

How to File an ADA Complaint with the U.S. Department of Justice

You can file an Americans with Disabilities Act complaint alleging disability discrimination against a State or local government or a public accommodation (including, for example, a restaurant, doctor's office, retail store, hotel, etc.) by mail, fax, or email.

To file an ADA complaint by mail:

US Department of Justice
950 Pennsylvania Avenue, NW
Civil Rights Division
Disability Rights Section – 1425 NYAV
Washington, D.C. 20530

To file an ADA complaint by fax: (202) 307-1197

To file a complaint by email: ADA.complaint@usdoj.gov

Please keep a copy of your complaint and the original documents for your own records.

1. How can I file an ADA complaint with the Department of Justice?

If you believe that you or another person has been discriminated against by an entity covered by the ADA, you may file a complaint with the Disability Rights Section (DRS) in the Department of Justice. A complaint may be sent by email, fax, or letter. (Letters and packages sent to the DRS by U.S. Mail are delayed for security screening.) All new complaints are subject to processing and review. This may take up to three months.

2. What information should my ADA complaint include?

Provide the following information:

- A. Your full name, address, the telephone numbers where we can reach you during the day and evening, and the name of the party discriminated against (if known);
- B. The name and address of the business, organization, institution, or person that you believe has committed the discrimination;
- C. A brief description of the acts of discrimination, the dates they occurred, and the names of individuals involved;
- D. Other information you believe necessary to support your complaint, including copies (not originals) of relevant documents; and
- E. Information about how to communicate with you effectively. Please let us know if you want written communications in a specific format (e.g., large print, Braille, electronic documents) or require communications by video phone or TTY.

http://www.ada.gov/filing_complaint.htm

To guide you in providing the requested information, you may use the ADA complaint form at <http://www.ada.gov/t2cmpfrm.htm> for any ADA complaint, **but you are not required to do so.**

3. How do I file an ADA complaint by email?

Include all of the information listed above, either in the body of the email or in an attachment. Attach relevant documents to your email. Send your complaint to ada.complaint@usdoj.gov. You will receive an automatic reply email confirming that your complaint has been received. Please keep a copy of your complaint and the reply email for your records. If you do not receive an automatic reply email, please contact DRS at the voice or TTY number above.

4. What accommodations may I request if I cannot prepare my own ADA complaint because of my disability?

If you are unable to write because of your disability and are unable to submit a written complaint by mail, fax, or email, the Department can assist you by scribing your complaint by phone or, for individuals who communicate by American Sign Language, by videophone.

Contact the ADA Information Line at 1-800-514-0301 (voice) or 1-800-514-0383 (TTY) to schedule an appointment. Please be advised that it may take two weeks or more for Department staff to contact you.

5. What happens after my complaint is received?

After the complaint is received, we will inform you of our action, which may include:

- A. Contacting you for additional information or copies of relevant documents;
- B. Referring your complaint for possible resolution through the ADA Mediation Program;
- C. Referring your complaint to the United States Attorney's Office in your area for investigation;
- D. Referring your complaint to another federal agency with responsibility for the types of issues you have raised.
- E. Investigating your complaint; or
- F. Considering your complaint for possible litigation by the Department of Justice.

We cannot investigate or litigate every complaint. If we cannot investigate your complaint, we will send you a letter telling you this.

6. How can I find out the status of my complaint?

We review each complaint carefully. Because we receive a large volume of ADA complaints from people throughout the United States, our review can take up to three months. If you have not heard from us by the end of this three-month period, you can find out the status of your complaint by calling the ADA

Information Line at 1-800-514-0301 (voice) or 1-800-514-0383 (TTY). A member of our staff will contact you to tell you if your complaint has been received and if it is still under consideration for possible action.

7. What happens if my complaint is referred for possible mediation?

The ADA Mediation Program (<http://www.ada.gov/mediate.htm>) is an important part of ADA compliance. Using professional ADA-trained mediators throughout the United States, mediation is a confidential, voluntary way to resolve ADA complaints fairly and quickly. Types of complaints most appropriate for this program include barrier removal, program accessibility, effective communication, and modification of policies, practices, and procedures. If we determine that your complaint is appropriate for mediation, we will contact you and the entity you complained about to find out if you are both willing to participate in mediation.

8. What happens if my complaint is opened for investigation?

If your complaint is opened for investigation, an investigator or attorney will be assigned and will contact you to obtain additional information. The investigator or attorney will contact you at least every three months to advise you of the status of the investigation.

During the investigation, the attorney or investigator will not necessarily make a determination about whether or not an ADA violation has occurred. If he or she believes there is a pattern or practice of discrimination or the complaint raises an issue of general public importance, DRS may attempt to negotiate a formal settlement of the matter, or may file a lawsuit in federal court on behalf of the United States. We do not act as an attorney for, or representative of, *the complainant*.

9. What happens if my complaint is referred to another federal agency?

If we decide your complaint is appropriate for referral to another federal agency, we will notify you of this decision and send you a copy of the letter we sent to the other agency.

10. How will the information in my complaint be used?

The personal information will be used primarily for the Department of Justice's authorized civil rights compliance and enforcement activities. DRS will not disclose your name or other identifying information about you unless it is necessary for enforcement activities against an entity alleged to have violated federal law, or unless such information is required to be disclosed under the Freedom of Information Act, 5 U.S.C. § 552, or disclosure is allowed through the publication of a routine use in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a. To further the Department's enforcement activities, information DRS has about you may be given to: appropriate Federal, State, or local agencies; Members of Congress or staff; volunteer student workers within the Department of Justice so that they may perform their duties; the news media when release is made consistent with the Freedom of Information Act and 28 C.F.R. § 40.2; and the National Archives and Records Administration and General Services Administration to perform records management inspection functions in accordance with their legal responsibilities.

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Providing DRS with the requested information is voluntary except that failure to provide such information may result in DRS being unable to process your complaint.

For other questions, call the ADA Information Line at 1-800-514-0301 (voice) or 1-800-514-0383. ADA Specialists are available to answer questions on Monday, Tuesday, Wednesday, and Friday from 9:30 a.m. to 5:30 p.m. (Eastern Time). On Thursday, the information line is staffed from 12:30 p.m. to 5:30 p.m. (Eastern Time).