

EXHIBIT C

#204

September 9, 1996

The Honorable Tom Harkin
United States Senate
Washington, D.C. 20510-1502

Dear Senator Harkin:

I am responding to your letter on behalf of your constituent, _____, regarding accessibility of "web pages" on the Internet to people with visual disabilities.

The Americans with Disabilities Act (ADA) requires State and local governments and places of public accommodation to furnish appropriate auxiliary aids and services where necessary to ensure effective communication with individuals with disabilities, unless doing so would result in a fundamental alteration to the program or service or in an undue burden. 28 C.F.R. 36.303; 28 C.F.R. 35.160. Auxiliary aids include taped texts, Brailled materials, large print materials, and other methods of making visually delivered material available to people with visual impairments.

Covered entities under the ADA are required to provide effective communication, regardless of whether they generally communicate through print media, audio media, or computerized media such as the Internet. Covered entities that use the Internet for communications regarding their programs, goods, or services must be prepared to offer those communications through accessible means as well.

Mr. _____ suggests compatibility with the Lynx browser as a means of assuring accessibility of the Internet. Lynx is, however, only one of many available options. Other examples include providing the web page information in text format, rather than exclusively in graphic format. Such text is accessible to screen reading devices used by people with visual impairments. Instead of providing full accessibility through the Internet directly, covered entities may also offer other alternate accessible formats, such as Braille, large print, and/or audio materials, to communicate the information contained in web pages to people with visual impairments. The availability of such materials should be noted in a text (i.e., screen-readable) format on the web page, along with instructions for obtaining the materials, so that people with disabilities using the Internet will know how to obtain the accessible formats.

The Internet is an excellent source of information and, of course, people with disabilities should have access to it as effectively as people without disabilities. A number of web sites provide information about accessibility of web pages, including information about new developments and guidelines for development of accessible web pages. Examples include:

<http://www.gsa.gov/coca/wwwcode.htm>
Center for Information Technology Accommodation
General Services Administration

<http://www.trace.wisc.edu/text/guidelns>
Trace Center, University of Wisconsin

<http://www.webable.com/index.html>

<http://www.psc-cfp.gc.ca/dmd/access/welcom1.htm>

These sites may be useful to you or your constituent in

exploring the accessibility options on the Internet. In addition, the Department of Justice has established an ADA home page to educate people about their rights and responsibilities under the ADA and about the Department's efforts to implement the ADA. The address of the ADA home page is <http://www.usdoj.gov/crt/ada/adahom1.htm>.

I hope this information is helpful to you in responding to your constituent.

Sincerely,

Deval L. Patrick
Assistant Attorney General
Civil Rights Division