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Department of Justice

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Frequently Asked Questions about Filing an ADA Complaint with the U.S. Department of Justice

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

If you feel 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. A complaint may be sent by e-mail. Since letters and packages sent to the Disability Rights Section by U.S. Mail or other delivery service are delayed for security screening, using e-mail is the quickest way of filing a complaint. E-mail complaints also receive an immediate reply confirming that they have been received. Please remember that there can be no guarantee of privacy when you send an e-mail.

2. What information should my ADA complaint include?

The most important part of filing a complaint is ensuring that you provide the Department with the following information:

- 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);
- The name and address of the business, organization, institution, or person that you believe has discriminated;
- A brief description of the acts of discrimination, the dates they occurred, and the names of individuals involved;
- Other information that you believe necessary to support your complaint, including copies of relevant documents (not originals); and
- Provide us the information we need to ensure that we communicate with you effectively. Please let us know if you need to receive written communications in a specific format, such as large print, Braille, e-mail, or audio recording, or if you need to receive oral communications by video phone or TTY.

To ensure that all necessary information is provided, you may use this ADA complaint form (<http://www.ada.gov/t2cmpfrm.htm>), which can be used for any ADA complaint.

3. How do I file an ADA complaint by e-mail?

Include all of the information listed above, either in the body of the email or in an attachment to your e-mail. Please attach any relevant documents to your e-mail. Send your complaint to the following e-mail address: ada.complaint@usdoj.gov. You will receive an automatic reply e-mail confirming that your complaint has been received. Please keep a copy of your complaint and the reply e-mail for your records. If you do not receive a reply email, you may have sent your complaint to the wrong e-mail address.

4. How do I file an ADA complaint by regular mail or some other delivery service?

The Disability Rights Section accepts complaints sent by regular mail through the U.S. Postal Service or by any other parcel delivery service. Please be aware that the receipt of complaints sent by regular mail or some other delivery service may be delayed by 4 - 6 weeks because of necessary security screening precautions. To file a complaint using regular mail or some other delivery service, send your completed complaint form (<http://www.ada.gov/t2cmpfrm.htm>) or a signed letter containing the information and documents described above to the following address:

U.S. Department of Justice
Civil Rights Division
Disability Rights Section - NYAV
950 Pennsylvania Avenue, N.W.
Washington, D.C. 20530

Please keep a copy of your complaint. Send copies (not originals) of relevant documents. The security screening process can damage documents sent to us, so please keep original documents for your

own records.

5. What if I cannot prepare my own ADA complaint because of my disability?

If you are unable to prepare a complaint yourself because of a disability, you may have your complaint taken orally over the telephone. To schedule an appointment for an oral complaint, call the ADA Information Line at 1-800-514-0301 (voice) or 1-800-514-0383 (TTY) to make an appointment. Individuals who communicate using American Sign Language (ASL) may schedule an appointment to make a complaint using a direct video connection to a member of our staff.

6. What happens after my complaint is received?

We will review your complaint and inform you of our action, which may include:

- Contacting you for additional information or copies of relevant documents;
- Referring your complaint for possible resolution through the ADA Mediation Program;
- Investigating your complaint;
- Referring your complaint to the United States Attorney Office in your area for investigation;
- Considering your complaint for possible litigation; or
- Referring your complaint to another federal agency with responsibility for the types of issues you have raised.

Since we receive a high volume of ADA complaints and have limited resources, we cannot open every complaint for investigation or litigation. If we cannot investigate your complaint due to lack of resources or for some other reason, we will send you a letter explaining why your complaint will not be investigated. The most common reason for not investigating a complaint is the lack of resources to do so.

7. 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 3 months and sometimes longer. If you have not heard from us by the end of this 3 month period, you can find out the status of your complaint by calling 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.

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

The ADA Mediation Program provides mediation services free of charge in an effort to achieve a cooperative resolution of ADA complaints against businesses and state and local governments. If we decide that your complaint may be appropriate for mediation, we will contact you and the entity that you complained about to find out if you are both willing to participate in mediation.

9. 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 assigned to your complaint

will contact you at least quarterly to advise you of the status of the investigation. During the investigation, we will not necessarily make a determination about whether or not an ADA violation has occurred. If we believe there is a pattern or practice of discrimination, or the complaint raises an issue of general public importance, we may attempt to negotiate a formal settlement of the matter, or we may file a lawsuit in federal court. Any such action would be taken on behalf of the United States. We do not act as an attorney for, or representative of, the complainant.

10. 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 sent to the other agency.

11. 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. We 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 we have about you may be given to appropriate Federal, State, or local agencies. Additional disclosures of information may be made: to Members of Congress or staff; to volunteer student workers within the Department of Justice so that they may perform their duties; to the news media when release is made consistent with the Freedom of Information Act and 28 C.F.R. § 40.2; and to the National Archives and Records Administration and General Services Administration to perform records management inspection functions in accordance with their legal responsibilities. Your providing us with the requested information is voluntary except that your failure to provide such information may result in our being unable to process your complaint.

12. How do I get answers to other questions about the ADA or more information about filing an ADA complaint?

If you have other questions, you can always call the ADA Information Line at 1-800-514-0301 (voice) or 1-800-514-0383. Our Information 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).

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