Office of Congressional Workplace Rights

Office of the General Counsel

GUIDANCE ON ADA INSPECTIONS

Re: ADA Compliance and Inspection of Legislative Branch Facilities That Are Not Open to the General Public

Date: November 4, 2024

INTRODUCTION

Section 210 of the Congressional Accountability Act (CAA) applies provisions of Titles II and III of the Americans with Disabilities Act (ADA) to specified legislative branch entities and requires all facilities of those entities to comply. The Office of Congressional Workplace Rights (OCWR) Office of the General Counsel (OGC) is required to inspect all facilities of entities covered by section 210 for compliance with the ADA and its design standards. To maximize its limited resources, the OCWR has historically often limited its biennial inspections to facilities open to the general public, although it has occasionally inspected facilities not open to the general public when necessary to address specific concerns. Most notably, the OCWR completed an ADA inspection of all areas of the U.S. Capitol Visitor Center (many of which are not open to the general public) prior to its formal opening. Nonetheless, regardless of the OCWR's historical inspection practices, facilities and spaces that are not open to the general public must comply with section 210 of the CAA – and thus with the ADA's design standards – to the same extent as facilities and spaces open to the general public, and are accordingly required to be inspected by the OGC. The OGC is issuing this guidance document to provide clarity on this matter.

BACKGROUND

Section 210 of the CAA, also referred to as section 1331, applies provisions of Titles II and III of the ADA to the legislative branch. Specifically, section 210(b) provides that "The rights and protections against discrimination in the provision of public services and accommodations established by sections 201 through 230, 302, 303 and 309 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131-12150, 12182, 12183, and 12189) shall apply to the entities listed in subsection (a)[.]" 2 U.S.C.§ 1331(b)(1). The entities listed in subsection (a) are:

> (1) each office of the Senate, including each office of a Senator and each committee;
> (2) each office of the House of Representatives, including each office of a Member of the House of Representatives and each committee;

(3) each joint committee of the Congress;
(4) the Office of Congressional Accessibility Services;
(5) the Capitol Police;
(6) the Congressional Budget Office;
(7) the Office of the Architect of the Capitol (including the Botanic Garden);
(8) the Office of the Attending Physician;
(9) the Office of Congressional Workplace Rights;
(10) the Office of Technology Assessment; and
(11) the Library of Congress.

Id. at § 1331(a)(7). Section 210 further provides that "On a regular basis, and at least once each Congress, the General Counsel shall inspect the facilities of the entities listed in subsection (a) to ensure compliance with subsection (b)." *Id.* at § 1331(f)(1).

The broad discrimination protection provided by Title II of the ADA is applied by section 210 and provides that "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subject to discrimination by any such entity." 42 U.S.C. § 12132. Section 210(b)(2) further provides that "For purposes of the application of title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.) under this section, the term 'public entity' means any entity listed in subsection (a) that provides public services, programs, or activities." 2 U.S.C. § 1331(b)(2).

Under Title II, facilities used by public entities are governed by the standards issued by the Department of Justice (DOJ). 42 U.S.C. § 12134(c). Since Congress has never approved the ADA regulations adopted by the Board of Directors of the OCWR, the most relevant DOJ regulations are applied to the extent necessary. 2 U.S.C. § 1411. Under the DOJ's regulations at 28 C.F.R. part 35, each facility or part of a facility constructed or altered by, on behalf of, or for the use of a public entity shall be designed and constructed, or altered, in such manner that it is readily accessible to and usable by individuals with disabilities (in the case of alterations, to the maximum extent this is feasible), if the alteration was commenced after January 26, 1992. *See* 28 C.F.R. §§ 35.151(a)(1), 35.151(b)(1).

Under the sections of Title III of the ADA applied to legislative branch offices by section 210, "No individual shall be discriminated against on the basis of disability in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation." 42 U.S.C. § 12182(a). Title III's enumerated list of entities considered public accommodations includes "a restaurant, bar, or other establishment serving food or drink;" "a gymnasium … or other place of exercise or recreation[;]" service

establishments; day care centers; places of education; and others. *Id.* at § 12181(7); 28 C.F.R § 36.104.

Title III echoes Title II's requirement that facilities be constructed and altered in an accessible manner. *See* 42 U.S.C. § 12183(a). Additionally, Title III requires removal of barriers to accessibility by defining discrimination to include "a failure to remove architectural barriers, and communication barriers that are structural in nature, in existing facilities … where such removal is readily achievable[.]" *Id.* at § 12182(b)(2)(A)(iv). "Readily achievable" means "easily accomplishable and able to be carried out without much difficulty or expense." *Id.* at § 12181(9).

Outside of the legislative branch, Titles II and III of the ADA apply in different contexts – Title II to state and local governments, Title III to public accommodations owned by private entities. In the CAA, Congress applied both titles to the legislative branch in order to ensure that the legislative branch would be as accessible as possible.

Sections of Title I of the ADA also apply to legislative branch offices. Section 201 of the CAA, also referred to as section 1311, provides that "All personnel actions affecting covered employees shall be made free from any discrimination based on disability" within the meaning of Title I of the ADA and the Rehabilitation Act. 2 U.S.C. § 1311(a)(3). "Covered employee" is defined as any employee of the following:

> (A) the House of Representatives;
> (B) the Senate;
> (C) the Office of Congressional Accessibility Services;
> (D) the Capitol Police;
> (E) the Congressional Budget Office;
> (F) the Office of the Architect of the Capitol;
> (G) the Office of the Attending Physician;
> (H) the Office of Congressional Workplace Rights;
> (I) the Office of Technology Assessment;
> (J) the Library of Congress, except for section 1351 of this title; or
> (K) the John C. Stennis Center for Public Service Training and Development.

Id. at § 1301(a)(3). The definition of "covered employee" also includes any employee of the United States Commission on International Religious Freedom, the China Review Commission, the Congressional-Executive China Commission, and the Helsinki Commission. *Id.* at 1301(b)(1)(A).

ALL FACILITIES AND SPACES OF SECTION 210-COVERED ENTITIES MUST COMPLY WITH TITLES II AND III OF THE ADA, REGARDLESS OF WHETHER THOSE FACILITIES AND SPACES ARE OPEN TO THE GENERAL PUBLIC

All facilities and spaces of entities covered by section 210 must comply with the provisions of Titles II and III of the ADA applied by the CAA because they are facilities where services, programs, or activities of public entities are provided. The CAA provides that any qualified individual with a disability may file a charge regarding a section 210 violation. Section 210-covered entities also have nondiscrimination obligations under section 201 of the CAA regarding personnel actions, but any discrimination in those entities' services, programs, or activities can only be subject to charges under section 210, not section 201. Moreover, nothing in the CAA or ADA exempts spaces that are not open to the general public from compliance.

Section 210-covered entities have distinct legal responsibilities in their roles as service providers and as employers.

As service providers, section 210-covered entities have obligations to any qualified individual with a disability regarding their services, programs, or activities.

Under section 210, covered offices' "services, programs, or activities" may not discriminate on the basis of disability. *See* 2 U.S.C. § 1331(b). "Services, programs, or activities" is not defined in the CAA or the ADA. Courts have looked to the definition of "program or activity" provided in the Rehabilitation Act for guidance because the ADA was intended to enhance protections already provided by the Rehabilitation Act. Under this definition, "the term program or activity means all of the operations" of the public entity. 29 U.S.C. § 794(b); *Barden v. City of Sacramento*, 292 F.3d 1073, 1077 (9th Cir. 2002) (relying on Rehabilitation Act definition of "program or activity" to interpret analogous ADA language); *Frame v. City of Arlington*, 657 F.3d 215, 225 (5th Cir. 2011) (same). In its interpretative regulations, the DOJ has also found that "services, programs, or activities" applies to "anything a public entity does." 28 C.F.R. pt. 35, app. B. Courts have accepted the definition provided by the DOJ as authoritative.[1] Because under section 210 covered offices' "services, programs, or activities" – i.e., anything covered offices do – must comply with Title II, the facilities where those services, programs, or activities are provided must be constructed and altered in accordance with the ADA.

Courts have held that Title II's first clause, "no qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity," 42 U.S.C. § 12132, "applies only to the

[1] *See*, *e.g., Oconomowoc Residential Programs, Inc. v. City of Milwaukee*, 300 F.3d 775, 782 (7th Cir. 2002); *Bahl v. Cnty. of Ramsey*, 695 F.3d 778, 787–88 (8th Cir. 2012); *Seremeth v. Bd. of Cnty. Comm'rs Frederick County,* 673 F.3d 333, 338 (4th Cir. 2012); *Johnson v. City of Saline,* 151 F.3d 564, 569 (6th Cir.1998); *Yeskey v. Pa. Dep't of Corr.,* 118 F.3d 168, 171 (3d Cir.1997).

'outputs' of a public agency, not to 'inputs' such as employment." *Zimmerman v. Or. Dep't of Justice*, 170 F.3d 1169, 1174 (9th Cir. 1999). The Ninth Circuit in *Zimmerman* posits, "Consider, for example, how a Parks Department would answer the question, 'What are the services, programs, and activities of the Parks Department?' It might answer, 'We operate a swimming pool; we lead nature walks; we maintain playgrounds.'" *Id.* It is instructional to similarly consider how section 210-covered offices would answer that question. The OCWR, for example, might answer, "We provide confidential advising to covered employees in the legislative branch; we administer a dispute resolution process for claims of violations of the CAA; we perform safety and accessibility inspections of covered legislative branch facilities." Those answers are outputs of the OCWR, and are thus matters regarding which the OCWR bears Title II obligations, such as providing auxiliary aids and services where necessary for effective communication with qualified individuals with disabilities who are seeking OCWR services. *See* 28 C.F.R. § 35.160. The Architect of the Capitol (AOC) might answer, in part, "We design, build, maintain, and alter legislative branch facilities." These are outputs of the AOC, and are thus matters regarding which the AOC bears Title II obligations, such as constructing and altering legislative branch facilities in an accessible manner. *See id*. at § 35.151(a)-(b). A similar analysis can be made for each other office covered by section 210.

Regarding who can file a charge under section 210, the CAA specifies, "A qualified individual with a disability, as defined in section 201(2) of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131(2)), who alleges a violation of subsection (b) by an entity listed in subsection (a) may file a charge against any entity responsible for correcting the violation[.]" 2 U.S.C. § 1331(d)(1). 42 U.S.C. § 12131(2) provides, "The term 'qualified individual with a disability' means an individual with a disability who … meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by a public entity." Covered employees regularly meet the essential eligibility requirements for receiving services or participating in programs provided by several section 210-covered offices; often, the "essential eligibility requirement" is being an employee of a legislative branch office. Congress did not make an individual's employing office part of the analysis of whether an individual can file a section 210 charge. Covered offices, then, may not discriminate against *any* qualified individual with a disability, including a legislative branch employee, in the provision of services, programs, or activities.

Section 210 also applies Title III to covered offices. Under section 210, covered offices may not discriminate against an individual on the basis of disability "in the full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation." *See* 2 U.S.C. § 1331(b)(1). An "individual" for Title III purposes is not defined, and is understood to be very broad. *See, e.g.,* 42 U.S.C. § 12101(a)(1) ("Congress intended that the [ADA] … provide broad coverage"); *id.* at § 12102(4)(A) ("The definition of

disability in this chapter shall be construed in favor of broad coverage of individuals under this chapter, to the maximum extent permitted by the terms of this chapter.").

Legislative branch employees frequently use the outputs of a variety of CAA-covered offices. For instance, a Member office staffer in the House may use, in the course of their day, the outputs of the United States Capitol Police (when going through a security screening checkpoint), the Office of the Chief Administrative Officer of the House of Representatives (CAO) (when using dining services), the Library of Congress (LOC) (when doing research), the OCWR (when getting information about their employment rights), and more. As a user of the "outputs" of a public entity, the staffer is a "qualified individual" within the meaning of Title II, and can thus bring a claim under section 210 against a covered office regarding the office's outputs, including a facility, space, or service. Whether this "output" is available to the general public is immaterial.

As employers, section 210-covered entities have obligations to covered employees regarding personnel actions.

Covered employees are protected from employment discrimination based on disability exclusively by section 201. In addition to being service providers covered by section 210, the entities enumerated in section 210(a) are also all "employing offices" which must make "All personnel actions affecting covered employees … free from any discrimination based on disability" within the meaning of Title I of the ADA and the Rehabilitation Act. 2 U.S.C. § 1311(a)(3). Courts, including the Ninth Circuit in *Zimmerman*, have generally held that public employment falls only under Title I, not Title II,[2] and that Congress sought to regulate disability discrimination in the area of employment exclusively through Title I, not Title III.[3] Public employees who have attempted to bring Title II claims against their employers regarding personnel actions – for instance, a librarian's Title II claim that her employer library failed to take actions that would help her qualify for disability retirement benefits (*Mary Jo C. v. N.Y. State & Loc. Ret. Sys*., 707 F.3d 144, 171 (2d Cir. 2013)) or city police officers' Title II claim

[2] The DOJ's position is that Title II does prohibit discrimination against qualified individuals with disabilities in employment by state and local governments. *See* 28 C.F.R. § 35.140 (providing that "No qualified individual with a disability shall, on the basis of disability, be subjected to discrimination in employment under any service, program, or activity conducted by a public entity[,]" and that public entities are subject to the employment provisions of Title I or of section 504 of the Rehabilitation Act). Most circuit courts of appeals have disagreed with the DOJ's interpretation. The 2nd, 5th, 7th, 9th, and 10th Circuits have held that employees of public entities are protected from disability discrimination in employment only by Title I (and section 504 of the Rehabilitation Act), not Title II. *See Mary Jo C. v. N.Y. State & Loc. Ret. Sys*., 707 F.3d 144, 168-72 (2d Cir. 2013); *Taylor v. City of Shreveport*, 798 F.3d 276, 282 (5th Cir. 2015); *Brumfield v. City of Chicago,* 735 F.3d 619, 622-30 (7th Cir. 2013); *Zimmerman v. Or. Dep't of Just.*, 170 F.3d 1169 (9th Cir. 1999); *Elwell v. Okla. Bd. of Regents of the Univ. of Okla.,* 693 F.3d 1303 (10th Cir. 2012). The 11th Circuit, however, agrees with the DOJ. *See Bledsoe v. Palm Beach Soil & Water Conservation Dist.,* 133 F.3d 816, 820-25 (11th Cir. 1998).

[3] *Menkowitz v. Pottstown Mem'l Med. Ctr*., 154 F.3d 113, 118-19 (3rd Cir. 1998); *Parker v. Metro. Life Ins. Co.,* 121 F.3d 1006, 1014 (6th Cir. 1997).

that their department's sick leave policy allowed for unlawful medical inquiries (*Taylor v. City of Shreveport*, 798 F.3d 276, 282-283 (5th Cir. 2015)) – have generally been unsuccessful: these claims pertained to, in *Zimmerman* terms, their agencies' inputs. This is borne out in the CAA by section 210's language, "with respect to any claim of employment discrimination asserted by any covered employee, the exclusive remedy shall be under section 1311 [also known as section 201] of this title." 2 U.S.C. § 1331(c).

Congress's insertion of "employment discrimination" in section 210's phrase "with respect to any claim of employment discrimination asserted by any covered employee, the exclusive remedy shall be under section 1311 of this title[,]" 2 U.S.C. § 1331(c), shows that Congress intended that covered employees obtaining services from a section 210-covered office be able to seek redress under section 210 if they are being discriminated against because of a disability. Had Congress intended to exclude covered employees from seeking redress under section 210 altogether, it would not have specified that covered employees' claims of *employment* discrimination can only be addressed under section 1311/201.

A covered employee encountering a disability-related barrier to accessing the "outputs" of an employing office does not have a claim of employment discrimination. Instead, such a claim plainly falls under section 210: the "outputs" of a covered office are not "personnel actions" such that section 201 is implicated, and a section 210-covered office bears Title II obligations to any user of its outputs who is a qualified individual with a disability.

No decisions of the Board of Directors of the OCWR or federal courts arise in the context of covered employees bringing section 210 claims against any legislative branch office. Two appeals court decisions are most instructive. In *Mary Jo C.*, *supra*, the Second Circuit held that a public employee could bring a Title II claim against the New York State and Local Retirement System for failure to reasonably modify its filing deadline for disability retirement benefits, but could not bring a Title II claim against her employer, a public library, for failing to assist her in applying for benefits or extending the deadline by reclassifying her termination as a leave of absence. *Mary Jo C.,* 707 F.3d at 161. Per *Mary Jo C.,* an employee of the LOC who needed a reasonable modification to file a claim with the OCWR could assert a Title II claim against the OCWR if the modification was denied, but would not have such a claim against the LOC, and instead must pursue claims against the LOC under Title I.

In *Menkowitz v. Pottstown Memorial Medical Center,* the Third Circuit held that a physician who had "staff privileges" at a hospital, but was not a hospital employee, could assert a Title III claim against the hospital for denial of "full and equal enjoyment of the goods, services, facilities, privileges, advantages, or accommodations of any place of public accommodation[,]" for suspending his hospital privileges. *Menkowitz v. Pottstown Mem'l Med. Ctr*., 154 F.3d 113, 122 (3rd Cir. 1998). The Third Circuit agreed with the hospital that "Title III was not intended to

govern disability discrimination in the context of employment. But the appellant in this case never alleged that he is an employee of the hospital or that he was denied the benefits associated with employment." *Id*. (Internal citations omitted.) By the same token, an employee of the OCWR who is permitted to access LOC-maintained facilities and privileges, such as staff entrances and wellness spaces, could assert a Title III claim against the LOC if denied full and equal enjoyment of those facilities and privileges, but would not have such a claim against the OCWR, and instead must pursue claims against the OCWR under Title I.

Legislative branch facilities are managed by multiple public entities, each of which has a distinct legal duty under section 210 of the CAA.

Because the legal duties imposed by section 210 are dispersed among public entities, some of which are not the employing office of the legislative branch employee using the facility or space that is not open to the general public, section 201 of the CAA does not address the potential breach of these legal duties. For example, the CAO must operate the Rayburn House Office Building (RHOB) Staff Fitness Center consistent with the requirements of Titles II and III of the ADA, and the AOC is required to assist with removing architectural barriers in the RHOB gym that are "readily achievable" and make alterations and renovations that adhere to the 2010 ADA Standards.

What if a disabled Member office staffer encounters a barrier to access in the RHOB gym? The AOC and the CAO do not employ the staffer and their operation and maintenance of the gym is not a personnel action, so the staffer cannot bring a claim against them under section 201. The AOC and the CAO are providing a service – or "output" – to the staffer, and since public entities may not discriminate against qualified individuals with disabilities in provision of services, the AOC and the CAO have obligations to the staffer under section 210. Similarly, a disabled Senate Page who encounters a barrier to access in the Page School, operated by the Senate Secretary, may seek relief against the Senate Secretary under section 210. The Senate Secretary is providing a service – or "output" – to the Page, who is an employee of the Senate Sergeant at Arms. Under section 210, an individual with a disability who alleges a violation of Titles II or III of the ADA in the legislative branch may file a charge with OCWR OGC against "any entity responsible for correcting the violation[,]" 2 U.S.C. § 1331(d)(1), which could implicate the AOC, the CAO, or the Senate Secretary, depending on the particular barrier. The employee's employing office – the entity that has section 201 obligations to the employee – does not control, operate, maintain, or make alterations to the gym or the school, so it is unlikely that the employee will be able to obtain an effective remedy under section 201 from the employee's employing office. Indeed, Title I of the ADA does not specifically address accessibility in work spaces contained within new construction and alterations, whereas the new construction and alterations requirements of Titles II and III were intended to ensure accessibility of new and altered facilities to all individuals, including employees. *See*, *e.g.*, 28 C.F.R. § 36.403 (including

employee work areas as areas containing primary functions that must be altered in an accessible manner).

When it enacted the CAA, Congress was aware that a covered employee's employing office is not necessarily the entity that can correct a violation, particularly if it involves physical changes to a building. In fact, recognizing that identifying the proper entity was necessary to improve accessibility, Congress not only allowed charges to be filed against "any entity responsible for correcting [a] violation[,]" 2 U.S.C. § 1331(d)(1), but specifically mandated that the OCWR develop "a method of identifying . . . the entity responsible for correction of a particular violation[,]" *id.* at § 1331(e)(3), and provide the biennial inspection reports to those entities responsible for correcting violations. *Id.* at §§ 1331(f)(2)(A) & (B). The ADA was enacted in part "to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities." 42 U.S.C. § 12101(b)(2). Congress intended for these standards to apply to the legislative branch when it incorporated Titles II and III of the ADA into the CAA. To read the statute in a way that abrogates these standards is clearly contrary to both the plain language and stated purpose of the statute.

There is no exception in the CAA or ADA for facilities and spaces that are not open to the general public.

The CAA contains no limitation on the type of facility, and no requirement that the facility be open to the general public, in order for the accessibility requirements of section 210 of the CAA – and the OCWR's inspection authority – to apply. As noted above, section 210 requires that all facilities of covered offices used to provide services, programs, and activities must comply with Titles II and III of the ADA and allows covered employees with disabilities to file a charge of discrimination alleging a violation of Title II or III. Moreover, the OCWR has consistently indicated that spaces that are not open to the general public are clearly covered by section 210 of the CAA. *See* Report on Americans with Disabilities Act Inspections Relating to Public Services and Accommodations for the 110th Congress (December 2009) at 7 (https://www.ocwr.gov/wp-content/uploads/2021/09/ada_biennial_report_110_congress.pdf). Nor does the ADA limit its application to a public entity's public-facing facilities: DOJ regulations require that "[e]ach facility or part of a facility altered by, on behalf of, or for the use of a public entity" be altered in an accessible manner, 28 C.F.R. § 35.151(b)(1), without regard to the purpose for which the public entity uses the facility or the intended user of the facility.

While the 2010 ADA Standards limit what is required when alterations are made to "employee work areas" (*see* 2010 ADA Standards at section 203.9), there is no building-wide or facility-wide exemption. Moreover, "employee work area" is defined in the 2010 Standards as "All or any portion of a space used only by employees and used only for work. Corridors, toilet rooms, kitchenettes and break rooms are not employee work areas." Consequently, this limitation does

not apply to facilities such as employee wellness areas or employee cafeterias. To the extent any areas where the OCWR performs ADA inspections are employee work areas, Advisory 203.9 makes clear that "Designing employee work areas to be more accessible at the outset will avoid more costly retrofits when current employees become temporarily or permanently disabled or when new employees with disabilities are hired." 2010 ADA Standards at Advisory 203.9.

CONCLUSION

The CAA requires all facilities of offices covered by section 210 to comply with Titles II and III of the Americans with Disabilities Act. Spaces that are not open to the general public must comply with section 210 of the CAA and the 2010 ADA Standards. Covered employees accessing facilities of section 210-covered entities who are qualified individuals with disabilities are able to file a section 210 charge against any entity responsible for correcting a violation if it is not their employing office. A covered employee encountering a barrier in a facility of a section 210-covered entity that cannot be corrected by their employing office does not have a claim of employment discrimination under section 201.

Moreover, OCWR OGC ADA biennial inspections are designed to be proactive rather than punitive. They are designed to help employing offices identify barriers to accessibility and develop a plan to address them, thereby lessening the chance that a charge of discrimination may be made against any of the public entities involved in operating and maintaining a facility. Identifying barriers to access is a duty imposed by Titles II and III (*see* 35 C.F.R. § 35.150(d); 42 U.S.C. § 12182(b)(2)(A)(iv)); consequently, a section 210-covered entity is unlikely to be successful defending against a charge or complaint arising under section 210 of the CAA regarding a barrier in its facility by claiming it was unaware of the barrier, especially if it did not allow the OCWR OGC to inspect for ADA barriers. However, if barriers to access are identified and a transition plan is developed to remove them over time, violations of the CAA are less likely to be found in any matter involving a charge or complaint arising under section 210 of the CAA.

The CAA clearly mandates compliance with Titles II and III of the ADA by the legislative branch offices identified in section 210. By requiring that these offices submit to OCWR OGC ADA biennial inspections, Congress made clear that improving the accessibility of its facilities must be a goal toward which all covered offices should be working. Those offices that attempt to block, refuse to cooperate with, or deny reasonable access to OCWR staff conducting inspections are not only violating the plain language of the statute, but ultimately thwarting the very goals that Congress sought to achieve when it incorporated Titles II and III of the ADA into the CAA.

MORE INFORMATION

If you need additional information or have any questions regarding our ADA inspections, please feel free to contact us at ADAaccess@ocwr.gov.