# **Websites and Software Applications Accessibility Act**

***Issue—Blind and disabled people experience unnecessary barriers on websites and applications daily even though accessibility is achievable.***

**Websites and mobile applications are an essential part of modern living.** According to the Pew Research Center, 96 percent of Americans use the internet.[[1]](#endnote-1) That means that effectively the entire country is accessing websites and mobile applications, including most Americans with disabilities. According to the American Community Survey, conducted by the United States Census Bureau, there are more than forty-four million Americans who currently have a disability.[[2]](#endnote-2) This means that millions of disabled Americans are using websites and software applications.

**Uncertainty about how to accomplish website accessibility is plaguing businesses.** Most businesses are required by law to make their websites accessible but claim to have no clear-cut definition of what “accessible” actually means. Meanwhile, people with disabilities are forced to cope with inaccessible websites. Businesses yearn for a clear definition of website accessibility to protect themselves from legal action taken by blind and disabled consumers unable to access their websites.

**Current law leaves small businesses responsible for inaccessible websites designed by third-party developers.** There is no protection in the law for a small business that paid a third-party developer to design and build its website. This leaves small businesses open to litigation that could hinder economic growth and have a chilling effect on others who may want to start their own small business.

**The United States is failing to keep up with international accessibility standards.** Canada[[3]](#endnote-3) and the European Union[[4]](#endnote-4) have statutes defining accessibility. The United States has historically been a world leader on disability issues and technological innovation. Being a leader in website accessibility is no different, as the success of tomorrow’s economy will require full participation in competitive markets. The United States is losing out on economic gains as other nations take advantage of this opportunity.

***Solution—Websites and Software Applications Accessibility Act will:***

**Safeguard small businesses and establish a comprehensive statutory definition for “accessibility.”** Protect small businesses by holding third-party website developers accountable and by maintaining the current defenses of undue burden and fundamental alteration. A comprehensive and clear-cut definition of “accessibility” will end any confusion regarding the requirements that covered entities and commercial providers need to meet.

**Establish a technical assistance center to provide technical assistance to covered entities, commercial providers, and individuals with disabilities.** The technical assistance centers will aid in the construction, development, design, alteration, and modification of websites in accordance with the rules. The Attorney General, in coordination with the Commission, the Secretary of Education, and other heads of federal agencies will award a grant program to a qualified technical assistance provider to support the development, establishment, and procurement of accessible websites and applications.

**Direct the Department of Justice (DOJ) and Equal Employment Opportunity Commission (EEOC) to promulgate accessibility regulations.** The DOJ and EEOC will have twelve months following the enactment of the legislation to issue a notice of proposed rulemaking regarding website and mobile application accessibility, then an additional twelve months to issue the final rule.

**GOAL—END WEBSITE AND SOFTWARE APPLICATION INACCESSIBILITY FOR AMERICANS WITH DISABILITIES.**

**Cosponsor the Websites and Software Applications Accessibility Act.**

**To cosponsor the Websites and Software Applications Accessibility Act in the Senate, contact:**

Stephanie DeLuca, Legislative Assistant for Senator Duckworth (D-IL)

Phone: 202-224-2854 Email: stephanie\_deluca@duckworth.senate.gov

**To cosponsor the Websites and Software Applications Accessibility Act in the House, contact:**

Quinn Hirsch, Policy Advisor for Representative Steny Hoyer (D-MD-5)

Phone: 202-225-4131 Email: quinn.hirsch@mail.house.gov

**For more information, contact:**

Justin Young, Government Affairs Specialist, National Federation of the Blind

Phone: 410-659-9314, extension 2210 - Email: jyoung@nfb.org

1. Pew Research Center. “Internet, Broadband Fact Sheet.” November 13, 2024. https://www.pewresearch.org/internet/fact-sheet/internet-broadband/ [↑](#endnote-ref-1)
2. United States Census Bureau. “The number of non-institutionalized, male or female, all ages, all races, regardless of ethnicity, with all education levels in the United States reported any disability in 2022.” https://www.disabilitystatistics.org/acs/1 [↑](#endnote-ref-2)
3. Siteimprove. “A complete overview of Canada’s Accessibility Laws.” August 2, 2024. https://www.siteimprove.com/blog/a-complete-overview-of-canadas-accessibility-laws/ [↑](#endnote-ref-3)
4. Level Access. “European Accessibility Act (EAA).” https://www.levelaccess.com/compliance-overview/european-accessibility-act-eaa/#:~:text=The%20European%20Accessibility%20Act%20(EAA,accessible%20to%20people%20with%20disabilities. [↑](#endnote-ref-4)