR REMEDIATION ACTIVITIES.—

9 (1) IN GENERAL.—From amounts made avail-  
10 able under section 13, for each of the first 5 years  
11 after the date of issuance, the recipient of the award  
12 under section 9 (relating to a technical assistance  
13 center), in coordination with the Attorney General  
14 and the Commission, shall award grants, in amounts  
15 not to exceed \$10,000, to small entities to support  
16 auditing, testing, and remediating inaccessible web  
17 content or applications or to support procurement of  
18 accessible web content and applications to replace in-  
19 accessible web content or applications, in accordance  
20 with this Act.

21 (2) DATE OF ISSUANCE.—In this subsection,  
22 the term “date of issuance” means the date that is  
23 the earlier of the first day on which a final rule is  
24 issued under section 5(a) and the first day on which  
25 a final rule is issued under section 5(b).

1           (c) APPLICATION.—To be eligible to receive a grant  
2 under this section, a small entity shall submit an applica-  
3 tion to the Attorney General and the Commission (or the  
4 recipient of the award under section 9) at such time, in  
5 such manner, and containing such information as the At-  
6 torney General and the Commission (or the recipient of  
7 the award under section 9) may require. At a minimum,  
8 the applicant shall demonstrate—

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

10           (2)(A) if the entity is a covered entity, that it  
11 owns, operates, or utilizes inaccessible web content,  
12 or an inaccessible application, that requires remedi-  
13 ation or replacement for the entity to comply with  
14 this Act; or

15           (B) if the entity is a commercial provider, that  
16 it provides, to a covered entity, inaccessible web con-  
17 tent, or an inaccessible application, that requires re-  
18 mediation or replacement for the provider to comply  
19 with this Act; and

20           (3) that the small entity has a plan to reme-  
21 diate or replace, as appropriate, the inaccessible web  
22 content or application, so that the entity complies  
23 with this Act.

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

1           (1) may use the grant funds, directly or  
2 through a subgrant, to audit, test, or remediate the  
3 inaccessible web content, or a new accessible applica-  
4 tion or procure new accessible web content or an ap-  
5 plication to replace the inaccessible web content or  
6 application;

7           (2) shall use the grant funds to demonstrate  
8 that the resulting web content or application is ac-  
9 cessible; and

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

13 **SEC. 12. RULES OF CONSTRUCTION.**

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

17           (1) section 504 of the Rehabilitation Act of  
18 1973 (29 U.S.C. 794), title I, II or III of the ADA  
19 (42 U.S.C. 12111 et seq., 12131 et seq., 12181 et  
20 seq.), and section 1557 of the Patient Protection  
21 and Affordable Care Act (42 U.S.C. 18116); and

22           (2) section 508 of the Rehabilitation Act of  
23 1973 (29 U.S.C. 794d) and section 255 of the Com-  
24 munications Act of 1934 (47 U.S.C. 255).

1           (b) RELATIONSHIP TO OTHER LAWS.—Nothing in  
2 this Act shall be construed to invalidate or limit the rem-  
3 edies, rights, and procedures of any Federal law or law  
4 of any State or political subdivision of any State or juris-  
5 diction, that provides greater or equal protection for the  
6 rights of individuals with disabilities than is afforded by  
7 this Act.

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

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

14                       (A) title I of the ADA (42 U.S.C. 12111  
15 et seq.) for digital access to an item related to  
16 an activity described in section 102 of the ADA  
17 (42 U.S.C. 12112), by covered entities;

18                       (B) title II of the ADA (42 U.S.C. 12131  
19 et seq.) for digital access to services, programs,  
20 or activities, including information related to  
21 such services, programs, or activities of covered  
22 entities; or

23                       (C) title III of the ADA (42 U.S.C. 12181  
24 et seq.) for digital access to goods, services, fa-  
25 cilities, privileges, advantages, or accommoda-

1           tions, including information related to such  
2           goods, services, facilities, privileges, advantages,  
3           or accommodations of covered entities; and

4           (2) the regulations issued by the Federal Com-  
5           munications Commission for video programming and  
6           communications services provided via web content  
7           and applications.

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

14       **SEC. 13. AUTHORIZATION OF APPROPRIATIONS.**

15          There are authorized to be appropriated \$35,150,000  
16          for each of fiscal years 2027 through 2036 to carry out  
17          this Act.

18       **SEC. 14. EFFECTIVE DATE.**

19          This Act shall take effect 6 months after the date  
20          of enactment of this Act, except that section 4 shall apply  
21          to covered entities and commercial providers 12 months  
22          after that date of enactment.

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