

Comment of International Deaf Emergency on OMB Control No. 3014-0012 (Online ABA Complaint Form)

Re: Online Architectural Barriers Act (ABA) Complaint Form. OMB Control No. 3014-0012. ICR Reference No. 202608-3014-001. 30-day notice, 91 FR 53399 (18 August 2026), FR Doc. 2026-16773, Docket No. ATBCB-2026-0003.

International Deaf Emergency (IDE) is a Deaf-led 501(c)(3) nonprofit that has worked in disaster risk reduction with Deaf communities for sixteen years, from the first accessible humanitarian camp after the 2010 Haiti earthquake to national disaster risk reduction training across six countries. Its president, who signs this comment, is Deaf. IDE's constituency is Deaf, hard of hearing and DeafBlind people, and they are ABA complainants: the standards the Board enforces cover fire alarms and other building elements on which access for people who cannot hear depends, so a person who finds an alarm system with no visible notification in a covered federal building may have an ABA complaint to bring.

IDE supports renewal of this collection. We comment on two of the four questions the notice asks: (b) the accuracy of the estimated burden, and (c) ways for the Access Board to enhance the quality, utility, and clarity of the information collection.

The Online ABA Complaint Form is not one intake route among several. The notice states that "Over 90% of complaints the Access Board receives each year are submitted using the standardized, user-friendly, and accessible Online ABA Complaint Form." For practical purposes the form is the enforcement system, and an accessibility complaint intake form has to clear a higher bar than the average federal form, because its users are by definition the people most likely to encounter barriers.

1. The published route for a complainant whose disability blocks the form is a voice telephone call.

The Board's page "File an Architectural Barriers Act Complaint" lists the online form, e-mail, fax and mail as ways to file, and then states: "Complaints cannot be filed by phone, but if you are unable to file online or by e-mail due to a disability, call 202-272-0050 (voice)."

That is the only sentence on the page addressed to a person whose disability prevents them from using the primary route, and the only channel it offers is a voice telephone call. It does not mention the fax and mail routes listed immediately above it, and the page names no relay service anywhere. The Board does publish relay guidance, but on a different page: its accessibility statement says "Instead of making a voice call, one may use telecommunications relay service (TRS) by dialing 711 from any TTY or voice telephone within the continental United States." A complainant on the filing page never sees it, and 711 reaches text relay, not the video relay service through which many Deaf people who sign place calls.

IDE does not read this as indifference. It reads as a sentence that was never tested against the disabilities the Board serves, on the one page where those users arrive.

The fix costs the Board one sentence. IDE asks that it be revised to read, in substance: if you are unable to file online or by e-mail due to a disability, you may file by fax or by mail using the contact information above, or call 202-272-0050 (voice), which can also be reached through 711 telecommunications relay or through a video relay service. IDE further asks the Board to confirm, in the supporting statement, that no later step in the complaint process requires a voice call, including status inquiries made with the complaint number the system issues on submission.

2. The burden estimate is drawn from experience with the form the Board is replacing.

The previously approved collection assumed 200 respondents at 30 minutes each, for 100 burden hours. This request assumes 400 respondents at 15 minutes each, for 100 burden hours. The notice explains the higher respondent count from three years of receipts averaging 300 to 320, and attributes the shorter response time to the Board's view that the earlier figure "was overestimated" coupled with "the subsequent changes to the format of the online form." The supporting statement says the estimate is "informed by the Access Board's nearly decade-long experience using a web-based ABA complaint form" and that "completion of the online form takes users about 5 to 15 minutes."

Those are stated bases, and IDE does not dispute that 15 minutes may be right for a median respondent. Two things about the figure deserve OMB's attention.

First, the experience the estimate rests on is experience with the current form, and the form being approved is not that form. The Board's own justification for the change states that "one of the most significant changes is that the form is divided into several pages, as opposed to the current form that has all fields on a single page," and that the instructions were revised accordingly. An estimate calibrated on a single-page form is not evidence about a multi-page one, and the notice nonetheless credits the format change with part of the time reduction.

Second, nothing in the record indicates that the 5 to 15 minute range reflects respondents who complete the form with a screen reader, a refreshable braille display or screen magnification, or who compose the required description of each barrier in written English as a second language, as many Deaf respondents whose first language is American Sign Language do. In this collection those respondents are not an edge case. They are the population it exists to serve.

IDE asks OMB to require the supporting statement to state how the 15-minute figure was derived for the revised form, and whether respondents using assistive technology are reflected in it. A burden estimate that is accurate for a median respondent but wrong for the intended respondents is not an accurate estimate under question (b). IDE notes in passing that the burden section of the supporting statement describes its table as "the annual reporting burden for the online technical assistance training request form," which is a different collection, and reads as text carried over rather than derived for this one.

3. The instrument is a client-side application, and the record contains no evidence that it was tested.

OIRA records this request as a "Revision of a currently approved collection," while the notice describes it as an extension. The Board's own justification resolves the point: the instrument has changed, from one page to several.

The supporting statement's entire treatment of accessibility is the sentence "This web-based form is user-friendly and accessible." It names no test, no date, no assistive technology and no tester.

That assertion also cannot be checked from outside. As delivered on 11 September 2026, <https://www.access-board.gov/enforcement/file-complaint.html> returns a page of under 1,000 bytes whose body is a loading notice and two script tags. It contains no form, input, label, select or textarea element and no noscript fallback. The entire instrument is built in the browser by an application loaded from /assets/complaint-form/. That is not itself a defect, and IDE does not assert that the rendered form fails any success criterion, because IDE has not audited it. It does mean that no reviewer, including OMB, can evaluate this instrument from its source.

It also means the Board's site-wide assurances may not reach it. The Board's accessibility statement commits the site to WCAG 2.0 Level AA and says that "templates are subjected to automated and end-user testing" and that "New content is subjected to expert inspection." The complaint form is neither a template nor content. It is an application.

The change the Board describes is the one most likely to break for the users this form serves. Splitting a single-page form into several pages creates step transitions that must move focus and announce the new step, and per-step validation errors that must be announced when they appear. Dynamically inserted status and error messages are governed by WCAG 2.1 Success Criterion 4.1.3 Status Messages, which was added after WCAG 2.0 and so sits outside the conformance target the Board's own statement names. A complainant who cannot discover why a submission failed is filtered out of the complaint system, and neither party learns that it happened.

IDE asks that the supporting statement state, for the form as revised: the date of its most recent accessibility test; the assistive technology combinations used, naming at minimum a screen reader and a refreshable braille display; whether disabled end users, including Deaf and DeafBlind users, took part; and whether the test exercised the form's error, validation and page-transition states rather than a successful submission only. If that testing has been done, the statement need only say so.

4. Plain language and American Sign Language.

The Board certified to OMB on 18 August 2026, under 5 CFR 1320.9(d), that this collection "Is written using plain, coherent, and unambiguous terminology and is understandable to those who are to respond." For many Deaf respondents American Sign Language is the first language and written English the second, and this form requires free-text composition: the complainant must describe each barrier encountered.

IDE asks that the form carry one-sentence plain explanations of the terms a complainant must apply in order to answer correctly, including what makes a building or facility ABA-covered, and that the Board add a short American Sign Language video explaining the form's purpose, scope

and process. The Board's accessibility statement says that all its videos incorporate descriptive narration in addition to captioning. It does not mention American Sign Language. Captions serve people who read English comfortably; they are not a substitute for the language many respondents think in.

There is federal precedent to draw on. The FCC's Public Safety and Homeland Security Bureau adopted eighteen Wireless Emergency Alert templates in American Sign Language, signed by Certified Deaf Interpreters, in DA 25-12 (January 2025, PS Docket Nos. 15-91 and 15-94). Official ASL video is something a federal agency has already produced and published.

Offer. IDE will convene Deaf and DeafBlind reviewers to walk the revised form, including its error and page-transition states, and give the Board a written report at no cost to the agency. The Board can accept that offer at emmanuel.jacq@ideafe.org. IDE's president is Deaf and does not use the telephone. Please correspond by e-mail, or through a video relay service if a call is needed.

Respectfully submitted,

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