

# Toward More Transparent Government – Workshop on eGovernment and the Web

## *Challenges in Interoperability and Standards Compliance*

Washington, DC – June 18, 2007

# About the Access Board

- Created in 1973 when Congress observed that compliance with the Architectural Barriers Act (ABA) had been uneven and that no initiatives to create Federal design standards for accessibility were underway
- One central agency was needed to take charge of enforcing the ABA and ensuring development of design standards

# About the Access Board

- 25 members
  - 13 public members appointed by the President for four year terms
  - 12 Federal members from various Federal agencies
- \$6 million budget
- 28 employees

# Access Board Programs

1. Guidelines and standards development
  - Architectural Barriers Act (ABA) of 1968
  - Americans with Disabilities Act of 1990
  - Telecommunications Act of 1996
  - Rehabilitation Act Amendments of 1998
2. Technical assistance and training
3. Research
4. ABA compliance and enforcement

# “Section 508”

- Section 508 requires Federal departments and agencies that develop, procure, maintain, or use electronic and information technology to ensure that Federal employees and members of the public with disabilities have access to and use of information and data, comparable to that of the employees and members of the public without disabilities
- The Section 508 standards (2000) cover products and technologies procured by the Federal government, including computer hardware and software, Web sites, phone systems, fax machines, and copiers, among others

# “Section 508”

- Federal agencies must ensure that electronic and information technology is accessible to employees with disabilities and to members of the public to the extent it does not pose an “undue burden” (significant difficulty or expense) to the agency
- Undue burden is a high standard to meet

# “Section 508”

- The purpose of section 508 is to ensure that technology does not stand as a barrier to employment and the full productivity by people with disabilities
- Section 508 is not about assistive technology; its purpose is to improve access to “mainstream” technology (making it easier to provide assistive technology)

# “Section 508”

- Although it only applies to the U.S. Federal government, its impact is being felt in state governments, the private sector, and around the world
- 20.6 % -- or 54 million persons in the United States have some level of disability
- Over 70 % of working age persons with severe disabilities have minimal or no employment



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Thursday, June 14, 2007

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# Telecommunications and Electronic and Information Technology Advisory Committee

- The Board organized an advisory committee to review its standards and guidelines and to recommend changes
- The committee's membership includes representatives from industry, disability groups, standard-setting bodies in the U.S. and abroad, and government agencies, among others

# Why Revisions are Needed?

- Over 6 years since the Section 508 standards were issued – 8 years for the Telecommunications Act Accessibility Guidelines
- Technology has changed
- Harmonization with requirements in other countries

# Goals in the Revision Process

- “We agree that what is needed are clear, consensus driven, testable, and reliable accessibility requirements. In this world of global scales, it is critical that accessibility requirements be harmonized throughout the world. Product manufacturers want to build to a single set of requirements – or at least not be faced with competing world wide requirements. We should do what we can to facilitate this, because ultimately if we can make the regulatory process easier to achieve – and by that I do not mean that we need to weaken the requirements that exist today – we will enhance accessibility for people with disabilities worldwide.”

*Marc Guthrie, Access Board public member  
International Workshop on Accessibility Requirements  
Brussels, Belgium -- October 21, 2004*

# Timeline

Rulemaking Timeline	
April 18, 2006	notice of intent to establish advisory committee
July 6, 2006	notice establishing advisory committee
September 27-29, 2006	committee meeting
November 7-8, 2006	committee meeting
February 6-8, 2007	committee meeting
May 22-24, 2007	committee meeting
July 16-18, 2007	committee meeting
September 7, 2007	committee presents recommendations to the Board
March 2008	Access Board NPRM (60 day comment period)
September 2009	Access Board Final rule

# Why Harmonization is Important

- Accessibility is not just a Federal issue; States and local governments address accessibility requirements as do codes and standards organizations
- Accessibility is becoming a global issue – especially in terms of access to information technology products
- Opportunities exist for fragmentation and conflicts if we are not vigilant and committed to harmonization
- If standards differ from state to state or country to country, it will confuse users, result in less access, and erect barriers to trade

# National Technology Transfer and Advancement Act

- Directs Federal agencies with respect to their use of private sector standards and conformity assessment practices
- The objective is for Federal agencies to adopt private sector standards, wherever possible, in lieu of creating proprietary, non-consensus standards

# “Why Harmonization is Difficult”

- Section 508 provides remedies to employees of Federal agencies and members of the public who are aggrieved by violations of its requirement
- Individuals can file private rights of action in court
- Complaints can be filed with the Federal department or agency alleged to be in noncompliance

# Resources

- Access Board website
  - [www.access-board.gov](http://www.access-board.gov)
- Section 508 “portal”
  - [www.section508.gov](http://www.section508.gov)
- Advisory Committee sites
  - [TEITAC.org](http://TEITAC.org)
  - [teitac.org/wiki/TEITAC\\_Wiki](http://teitac.org/wiki/TEITAC_Wiki)