

Tim Creagan

The U.S. Access Board is a federation of the United States government. It promotes access for persons with disabilities in order to build an electronic environment. You probably see when you go out on the streets, the curb cuts, the brailing on the elevator buttons; those are all examples of some of the standards which we have helped to develop which have an impact on promoting accessible design in all environments. I will be covering some of the work that the access board has done in promoting accessibility in information communications technology. The legislative authority that we have received from the United States Congress has promoted the work of the U.S. Access Board. The United States Congress has directly authorized us to both issue and publish a definition of electronic and information technology which is consistent with earlier definitions, specifically the Clinger-Cohen Act of the United States. In addition, we're specifically authorized by Congress to issue public standards, the technical and functional performance criteria necessary to implement the requirements to make electronic and information communications technology access to persons with disabilities. The Access Board is responsible in the promulgating of the guidelines; the guidelines should then be revealed and adopted by different federal agencies of the Federal Communications Commission which then also promulgates them. However, the Access Board is fully responsible for identifying and promulgating and disseminating Section 508 of the Rehabilitation Act of 1973 as amended otherwise known as 29 USE Section 794 or Section 508. Now, what the Access Board has done is to develop the standards and guidelines as adopted in 1998 and in 2001 for Section 255 and Section 508 respectively.

Time has passed, and these kinds of devices did not exist as far as nine years ago. An iPod is a perfect example of a device that's controlled by pressing on a membrane. That is the type of interaction with a user interface which just didn't exist in the marketplace at the time that the standards were written, but is a major reason to have a renewal or review of the standards. The best way we're trying to make that happen is to have a consultative and collaborative process. Again there is a federal committee involved, FACA, the Federal Advisory Committee Act.

What I am doing is acting as a liaison between the Access Board and the work of the committee. The committee is a group of stakeholders taken from the various members who are interested in this process, such as consumers, end-users, standards developers, industry, education and international representation. We are privileged to have international representation on the committee, and we have membership in the European Union, Japan, Canada, and Australia. We also have people who come to the meetings to advise us on the work of the JTC1 special working group, and we're getting the benefit of all the standards work that is being done globally. Again, the whole purpose of the process is to be as collaborative and as conclusive as possible. What we're hoping to do is to be able to integrate using some of the standards that are out there.

The big point of my presentation is that American Access Board is aided immeasurably by legislative framework which both gives us the authority and gives us the broad structure. Within that broad structure, we try to be as inclusive as possible and bring as many stakeholders to the table so that we can work together. The committee is organized into eight subcommittees where much as the specific work is done. The subcommittees will then report back to the main committee which will then prepare a report of consensus recommendations which will be then presented to the Access Board. At that point, the Access Board, in conjunction with other federal agencies, will write the regulatory language. The draft regulatory language will then be published in the Federal Register where it will then have the opportunity to be opened for comment; it will then be sent back to the Office of Management and Budget where a regulatory assessment will be done. That would be an acknowledgement, a recognition, and an analysis of the various cost impacts the proposed regulations would have on U.S. Government and operations of agencies. For the U.S. Government, Section 508 is by itself a procurement guideline, and unlike other things previously discussed, these standards have legal and fiscal consequences to government agencies. The Access Board does not do testing, but the standards should be done in such a way that someone can look at them and ascertain as their degree of safety and whether or not they are complying.

Question and Answer Session

Question 3:

In terms of reaching more people, will it be possible to use existing social structures such as libraries? The people who run the libraries are used to working with users just getting used to technology. It would be a way in for people who can't afford the technology themselves, and it could spread it a little more widely. Also, librarians are used to cooperating with other libraries.

Tim Creagan:

In regards to the idea of people going to their local library, for example here in the United States, and using technology and seeing how well it works for them, that is an actual example; often times, that's what happens. The Section 508 standards are responsible for updating the federal marketplace, but many of the states in the United States have adopted 508 standards or versions thereof. One of the things to keep in mind is that even though we're talking about this on a very high level, a national level like country to country, let us not forget that internally, within countries and within different governmental units, whether they are states, provinces or cities, some of these are going to trickle down one way or another. There are always adaptations of the different portions of the law. For example, I may reside in the United States in the state of Maryland. The State of Maryland has adopted accessibility standards only dealing with low vision and blindness. That's the policy statement that the state made. So those are the only accessibility provisions that are addressed by the state. Other states have adopted almost a complete package of Section 508. One of the things to think about when going forward is that if all these countries have a unitary market, and for example if ten economies will scale, we do want to think of things for global uniform markets. However, the reality is that the accessibility standards can differ from state to state, from city to city, and they can even differ from building to building. That is something to be aware of when considering this.