DEPARTMENT OF JUSTICE

8 CFR Ch. V
21 CFR Ch. I
27 CFR Ch. II
28 CFR Ch. I, V

Regulatory Agenda

AGENCY: Department of Justice.

ACTION: Semiannual regulatory agenda.


FOR FURTHER INFORMATION CONTACT:
Robert Hinchman, Senior Counsel, Office of Legal Policy, Department of Justice, Room 4252, 950 Pennsylvania Avenue NW, Washington, DC 20530, (202) 514–8059.

CIVIL RIGHTS DIVISION—COMPLETED ACTIONS

<table>
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<tr>
<th>Sequence No.</th>
<th>Title</th>
<th>Regulation Identifier No.</th>
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<td>290</td>
<td>Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Governments.</td>
<td>1190–AA65</td>
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DEPARTMENT OF JUSTICE (DOJ)

Civil Rights Division (CRT)

Completed Actions

290. Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Governments

E.O. 13771 Designation: Legal Authority: 42 U.S.C. 12101 et seq.

Abstract: The Department published an ANPRM on July 26, 2010, RIN 1190–AA61, that addressed issues relating to proposed revisions of both the title II and title III ADA regulations in order to provide guidance on the obligations of covered entities to make programs, services and activities offered over the Web accessible to individuals with disabilities. The Department has now divided the rulemakings in the next step of the rulemaking process so as to proceed with separate notices of proposed rulemakings for title II and title III. The title III rulemaking on Web accessibility will continue under RIN 1190–AA61 and the title II rulemaking will continue under the new RIN 1190–AA65. This rulemaking will provide specific guidance to State and local governments in order to make services, programs, or activities offered to the public via the Web accessible to individuals with disabilities. The ADA requires that State and local governments provide qualified individuals with disabilities equal access to their programs, services, or activities unless doing so would fundamentally alter the nature of their programs, services, or activities or would impose an undue burden. 42 U.S.C. 12132. The internet as it is known today did not exist when Congress enacted the ADA; yet today the internet is dramatically changing the way that governmental entities serve the public. Taking advantage of new technology, citizens can now use State and local government websites to correspond online with local officials; obtain information about government services; renew library books or driver’s licenses; pay fines; register to vote; obtain tax information and file tax returns; apply for jobs or benefits; and complete numerous other civic tasks. These Government websites are important because they allow programs and services to be offered in a more dynamic, interactive way in order to increase citizen participation; increase convenience and speed in obtaining information or services; reduce costs in providing information about Government services and administering programs; reduce the amount of paperwork; and expand the possibilities of reaching new sectors of the community or offering new programs or services. Many States and localities have begun to improve the accessibility of portions of their websites. However, full compliance with the ADA’s promise to provide an equal opportunity for individuals with disabilities to participate in and benefit from all aspects of the programs, services, and activities provided by State and local governments in today’s technologically advanced society will only occur if it is clear to public entities that their websites must be accessible. Consequently, the Department intends to publish a Notice of Proposed Rulemaking (NPRM) to amend its title II regulations to expressly address the obligations of public entities to make the websites they use to provide programs, activities, or services or information to the public accessible to
and usable by individuals with disabilities under the legal framework established by the ADA. The proposed regulation will propose the scope of the obligation to provide accessibility when persons with disabilities access public websites, as well as propose the technical standards necessary to comply with the ADA.

**Completed:**

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<th>Reason</th>
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<td>Withdrawn for Further Review</td>
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*Regulatory Flexibility Analysis Required: Yes.*

*Agency Contact: Anne Raish, Phone: 800 514–0301.*

*RIN: 1190–AA65*

[FR Doc. 2017–28223 Filed 1–11–18; 8:45 am]

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