

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Tony Coelho to Tom Kalil re: Department of Defense Computer Electronic/Accomodations Program (2 pages)	12/21/98	P5

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Cynthia Rice (Subject Files)
OA/Box Number: 15430

FOLDER TITLE:

Disability-Technology [1]

rx54

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

THE WHITE HOUSE

Office of the Vice President

For Immediate Release
Wednesday, July 14, 1999

Contact:
(202) 456-7035

STATEMENT BY THE VICE PRESIDENT

When President Clinton and I fought for the Telecommunications Act of 1996, we wanted to ensure that all Americans -- including the 54 million Americans with disabilities -- would have the opportunity to be full participants in the Information Revolution.

That is why I am pleased that today the Federal Communications Commission, under the leadership of Chairman Bill Kennard, announced that it will help make telecommunications services and equipment accessible for people with disabilities. Telecommunications can allow people with disabilities to lead more independent lives, and increase their employment opportunities -- but only if these technologies are designed with their needs in mind.

I want to thank those in industry and the disability community who found common ground on this important issue. I am confident that America's innovative telecommunications companies will rise to this challenge, and will develop accessible technologies that will amaze and delight us. By working together, the FCC, industry and the disability community will help ensure that our newest technologies reflect our oldest values.

###

FCC to Issue Rules to Help the Disabled In the Use of Telecommunications Gear

By KATHY CHEN

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—The Federal Communications Commission plans to issue requirements to make phones and other telecommunications equipment easier for the disabled to use. The biggest group of beneficiaries may be aging baby boomers.

The agency is expected to approve today a set of rules aimed at improving the accessibility of telephones, cellular phones and telecommunications services to the blind and deaf, and to other physically disabled people. The FCC won't spell out spe-

cific standards, but companies must meet the broader goal by introducing their own innovations. The agency would enforce the guidelines through fines or other measures.

"This is like building curb cuts for the information highway," FCC Chairman William Kennard said. "If we don't make sure 54 million [disabled] Americans are part of this revolution, it will be a failed revolution."

Telecommunications manufacturers are also happy to introduce features that are friendly to the disabled for another reason. "As you hit this group of consumers who grew up with electronic devices, they will want to continue with them," said Bill Plummer, a vice president of government-industry affairs for Nokia Inc., a unit of Finland's Nokia Corp. As this group ages, that will mean offering products that are easier on weakening eyes and on ears fitted with hearing aids, he said. Indeed, over the next few decades, the 76 million American baby boomers born between 1946 and 1964 will swell the ranks of America's elderly.

Some companies have already begun introducing features that are friendly to the disabled or elderly, who might have difficulty hearing a caller, holding a phone that is too heavy or punching in phone numbers using small buttons. Nokia, for example, produces cell phones with larger display screens and characters, while Bell Atlantic Corp. is marketing caller-identification boxes that announce the phone numbers of incoming callers. AT&T Wireless Services, a subsidiary of AT&T Corp., publishes brochures that outline different cellular options for the disabled.

The FCC guidelines could help spur more choices in phone equipment. Grant Seiffert, vice president of government relations for the Telecommunications Industry Association, which represents manufacturers, predicted that consumers could see new features within a couple of years, from brighter back lighting for cell-phone screens to more voice-recognition capabilities for phones and pagers.

Although the FCC won't make any specific features mandatory, it expects certain ones that would be easy to incorporate, such as high-contrast number keys and a bump on the "5" key to facilitate number-key location, to become commonplace. Manufacturers could then offer more specialized features in different products aimed at consumers with different disabilities.

NAACP Grades Telecom Companies, Hotel Chains on Progress With Blacks

By DOROTHY J. GAITER

Staff Reporter of THE WALL STREET JOURNAL

NEW YORK—The NAACP released grades given to hotel chains and telecommunications companies for their strides in hiring and promoting blacks and doing business with black-owned companies. The organization's sole failing grade went to Alltel Information Services, Little Rock, Ark., which received an F.

The company, which provides wireline and wireless communications services to more than seven million customers in the U.S. and clients in more than 50 countries, had received a D+ last year.

The civil-rights organization, holding its 90th annual convention this week in New York City, its birthplace, has been grading hotels for three years and telecommunications companies for two. Kweisi Mfume, the president and chief executive officer of the National Association for the Advancement of Colored People, said, "Unless communities of color become disciplined consumers, we run the risk of being like beggars sitting on piles of gold and continuing to see trade as a one-way street."

Mr. Mfume, who developed the report cards to push the organization's view that the new civil-rights cause is economic justice, said corporations ought to recognize

that black consumers are "not only a special market, but a consistent market and a market that's coming to life and trying to create a level playing field."

So the NAACP survey, which other national organizations have embraced, asks about hiring, promotions, procurement (how and where companies are spending their dollars), advertising (where and with whom), and philanthropic efforts, he said.

Mr. Mfume said Alltel was the only company that didn't respond to the survey. George S. Smith, vice president of media for Alltel, said, "I have not seen the report, and I really don't have a comment on it. But from past surveys, a lot of the information they request Alltel does not keep, like minority vendors. We don't keep our vendors by anything but quality of service and price. If we get downgraded for that, there's not much we can do about that."

The hotel chains, in ranking order, with their current and last year's grades are:

Marriott, B+, (C+); Cendant, B+, (B); Hilton, B, (C); Best Western, B-, (D+); Promus, B-, (B-); Choice, C+, (C+); Hyatt, C+, (C-); Radisson, C+, (C); Four Seasons, C+, (Not Graded); Bass/Holiday, C, (C); Wyndham, C, (C); Starwood C, (Not Graded); and Omni, C, (D-).

The telecommunications companies: BellSouth, B+, (B); Bell Atlantic, B+, (B); SBC, B, (B); Ameritech, B, (B); GTE, B, (C); AT&T, B-, (B-); Cincinnati Bell, C+, (C+); MCI/Worldcom, C+, (C); Excel, C, (C+); Sprint, C, (C); Frontier, C, (F); U.S. West, C, (C); Airtouch, C, (D+); and Qwest, D+, (Not Graded). Comcast, which received a C last year, was purchased by SBC and its grade will be reported in the NAACP's new Cable Industry Report Card at the end of the third quarter, Mr. Mfume said.

Disability -
Technology



Cynthia A. Rice

04/28/99 06:20:16 PM

Record Type: Record

To: Thomas A. Kalil/OPD/EOP
cc:
bcc: Records Management
Subject: Re: POTUS or VPOTUS statement 

Yes

Does this take Lew's concerns into account at all? Is there a way to reference the additional work being done to implement section 508 or do you think that would be overkill?
Thomas A. Kalil



Thomas A. Kalil

04/28/99 12:37:07 PM



Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: POTUS or VPOTUS statement



wai.a29.do

Attached is a draft statement that either the POTUS or VPOTUS could issue.

The World Wide Web consortium -- which develops the standards for the Web -- will soon be issuing recommendations for making the Web more accessible for people with disabilities -- and they have asked from a quote from the Administration.

The President gave a supporting quote when this effort was launched in April '97. The WH played a role in getting this effort launched -- and it is supported in part by grants from NSF and the Department of Education.

Please give me any comments you have by COB tomorrow. Thanks!

Message Sent To:



Thomas A. Kalil

04/28/99 12:37:07 PM



Record Type: Record

To: See the distribution list at the bottom of this message

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Please give me any comments you have by COB tomorrow. Thanks!

Message Sent To:

Cynthia A. Rice/OPD/EOP
Jonathan M. Young/WHO/EOP
David W. Beier/OVP @ OVP
Jim Kohlenberger/OVP @ OVP
Doug.w @ ibm.net@inet
Richard L. Siewert/WHO/EOP
Lewis W. Oleinick/OMB/EOP
David R. Goodfriend/WHO/EOP

ø«^{2'3/4}aaø , Congratulations to the World Wide Web Consortium and its members for making the Web more accessible for people with disabilities. The Web is having a dramatic impact on the way we work, learn, live and communicate with each other, and it is essential that this new medium be accessible to everyone. People with disabilities should be full participants in the Information Society. I am proud of the role that the White House played in serving as a catalyst for the Web Accessibility Initiative. The U.S. Government intends to work closely the World Wide Web Consortium to ensure that government information and services are accessible, and I want to challenge all Web developers to design Web sites that are accessible.

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Lewis W. Oleinick

04/27/99 11:54:06 AM



Record Type: Record

To: Thomas A. Kalil/OPD/EOP

cc: See the distribution list at the bottom of this message

Subject: Re: Quote request, Web Content Accessibility Guidelines 

Hi Tom.

I have had a chance to take a look at the W3C's Web Content Accessibility Guidelines and it looks quite interesting and well thought out. However, it seems to me that having the White House endorse these guidelines would be premature. It would be premature given that the Access Board is working to develop regulations regarding what criteria must be met to provide accessible IT as required by Section 508. If the White House endorses the W3C web accessibility principles it may mean that the Access Board process is circumvented for this important topic. The Access Board has been working extremely hard on the Section 508 regulations and it might be disheartening to the Board members for the W3C guidelines to trump their efforts.

Sorry I couldn't be more enthused about the endorsement.

-- Lew

Message Copied To:

cynthia a. rice/opd/eop
jonathan m. young/who/eop
Peter N. Weiss/OMB/EOP
Jasmeet K. Sehra/OMB/EOP
Donald R. Arbuckle/OMB/EOP



Thomas A. Kalil

04/27/99 10:54:48 AM



Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Jonathan M. Young/WHO/EOP, Lewis W. Oleinick/OMB/EOP

cc:

Subject: Quote request, Web Content Accessibility Guidelines

The Web Consortium has asked for a quote from the President. I think we should do this.

Lew -- can you check with Access Board and CIOs?

----- Forwarded by Thomas A. Kalil/OPD/EOP on 04/27/99 10:41 AM -----



Judy Brewer <jbrewer@w3.org>

04/23/99 01:57:39 PM

Record Type: Record

To: Thomas A. Kalil/OPD/EOP

cc: Jonathan M. Young/WHO/EOP, janet@w3.org

Subject: Quote request, Web Content Accessibility Guidelines

Tom,

W3C's Web Content Accessibility Guidelines have just completed review by W3C Member organizations. In the event that W3C releases these guidelines as a W3C Recommendation, we would like to invite the White House to participate in the announcement with a statement of support.

The guidelines are available as a Proposed Recommendation at <<http://www.w3.org/TR/WAI-WEBCONTENT>>.

We would be happy to work with the White House press office on format or content for the President's statement. W3C's press release will be three-part: release, testimonials, fact sheet -- a sample is at <<http://www.w3.org/Press/1998/CSS2-REC>>. Our typical format for testimonials is a statement up to eighty words in length indicating that an organization plans to implement and/or to promote implementation of these guidelines, followed by the name, title, and organization.

We would need testimonials for the release by Friday, April 30, 1999.

I am cc'ing this to Jonathan Young, who may be aware of the status the White House Web site with regard to accessibility. I would suggest that the Web Development Team for the White House Web site might want to update their "accessibility" discussion at <http://www.whitehouse.gov/WH/html/tips.html#accessibility> to include reference to the W3C Web Content Accessibility Guidelines in conjunction with release of the guidelines, and to provide a link to the W3C Web Accessibility Initiative <http://www.w3.org/WAI> as a resource.

I am reachable at (617) 258-9741. Please send any statement to my attention at jbrewer@w3.org, and thank you for your assistance and support.

Regards,

Judy

cc:

Jonathan Young, Associate Director for Disability Outreach, White House OPL
Janet Daly, Head of Press Relations, W3C

Judy Brewer jbrewer@w3.org +1.617.258.9741 <http://www.w3.org/WAI>
Director, Web Accessibility Initiative (WAI) International Program Office
World Wide Web Consortium (W3C)
MIT/LCS Room NE43-355, 545 Technology Square, Cambridge, MA, 02139, USA

Disability -
Technology



Thomas A. Kalil

04/07/99 05:14:12 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: DOJ creates Section 508, 25 page survey that most likely will conclude that agencies are doing horribly with accessibility of IT

----- Forwarded by Thomas A. Kalil/OPD/EOP on 04/07/99 05:14 PM -----



Lewis W. Oleinick

04/07/99 04:56:27 PM



Record Type: Record

To: Thomas A. Kalil/OPD/EOP, Lisa B. Fairhall/OMB/EOP

cc:

Subject: DOJ creates Section 508, 25 page survey that most likely will conclude that agencies are doing horribly with accessibility of IT

SUMMARY:

DOJ recently released a 25 page survey for CIOs to complete regarding the state of the agency's IT accessibility. An evaluation of agency IT accessibility is required by Section 508. The current version of the DOJ survey is biased to identify a prevalence of inaccessible technology at most agencies. The survey was sent to agency heads by the Attorney General on April 2nd, 1999. The survey is "one way, but not the only way, to comply with the legal duty of self-evaluation." In order to determine if it would be possible to come up with a better type of survey that may be less biased Steve Colgate, CIO DOJ, and John Wodatch, division director for civil rights for the disabled, have agreed to come to OMB on Monday April 12th, 1999 from 2:00-2:30pm in Room 10236 of the NEOB. You are invited to attend.

BACKGROUND:

I was informed of the existence of this webpage April 6th in the morning. The site includes a 25 page survey for CIOs to complete regarding the state of an agency's efforts to make their Information Technology accessible to persons with disabilities.

The URL is:

<http://www.usdoj.gov/crt/508/508home.html>

This site contains instructions for Federal agencies to begin to comply with Section 508 -- IT Accessibility. The instructions found on the DOJ webpage were prepared without OMB input.

The site's preamble states:

On April 2, 1999, the Attorney General issued a memorandum to the heads of all Federal agencies advising them of the requirements of Section 508 and providing instructions for conducting self-evaluations of their electronic and information technology.

As the initial step for implementing Section 508, all Federal agencies and departments must report to the Attorney General by June 15, 1999, the extent to which their electronic and information technology is accessible to and usable by people with disabilities. The Attorney General will use these evaluations as the basis for a Report to the President by February 7, 2000. The information provided by Attorney General to assist in the self-evaluation process is available on this web site.

In a Q&A section of the webpage, DOJ indicates that:

"Staff at the Department of Justice have developed the Component Questionnaire because it provides an easy, time-efficient, step-by-step method for evaluating the extent to which your technology is accessible to persons with disabilities. Use of the Questionnaire is one way, but not the only way, to comply with the legal duty of self-evaluation."

The Statutory requirements for the report reads:

(c) AGENCY EVALUATIONS.--Not later than 6 months after the date of enactment of the Rehabilitation Act Amendments of 1998, the head of each Federal department or agency shall evaluate the extent to which the electronic and information technology of the department or agency is accessible to and usable by individuals with disabilities described in subsection (a)(1), compared to the access to and use of the technology by individuals described in such subsection who are not individuals with disabilities, and submit a report containing the evaluation to the Attorney General.

Draft December 10, 1998

MEMORANDUM FOR

FROM: TOM KALIL

RE: "Curbscuts on the Information Superhighway"

Summary: This memo proposes a Presidential initiative to accelerate the development and adoption of information and communications technologies that can be easily used by the 55 million Americans with disabilities and Americans who have a need for an alternative means of interaction with a computer to improve their productivity. The key idea is that technology should be designed from the beginning to be accessible to people with disabilities and for people who need alternative means of interaction with a computer aside from the standard mouse and keyboard to improve their productivity, which is referred to as "universal design."

Applying the concept of universal design will benefit not only people with disabilities, but also the growing population of workers who need technology that suits their mobile work environments. For example, a blind person who needs to listen to their computer, or a paralyzed person who needs to be able to speak to their computer and have the computer know what to do are the same types of functionality that a physician needs if she is performing a physical exam for which she would like to take notes and both hands are occupied. If technology is accessible, this will significantly improve the quality of life for people with disabilities, enhance their ability to participate in the workplace, make them full participants in the Information Society, and enhance the productivity for people with a need for alternative means of interaction with a computer. However, if information technology is not accessible, Americans with disabilities could be even more isolated and the productivity of Americans may not reach its highest height. Presidential leadership is needed to make information technology accessible to all Americans.

Elements of the initiative

1. Leveraging the government's procurement power to promote accessible technologies

a. Enforcing Section 508

- The President has signed legislation that strengthens Section 508 of the Rehabilitation Act. The new Section 508 requires Federal agencies to ensure that both employees and members of the public seeking government services "have access to and use of information and data" that is equivalent to people without disabilities.

- Strengthening Section 508 would encourage private sector companies that want to sell to the government to make their products more accessible to people with disabilities.
- The Access Board is charged with developing the standards for accessible technology, and these standards must be incorporated into Federal procurement regulations.
- Clauses in the Assistive Technology Act of 1998 (S.2432) which is an enrolled bill requires State governments to ensure that they meet the accessibility standards for Section 508 in technology procurement.
- The Access Board is required to develop and implement a technical assistance program and training program for Federal entities and State governments.
- As part of their FY 2000 budget submission, the Access Board has requested additional resources to support this new responsibility.

Cost: \$1.7 million in FY 2000 and \$300,000 per year thereafter.

2. Making the federal government a model user of assistive technology and services to increase federal employment for people with disabilities

The Administration should set the following goals with respect to the federal government's use of assistive technology and services:

- Increase the federal employment opportunities for persons with disabilities, and eliminate disincentives to hire persons with disabilities because of budget and FTE caps;
- Make the federal government a leader and a model on assistive technology, universal design, and accommodation services;
- Ensure full compliance with the new Section 508 and Section 504;
- Encourage and support sharing of best practices in accommodation services and assistive technology (accessible software certification, training, ergonomics, dispute resolution, development of accessible custom software); and
- Maintain the locus of responsibility for these issues with the agency head or appropriate designee.

The Administration should avoid any policies that undermine existing agency assistive technology programs, or send a signal to agency leadership that accommodation is something that can be outsourced. Clearly, accommodation is something that needs to be integrated into broader agency policies (e.g. the agency's broader IT strategy).

In order to accomplish these goals, the Administration should:

- a. **Expand the Defense Department's Computer Accommodations Program ("CAP") to make it available to "small" agencies at no cost if they chose to use it:**

The Defense Department's Computer Accommodations Program ("CAP") purchases equipment for DOD employees with disabilities to allow them to keep working if they become disabled, or for new employees just joining the workforce. By using a central \$2 million fund for such purchases, individual offices do not have to bear the cost within their own budgets, and are less likely to be deterred from hiring a person with a disability. CAP is also able to get better prices on equipment through its bulk purchases and expertise. It has a showroom to help employees try out appropriate adaptive devices (CAP makes the decision on what equipment is purchased, not the employee). It has provided over 9,000 accommodations since its inception in 1990. This program is a good example of how employers and employees are taking advantage of new (and increasingly cheap) technology, such as computers for the blind that talk and listen, and alternative computer keyboards for people with dexterity problems, that allow people with disabilities to work. Expanding the program has the strong support of the Administration's appointees with disabilities, in particular for Tony Coelho, chair of the President's Committee on Employment of People with Disabilities.

- b. **Direct every Cabinet agency to establish a specific "line item" for assistive technology and services**

This would reduce the barriers that managers may face if they are trying to hire someone with a disability.

- c. **Encourage the creation of an inter-agency forum to engage in bench-making and sharing of best practices**

Expertise and best practices are distributed across the federal government. Several agencies have won awards and international recognition for their work on assistive technology. The Administration should encourage the formation of an inter-agency forum to promote benchmarking and the sharing of best practices.

Cost:

\$2 million at Defense Department to expand CAP program for small agencies.

\$10 - \$20 million for cabinet agencies for "line item" for assistive technology and services.

3. Investing in basic and applied R&D, technology transfer, and “one-stop” demonstration centers for accessible technologies

- The Administration could expand its investment in basic and applied R&D and technology transfer that would improve the accessibility of information technology. Currently, the National Science Foundation and the National Institute on Disability and Rehabilitation Research (NIDRR) collectively invest several millions of dollars per year in this area.
- The National Science Foundation would take the lead in funding basic research. NIDRR would take the lead in applied research and in supporting technology transfer and demonstration activities.

a. Basic research

- The primary goal would be to develop technology that allows people with disabilities to interact with computers, telecommunications equipment, and information services in a way that is convenient for them. This might mean supporting R&D for:
 - Improved speech recognition technology or “eye-tracking” technology for people who can’t use a keyboard;
 - “Text-to-speech” or “dynamic braille” for people who are blind;
 - Automatic captioning of multimedia or audio for people who are deaf;
 - A device that recognizes American Sign Language and translates it to speech or text in real-time;
 - Collaboration software that is so good that participants can’t tell whether someone in their “virtual” group has a disability;
 - The electronic equivalent of a “guide dog”;
 - “Tactile” access to graphical information for people who are blind or low vision;
 - Graphical user interfaces or operating systems that are usable by people who are blind or low-vision; and
 - Storing information so that it can be displayed in multiple formats, depending on the needs of the user.

Cost: \$5 million in FY2000, rising to \$10 million in FY2004, ~ \$35 million over 5 years.

National Science Foundation. [Note that research in this area is being considered as part of a broader "information technology" research initiative.]

b. Applied research and technology transfer

- Support applied research in technologies and technology services that allow people with disabilities to use information and telecommunications technology.
- Develop "road-maps" for accessible information and communications technology, based on input from industry, researchers, and disabilities community.
- Expand support for academic researchers and Rehabilitation Engineering Research Centers so that they can work with companies to (upon request) transfer the results of research on universal design and accessibility into upcoming products.
- Identify technologies that may have been developed for other purposes in National Labs or by other federally-supported research and demonstrate their applicability for accessibility. Partner with other organizations such as the Federal Laboratory Consortium.
- Fund several demonstration centers where people will be able see, touch, compare and learn about information and communications hardware/software that has been designed to be accessible. The centers would also demonstrate research prototypes of software and hardware. Center personnel would also have a mandate to conduct outreach to industry and trade shows.

Cost: \$8 million/year. NIDDR.

4. Developing an "Underwriters Laboratory" for accessible technologies

- The government could provide start-up funding to a private sector organization -- analogous to the Underwriters' Laboratory -- that would test information & communications technologies to see if they are accessible.
- Bench marking results would be made available on the World Wide Web. Again, this would improve the market for accessible technology, and make it easier for government agencies and other purchasers to buy accessible technology.
- Eventually, this would be self-supporting from user fees.

Cost: \$2 million/year. General Services Administration.

5. Education and training for universal design

- The government could provide grants to universities that develop curriculum on universal design. These courses, which would be offered in traditional classroom settings and using distance learning technologies -- would train hardware and software engineers to develop products that are accessible.

Cost: \$1 million/year. National Science Foundation.

6. Industry consortia for accessibility

- Last year, President Clinton endorsed the Web Accessibility Initiative, which was funded by industry, the National Science Foundation, the National Institute on Disability and Rehabilitation Research, and the European Community. The Web Accessibility Initiative is working to make the Web accessible for people with disabilities by:
 - Making sure that the evolving Web standards are developed with accessibility concerns in mind;
 - Developing guidelines for accessible Web sites and Web browsers;
 - Raising awareness among people who develop Web sites and Web software about the importance of the accessibility issue.
- The Web Accessibility Initiative was regarded as a significant step forward by the disabilities community because it gave them an opportunity to work cooperatively with industry, and to address accessibility concerns from the very beginning.
- The government could provide matching funds for industry consortia that would work to make other technologies accessible, such as interactive television, small, hand-held computers, and cellular phones.

Cost: \$4 million/year. NIDRR.

7. Increasing the availability of assistive technology

Our best option for increasing the deployment of assistive technology would be to expand our support for the 56 State Technology projects in the 50 States, District of Columbia, Puerto Rico and the four island territories. These are currently funded by the Department of Education, and work to reduce barriers to the availability, acquisition, and use of assistive technology devices and services for individuals with disabilities within their states. Currently, this program is funded at roughly \$30 million/year - down from \$36 million in FY97. It is known as the "Tech Act" program because it is authorized by the Technology Related Assistance for Individuals with

Disabilities Act.

What could states do with the extra resources?

States lack the resources to serve all of the people with disabilities that could benefit from the use of assistive technology, especially rural, minority and poor communities. There is some anecdotal evidence that managed care has exacerbated the problem.

Education has identified four areas that they think are the top priority based on 4 regional public hearings in 1998.

a. Regional/Local Demonstration Centers:

Forty-seven States have created a network of regional/local technology demonstration centers where consumers, their families and providers can find information, see demonstrations of equipment, try-out devices prior to purchase, have hands-on access to a broad range of assistive technology and get short-term loans of devices. These local, grass roots centers are typically the first place new users look as they begin their search for appropriate assistive technology. If these facilities are available, consumers and their families can actually see and try-out devices; they can get hands-on assistance and guidance from staff; they can ask questions and try something different with assistance; they can ask for a 'show and tell' on a particular device and can really get to know a piece of technology before it is purchased.

Cost: \$1.5 million dollars per year per additional 10,000 people which would be served.

b. Information Dissemination and Public Awareness Initiatives :

People need more information. With modest funding levels, State Tech Act projects have provided information about assistive technology devices and services to a broad range of stakeholders. States have invested in electronic communication to maximize distribution of information and minimize costs through toll free information lines and information operators, state-wide databases and a centralized information service, established accessible Web sites, bulletin boards, listservs, chat rooms and other electronic vehicles to promote communication and interaction. Many projects host assistive technology expos, fairs, conferences, demonstrations and exhibits, often in collaboration with manufacturers and vendors of assistive technology products. Finally, Tech Act programs have developed very informative publications, guides and instructional materials. Public Service Announcements (PSA's) to increase awareness of the benefits of assistive technology; many of these PSA's are targeted to certain audiences such as, a minority group or the elderly.

Recommendation: Through financial support, enlarge the scope, quality and audiences of informational materials, electronic dissemination capacity and the use of the media for public promotion and for general awareness and information exchange.

Cost: \$1 million dollars awarded per year to a consortium of States charged with mounting a national information and awareness campaign.

c. Public -Private Loan Program for Assistive Technology

Lack of funding remains the greatest barrier to consumer access to assistive technology. Testimony from the 1998 public hearings on assistive technology suggest that managed care appears to have decreased financial support to pay for assistive technology. According to National Health Interview Survey data, over 50 per cent of Americans paid for assistive technology out of pocket before the advent of managed care, a situation which has created a hardship for persons of low income. Loan financing programs have proven to be an alternative of great potential relieving some of the financial burden. A consumer responsive loan financing program can provide a dignified and often desirable option to persons with disabilities of low and middle income levels. There are approximately 20 States that operate a loan financing program; these are typically set up with a local or statewide banking institution. Often, the State uses some of its federal grant money for a loan guarantee. The federal funds provide the much needed seed money to establish a loan fund. Using federal funds or other federally supported resources in partnership with a private financial institution is a positive step toward community commitment, investment and general awareness of some of the challenges faces by persons with disabilities and some of the ways to mitigate these obstacles.

Recommendation: Through financial support increase the number of States that operate public -private loan financing programs. This will increase the number of individuals with disabilities who are able to access assistive technology services and devices.

Cost: Up to \$25 million distributed to States interested in creating or expanding financial loan programs.

d. Training Service Providers in Assistive Technology:

All 56 Tech Act projects support training activities that focus on professional development efforts to increase the number and level of expertise of service providers in the country. Service providers include special educators, speech-language pathologists, physical therapists, occupational therapists vocational rehabilitation counselors, social services, rehabilitation engineers, technicians, manufacturers/developers and government/policy makers. There is a critical shortage of assistive technology service providers and a continual need to update and expand the skills of practicing service providers. Consumers and families report a dearth of qualified service providers across the nation particularly in inner city, rural and under served regions. Projects typically concentrate on three types of training; (1) continuing education to enhance skills of practicing providers; (2) preservice education to increase awareness and stimulate interest in the field of assistive technology service provision; and (3) professional education programs to train individuals who are studying to become service provider.

Recommendation: Through financial assistance increase the States' capacity to build a nationwide, state-based network of qualified service providers. Provide grants to States to create and implement training programs that reflect the needs of the State, can be replicated, can be used as a national model of training.

Cost: \$1 million distributed to States or consortia of States. Based on remote training costs of \$150 per 10 hour training session, this would buy over 6500 training sessions and over 400 trainees.

Budget Summary by goal (Total not to exceed \$40 - \$60 million)

1. Enforcement of Section 508

\$1.7 million - Access Board

2. Government purchase of assistive technology

\$2 million - expansion of DoD CAP program for small agencies

\$10 - \$20 million -- separate line item for assistive technology for each Cabinet agency

3. R&D and tech transfer

\$8 million for NIDRR

\$5 million for NSF [may be included in broader IT initiative]

4. Underwriters Laboratory

\$2 million for GSA

5. Industry consortia for accessibility

\$4 million for NIDRR

6. Education and Training for Universal Design

\$1 million for NSF

7. Expansion of Tech Act program for deployment of assistive technology

\$10 - \$30 million for NIDRR

By agency

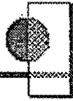
Education/NIDRR	\$22 - \$42
Cabinet agencies	\$10 - \$20
NSF	\$6 million
GSA	\$2 million
Defense	\$2 million
Access Board	\$1.7 million

Note: this was part of backup paper released at 1/13/99 event

EMPOWERING AMERICANS WITH DISABILITIES WITH ASSISTIVE TECHNOLOGY

This multifaceted initiative would improve the development, adoption and prevalence of technologies that help people with disabilities work. It would cost \$35 million in FY 2000, more than doubling the government's current investment in deploying assistive technology.

- **Goal:** This initiative would accelerate the development and adoption of information and communications technologies that can be easily used by Americans with disabilities. Information technology has the potential to significantly improve the quality of life for people with disabilities, enhance their ability to participate in the workplace, and make them full participants in the Information Society.
- **Elements of the initiative.** This initiative has five parts:
 - **Making the Federal government a model employer.** The government would expand its purchases of assistive technology and services to increase employment opportunities for people with disabilities in the federal government.
 - **Supporting state loan programs to make assistive technology more affordable.** The Department of Education's National Institute on Disabilities and Rehabilitation Research (NIDRR) would provide matching funds to states that create or expand loan programs to make assistive technology more affordable for people with disabilities.
 - **Investing in research and development and technology transfer to make technology more accessible.** NIDRR and the National Science Foundation would invest in research on technologies such as "text to speech" for people who are blind, automatic captioning for people who are deaf, or speech recognition and eye tracking for people who cannot use a keyboard.
 - **Developing an "Underwriters Laboratory" for accessible technologies.** The government would provide start-up funding to a private sector organization, analogous to the Underwriters' Laboratory, that would test information and communications technologies to see if they are accessible. This would help expand the market for accessible technologies.
 - **Encourage industry to make products more accessible.** Building on a successful partnership with the Internet industry (the Web Accessibility Initiative), the government would provide matching funds to industry consortia that work with disabilities community to make key technologies accessible, such as interactive television, small, hand-held computers, and cellular phones.
- **Cost:** \$35 million per year.



Cynthia A. Rice

02/28/99 02:55:54 PM

Record Type: Record

To: Lisa M. Brown/OVP @ OVP
cc: Thomas A. Kalil/OPD/EOP, Lewis W. Oleinick/OMB/EOP
bcc: Records Management
Subject: Re: disability 

The little bit of info I have I got from Tom Kalil or Lewis Oleinick.

Here, if it helps, is Tom's backup paper on the disability technology pieces in the FY 2000 budtet (from the 1/13 event)



dis_tech.wp

And here are some bullet points that were part of a 12/10 draft memo Tom wrote with an update or two I know about.

a. Enforcing Section 508

In August 1998, the President ~~has~~ signed legislation (P.L. 105-220) that strengthens Section 508 of the Rehabilitation Act. The new Section 508 requires Federal agencies to ensure that both employees and members of the public seeking government services "have access to and use of information and data" that is equivalent to people without disabilities.

Strengthening Section 508 would encourage private sector companies that want to sell to the government to make their products more accessible to people with disabilities.

The Access Board is charged with developing the standards for accessible technology, and these standards must be incorporated into Federal procurement regulations.

Clauses in the Assistive Technology Act of 1998 (~~S.2432~~ ~~which is an enrolled bill~~ P.L. 105-394 enacted November 1998) requires State governments to ensure that they meet the accessibility standards for Section 508 in technology procurement.

The Access Board is required to develop and implement a technical assistance program and training program for Federal entities and State governments.

I have the text of relevant parts of P.L. 105-220 if you want them. Since I can't find your fax #, I'll put a copy with your name on it in my out box (to the left of my door 212R OEOP).

Lisa M. Brown @ OVP

Lisa M. Brown @ OVP

 02/27/99 02:36:10 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: disability

Robert Pear is going to do a piece on the VP and his viewson how technology benefits the needy. I am pulling together disability-related material. Do you have material on the section 508 accessibility standards that the Access Board is developing for govt equipment? Is there any way I could get it on Monday? Thanks!

Public Law: 105-220 (08/07/98)

(b) Electronic and Information Technology Regulations.--Section 508 (29 U.S.C. 794d) is amended to read as follows:

SEC. 508. ELECTRONIC AND INFORMATION TECHNOLOGY.

(a) Requirements for Federal Departments and Agencies.--

(1) Accessibility.--

(A) Development, procurement, maintenance, or use of electronic and information technology.--When developing, procuring, maintaining, or using electronic and information technology, each Federal department or agency, including the United States Postal Service, shall ensure, unless an undue burden would be imposed on the department or agency, that the electronic and information technology allows, regardless of the type of medium of the technology--

(i) individuals with disabilities who are Federal employees to have access to and use of information and data that is comparable to the access to and use of the information and data by Federal employees who are not individuals with disabilities; and

(ii) individuals with disabilities who are members of the public seeking information or services from a Federal department or agency to have access to and use of information and data that is comparable to the access to and use of the information and data by such members of the public who are not individuals with disabilities.

(B) Alternative means efforts.--When development, procurement, maintenance, or use of electronic and information technology that meets the standards published by the Access Board under paragraph (2) would impose an undue burden, the Federal department or agency shall provide individuals with disabilities covered by paragraph (1) with the information and data involved by an alternative means of access that allows the individual to use the information and data.

(2) Electronic and information technology standards.--

(A) In general.--Not later than 18 months after the date of enactment of the Rehabilitation Act Amendments of 1998, the Architectural and Transportation Barriers Compliance Board (referred to in this section as the 'Access Board'), after consultation with the Secretary of Education, the Administrator of General Services, the Secretary of Commerce, the Chairman of the Federal Communications Commission, the Secretary of Defense, and the head of any other Federal department or agency that the Access Board determines to be appropriate, including consultation on relevant research findings, and after consultation with the electronic and information technology industry and appropriate public or nonprofit agencies or organizations, including organizations representing individuals with disabilities, shall issue and publish standards setting forth--

(i) for purposes of this section, a definition of electronic and information technology that is consistent with the definition of information technology specified in section 5002(3) of the Clinger-Cohen Act of 1996 (40 U.S.C. 1401(3)); and (ii) the technical and functional performance criteria necessary to implement the requirements set forth in paragraph (1).

“(B) Review and amendment.--The Access Board shall periodically review and, as appropriate, amend the standards required under subparagraph (A) to reflect technological advances or changes in electronic and information technology.

“(3) Incorporation of standards.--Not later than 6 months after the Access Board publishes the standards required under paragraph (2), the Federal Acquisition Regulatory Council shall revise the Federal Acquisition Regulation and each Federal department or agency shall revise the Federal procurement policies and directives under the control of the department or agency to incorporate those standards. Not later than 6 months after the Access Board revises any standards required under paragraph (2), the Council shall revise the Federal Acquisition Regulation and each appropriate Federal department or agency shall revise the procurement policies and directives, as necessary, to incorporate the revisions.

“(4) Acquisition planning.--In the event that a Federal department or agency determines that compliance with the standards issued by the Access Board under paragraph (2) relating to procurement imposes an undue burden, the documentation by the department or agency supporting the procurement shall explain why compliance creates an undue burden.

“(5) Exemption for national security systems.--This section shall not apply to national security systems, as that term is defined in section 5142 of the Clinger-Cohen Act of 1996 (40 U.S.C. 1452).

“(6) Construction.--

“(A) Equipment.--In a case in which the Federal Government provides access to the public to information or data through electronic and information technology, nothing in this section shall be construed to require a Federal department or agency--

“(i) to make equipment owned by the Federal Government available for access and use by individuals with disabilities covered by paragraph (1) at a location other than that where the electronic and information technology is provided to the public; or

“(ii) to purchase equipment for access and use by individuals with disabilities covered by paragraph (1) at a location other than that where the electronic and information technology is provided to the public.

“(B) Software and peripheral devices.-- Except as required to comply with standards issued by the Access Board under paragraph (2), nothing in paragraph (1) requires the installation of specific accessibility-related software or the attachment of a specific accessibility-related peripheral device at a workstation of a Federal employee who is not an individual with a disability.

“(b) Technical Assistance.--**The Administrator of General Services and the Access Board shall provide technical assistance to individuals and Federal departments and agencies concerning the requirements of this section.**

“(c) Agency Evaluations.--**Not later than 6 months after the date of enactment of the Rehabilitation Act Amendments of 1998, the head of each Federal department or agency shall evaluate the extent to which the electronic and information technology of the department or agency is accessible to and usable by individuals with disabilities described in subsection (a)(1), compared to the access to and use of the technology by individuals described in such subsection who are not individuals with disabilities, and submit a report containing the evaluation to the Attorney General.**

“(d) Reports.--

“(1) Interim report.--Not later than 18 months after the date of enactment of the Rehabilitation Act Amendments of 1998, the Attorney General shall prepare and submit to the President a report containing information on and recommendations regarding the extent to which the electronic and information

technology of the Federal Government is accessible to and usable by individuals with disabilities described in subsection (a)(1).

“(2) Biennial reports.--Not later than 3 years after the date of enactment of the Rehabilitation Act Amendments of 1998, and every 2 years thereafter, the Attorney General shall prepare and submit to the President and Congress a report containing information on and recommendations regarding the state of Federal department and agency compliance with the requirements of this section, including actions regarding individual complaints under subsection (f).

“(e) Cooperation.--Each head of a Federal department or agency (including the Access Board, the Equal Employment Opportunity Commission, and the General Services Administration) shall provide to the Attorney General such information as the Attorney General determines is necessary to conduct the evaluations under subsection (c) and prepare the reports under subsection (d).

“(f) Enforcement.--

“(1) General.--

“(A) Complaints.--Effective 2 years after the date of enactment of the Rehabilitation Act Amendments of 1998, any individual with a disability may file a complaint alleging that a Federal department or agency fails to comply with subsection (a)(1) in providing electronic and information technology.

“(B) Application.--This subsection shall apply only to electronic and information technology that is procured by a Federal department or agency not less than 2 years after the date of enactment of the Rehabilitation Act Amendments of 1998.

“(2) Administrative complaints.--Complaints filed under paragraph (1) shall be filed with the Federal department or agency alleged to be in noncompliance. The Federal department or agency receiving the complaint shall apply the complaint procedures established to implement section 504 for resolving allegations of discrimination in a federally conducted program or activity.

“(3) Civil actions.--The remedies, procedures, and rights set forth in sections 505(a)(2) and 505(b) shall be the remedies, procedures, and rights available to any individual with a disability filing a complaint under paragraph (1).

“(g) Application to Other Federal Laws.--This section shall not be construed to limit any right, remedy, or procedure otherwise available under any provision of Federal law (including sections 501 through 505) that provides greater or equal protection for the rights of individuals with disabilities than this section.”.

Report Language

RIGHTS AND ADVOCACY

Electronic and information technology regulations

The House bill requires that the Director of the Office of Management and Budget establish procedures for each federal agency to provide written certification by September 30 of each year that it is in compliance with the accessibility guidelines, and to oversee agencies in complying with the requirements. The House bill, however, makes no changes to the guidelines for electronic and information technology accessibility.

The Senate amendment makes significant changes to current law in the areas of accessibility and

electronic and information technology standards. These changes include requiring Federal agencies to procure, maintain, and use electronic and information technology that provides individuals with disabilities with comparable access to what is available to individuals without disabilities. The Senate amendment also requires that the Architectural and Transportation Barriers Compliance Board with issuing electronic and information technology standards, establishes reporting requirements for Federal agencies, establishes, complaint procedures, and clarifies individual rights of action relative to section 505 of the Act.

The Conference agreement follows the Senate amendment with several changes. The Conference agreement clarifies provisions in order to be consistent with the Clinger-Cohen Act of 1996, clarifies procedures relating to the extent of the Federal government's responsibilities in providing public access to information, and modifies the procedures for filing complaints.



Cynthia A. Rice

09/10/98 04:38:06 PM

Record Type: Record

To: Thomas A. Kalil/OPD/EOP

cc: Lisa M. Brown/OVP @ OVP, Cynthia Dailard/OPD/EOP, Lewis W. Oleinick/OMB/EOP

Subject: DOJ Requirements under Section 508/GI Bill

Remember I said I'd check into this issue at our meeting. Tom do you think it makes sense to send a memo from Sperling to the agencies outlining the deadline by which they must report to the AG?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 09/10/98 03:27 PM -----

Cynthia Dailard 09/10/98 02:27:01 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

bcc:

Subject: Re: Language of Sec 508 as Passed

You asked me to take a look at this language and find out what DOJ needs to do under the legislation. Heads of the various federal agencies must submit individual reports to the AG within six months of the date of the legislation's enactment, evaluating the extent to which electronic and information technology of their agency is available to disabled people. The AG is then required to issue a master report to the President which contains information on and recommendations regarding the extent to which electronic and information technology of the entire Federal Government is available to disabled people. The AG's report must be issued within 18 months of the date of the legislation's enactment. Since date of enactment was 8/7/98, the agencies' reports to the AG are due 2/7/99, and the AG's report to the President is due 2/7/2000.

So, the first thing we'll need to do is make sure that the agencies get their reports to the AG by the February deadline.

The Access Board (Architectural and Transportation Barriers Compliance Board) must publish standards within 18 months which (1) define electronic and information technology; (2) establish criteria to determine whether such technology of the Federal government is accessible to disabled people.

(This technology needs to be accessible both to Federal employees and the general public seeking information or services from the Federal government.)

Then, 6 months following the publication of these standards, the Federal Acquisition Regulatory Council must revise the Federal Acquisition Regulation, and each agency must revise their procurement policies, to ensure that all new technological acquisitions meet these standards.

Cynthia A. Rice



Cynthia A. Rice

09/08/98 01:20:10 PM

Record Type: Record

To: Cynthia Dailard/OPD/EOP

cc:

Subject: Language of Sec 508 as Passed

----- Forwarded by Cynthia A. Rice/OPD/EOP on 09/08/98 01:20 PM -----



Lewis W. Oleinick

09/02/98 09:43:31 AM



Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: Language of Sec 508 as Passed



Here it is in HTML format [105PL220.ht](#) detach it and open using Netscape.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. letter	Tony Coelho to Tom Kalil re: Department of Defense Computer Electronic/Accomodations Program (2 pages)	12/21/98	P5

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Cynthia Rice (Subject Files)
OA/Box Number: 15430

FOLDER TITLE:

Disability-Technology [1]

rx54

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advise between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Draft January 6th -- T. Kalil

Curbcuts on the Information Highway: This new \$35 million initiative will accelerate the development and adoption of information and communications technologies that can be easily used by the 55 million Americans with disabilities. If information technology is accessible, it will significantly improve the quality of life for people with disabilities, enhance their ability to participate in the workplace, and make them full participants in the Information Society.

Elements of the initiative include:

- Making the federal government a “model user” of assistive technology and services to increase federal employment of people with disabilities;
- Supporting new and expanded state loan programs to make assistive technology more affordable for Americans with disabilities;
- Investing in research and development and technology transfer in areas such as “text to speech” for people who are blind, automatic captioning for people who are deaf, or speech recognition and eye tracking for people who can’t use a keyboard;
- Providing matching funds for industry consortia that work with disabilities community to make key technologies accessible, such as interactive television, hand-held computers, and cellular phones; and
- Providing funding to a private sector organization -- analogous to the Underwriters’ Laboratory -- that would test information and communications technologies to see if they are accessible.

Draft January 6, 1999

MEMORANDUM FOR

FROM: TOM KALIL

RE: "Curbscuts on the Information Superhighway"

Summary: This memo proposes a Presidential initiative to accelerate the development and adoption of information and communications technologies that can be easily used by the 55 million Americans with disabilities and Americans who have a need for an alternative means of interaction with a computer to improve their productivity. The key idea is that technology should be designed from the beginning to be accessible to people with disabilities and for people who need alternative means of interaction with a computer aside from the standard mouse and keyboard to improve their productivity, which is referred to as "universal design."

Applying the concept of universal design will benefit not only people with disabilities, but also the growing population of workers who need technology that suits their mobile work environments. For example, a blind person who needs to listen to their computer, or a paralyzed person who needs to be able to speak to their computer and have the computer know what to do are the same types of functionality that a physician needs if she is performing a physical exam for which she would like to take notes and both hands are occupied. If technology is accessible, this will significantly improve the quality of life for people with disabilities, enhance their ability to participate in the workplace, make them full participants in the Information Society, and enhance the productivity for people with a need for alternative means of interaction with a computer. However, if information technology is not accessible, Americans with disabilities could be even more isolated and the productivity of Americans may not reach its highest height. Presidential leadership is needed to make information technology accessible to all Americans.

Elements of the initiative

1. Leveraging the government's procurement power to promote accessible technologies

a. Enforcing Section 508

- The President has signed legislation that strengthens Section 508 of the Rehabilitation Act. The new Section 508 requires Federal agencies to ensure that both employees and members of the public seeking government services "have access to and use of information and data" that is equivalent to people without disabilities.

- Strengthening Section 508 would encourage private sector companies that want to sell to the government to make their products more accessible to people with disabilities.
- The Access Board is charged with developing the standards for accessible technology, and these standards must be incorporated into Federal procurement regulations.
- Clauses in the Assistive Technology Act of 1998 (S.2432) which is an enrolled bill requires State governments to ensure that they meet the accessibility standards for Section 508 in technology procurement.
- The Access Board is required to develop and implement a technical assistance program and training program for Federal entities and State governments.
- As part of their FY 2000 budget submission, the Access Board has requested additional resources to support this new responsibility.

2. Making the federal government a model user of assistive technology and services to increase federal employment for people with disabilities

The Administration should set the following goals with respect to the federal government's use of assistive technology and services:

- Increase the federal employment opportunities for persons with disabilities, and eliminate disincentives to hire persons with disabilities because of budget and FTE caps;
- Make the federal government a leader and a model on assistive technology, universal design, and accommodation services;
- Ensure full compliance with the new Section 508 and Section 504;
- Encourage and support sharing of best practices in accommodation services and assistive technology (accessible software certification, training, ergonomics, dispute resolution, development of accessible custom software); and
- Maintain the locus of responsibility for these issues with the agency head or appropriate designee.

The Administration should avoid any policies that undermine existing agency assistive technology programs, or send a signal to agency leadership that accommodation is something that can be outsourced. Clearly, accommodation is something that needs to be integrated into broader agency policies (e.g. the agency's broader IT strategy).

In order to accomplish these goals, the Administration should:

- a. **Expand the Defense Department's Computer Accommodations Program ("CAP") to make it available to "small" agencies at no cost if they chose to use it:**

The Defense Department's Computer Accommodations Program ("CAP") purchases equipment for DOD employees with disabilities to allow them to keep working if they become disabled, or for new employees just joining the workforce. By using a central \$2 million fund for such purchases, individual offices do not have to bear the cost within their own budgets, and are less likely to be deterred from hiring a person with a disability. CAP is also able to get better prices on equipment through its bulk purchases and expertise. It has a showroom to help employees try out appropriate adaptive devices (CAP makes the decision on what equipment is purchased, not the employee). It has provided over 9,000 accommodations since its inception in 1990. This program is a good example of how employers and employees are taking advantage of new (and increasingly cheap) technology, such as computers for the blind that talk and listen, and alternative computer keyboards for people with dexterity problems, that allow people with disabilities to work. Expanding the program has the strong support of the Administration's appointees with disabilities, in particular for Tony Coelho, chair of the President's Committee on Employment of People with Disabilities.

- b. **Provide resources to Cabinet agencies to increase their investment in assistive technology and services to increase federal employment for people with disabilities**

Currently, when managers are considering hiring prospective employees with disabilities, whether they admit it or not, they weigh the expense of hiring individuals against their available resources. Presently, managers who hire employees requiring accommodations are in effect fiscally penalized because any accommodation costs are charged against their program's salary and expense budgets.

For example, a technician who is blind likely needs a screen reader or speech synthesizer on a computer to do his or her job. Likewise, if an employee who has a significant disability needs a personal assistant to perform his or her duties, the manager must come up with sufficient funds to pay the researcher and the personal assistant. However, compartmentalized program budgets within federal agencies may not be sufficient to cover these sort of expenses, and managers naturally weigh their hiring decisions against their budgetary resources. Although this is illegal, it is a matter of reality.

Some agencies have created an agency-wide pool of funds to pay for assistive technology as well as another pool to cover the costs of personal assistants, readers, and interpreters. These pools of funds are available, not as a substitute for program-level responsibilities for providing accommodations, but as a resource to augment what the specific program may not be able to cover. For example, when a current employee whose vision and hearing losses are progressing needs a specific piece of software for a computer being purchased, the pool serves as a potential resource only if the organizational unit's budget is insufficient. Or, when a new disabled employee joins a program, and a computer work station is needed, the program purchases the

work station, as it would do for any other employee, and relies on the special fund for additional costs, if necessary, such as for specialized software, larger monitors, etc.

The FY 2000 budget includes a cross-agency initiative to establish resources to cover the costs of assistive technology and other services to promote and support employment of individuals with disabilities. Money to be put into a separate account at GSA that is administered by GSA for the large federal agencies' use for acquisition of accessible information technology to accommodate individuals with disabilities at those agencies. The large federal agencies would apply to GSA and justify (in some form) their need for the additional funds. The funds in the account would be multi-year so that no end of year run would take place on the account. GSA would be assisted by agencies with expertise in this area in defining criteria for sufficient justification.

c. **Encourage the creation of an inter-agency forum to engage in bench-making and sharing of best practices**

Expertise and best practices are distributed across the federal government. Several agencies have won awards and international recognition for their work on assistive technology. The Administration should encourage the formation of an inter-agency forum to promote benchmarking and the sharing of best practices.

Cost:

\$2 million at Defense Department to expand CAP program for small agencies.

\$8 million at GSA.

3. Investing in basic and applied R&D, technology transfer, and "one-stop" demonstration centers for accessible technologies

- The Administration could expand its investment in basic and applied R&D and technology transfer that would improve the accessibility of information technology. Currently, the National Science Foundation and the National Institute on Disability and Rehabilitation Research (NIDRR) collectively invest several millions of dollars per year in this area.
- The National Science Foundation would take the lead in funding basic research. NIDRR would take the lead in applied research and in supporting technology transfer and demonstration activities.

a. **Basic research**

- The primary goal would be to develop technology that allows people with disabilities to interact with computers, telecommunications equipment, and information services in a

way that is convenient for them. This might mean supporting R&D for:

- Improved speech recognition technology or “eye-tracking” technology for people who can’t use a keyboard;
- “Text-to-speech” or “dynamic braille” for people who are blind;
- Automatic captioning of multimedia or audio for people who are deaf;
- A device that recognizes American Sign Language and translates it to speech or text in real-time;
- Collaboration software that is so good that participants can’t tell whether someone in their “virtual” group has a disability;
- The electronic equivalent of a “guide dog”;
- “Tactile” access to graphical information for people who are blind or low vision;
- Graphical user interfaces or operating systems that are usable by people who are blind or low-vision; and
- Storing information so that it can be displayed in multiple formats, depending on the needs of the user.

Cost: This will be part of NSF's increase in investment in long-term computer science research as part of the President's Information Technology Initiative.

b. Applied research and technology transfer

- Support applied research in technologies and technology services that allow people with disabilities to use information and telecommunications technology.
- Develop "road-maps" for accessible information and communications technology, based on input from industry, researchers, and disabilities community.
- Expand support for academic researchers and Rehabilitation Engineering Research Centers so that they can work with companies to (upon request) transfer the results of research on universal design and accessibility into upcoming products.
- Identify technologies that may have been developed for other purposes in National Labs or by other federally-supported research and demonstrate their applicability for accessibility. Partner with other organizations such as the Federal Laboratory Consortium.
- Fund several demonstration centers where people will be able see, touch, compare and learn about information and communications hardware/software that has been designed to be accessible. The centers would also demonstrate research prototypes of software and hardware. Center personnel would also have a mandate to conduct outreach to industry and trade shows.

Cost:

4. Developing an "Underwriters Laboratory" for accessible technologies

- The government could provide start-up funding to a private sector organization -- analogous to the Underwriters' Laboratory -- that would test information & communications technologies to see if they are accessible.
- Bench marking results would be made available on the World Wide Web. Again, this would improve the market for accessible technology, and make it easier for government agencies and other purchasers to buy accessible technology.
- Eventually, this would be self-supporting from user fees.

Cost: \$2 million/year. General Services Administration.

5. Education and training for universal design

- The government could provide grants to universities that develop curriculum on universal design. These courses, which would be offered in traditional classroom settings and using distance learning technologies -- would train hardware and software engineers to develop products that are accessible.

Cost: This will be part of NSF's increased investment in information technology research.

6. Industry consortia for accessibility

- Last year, President Clinton endorsed the Web Accessibility Initiative, which was funded by industry, the National Science Foundation, the National Institute on Disability and Rehabilitation Research, and the European Community. The Web Accessibility Initiative is working to make the Web accessible for people with disabilities by:
 - Making sure that the evolving Web standards are developed with accessibility concerns in mind;
 - Developing guidelines for accessible Web sites and Web browsers;
 - Raising awareness among people who develop Web sites and Web software about the importance of the accessibility issue.
- The Web Accessibility Initiative was regarded as a significant step forward by the disabilities community because it gave them an opportunity to work cooperatively with industry, and to address accessibility concerns from the very beginning.
- The government could provide matching funds for industry consortia that would work to make other technologies accessible, such as interactive television, small, hand-held computers, and cellular phones.

Cost: \$2 million/year. NIDRR.

7. Increasing the availability of assistive technology

Our best option for increasing the deployment of assistive technology would be to expand our support for the 56 State Technology projects in the 50 States, District of Columbia, Puerto Rico and the four island territories. These are currently funded by the Department of Education, and work to reduce barriers to the availability, acquisition, and use of assistive technology devices and services for individuals with disabilities within their states. Currently, this program is funded at roughly \$30 million/year - down from \$36 million in FY97. It is known as the "Tech Act" program because it is authorized by the Technology Related Assistance for Individuals with

Disabilities Act.

c. Public -Private Loan Program for Assistive Technology

Lack of funding remains the greatest barrier to consumer access to assistive technology. Testimony from the 1998 public hearings on assistive technology suggest that managed care appears to have decreased financial support to pay for assistive technology. According to National Health Interview Survey data, over 50 per cent of Americans paid for assistive technology out of pocket before the advent of managed care, a situation which has created a hardship for persons of low income. Loan financing programs have proven to be an alternative of great potential relieving some of the financial burden. A consumer responsive loan financing program can provide a dignified and often desirable option to persons with disabilities of low and middle income levels. There are approximately 20 States that operate a loan financing program; these are typically set up with a local or statewide banking institution. Often, the State uses some of its federal grant money for a loan guarantee. The federal funds provide the much needed seed money to establish a loan fund. Using federal funds or other federally supported resources in partnership with a private financial institution is a positive step toward community commitment, investment and general awareness of some of the challenges faces by persons with disabilities and some of the ways to mitigate these obstacles.

Recommendation: Through financial support increase the number of States that operate public -private loan financing programs. This will increase the number of individuals with disabilities who are able to access assistive technology services and devices.

Cost: \$15 million distributed to States interested in creating or expanding financial loan programs.

Budget Summary by goal (\$35 million)

1. Enforcement of Section 508

In baseline.

2. Government purchase of assistive technology

\$2 million - expansion of DoD CAP program for small agencies

\$8 million -- GSA

3. R&D and tech transfer

\$6 million for NIDRR

Funding for NSF included in broader IT research initiative

4. Underwriters Laboratory

\$2 million for GSA

5. Industry consortia for accessibility

\$2 million for NIDRR

6. Education and Training for Universal Design

Part of NSF increase.

7. Support for state loan programs for deployment of assistive technology

\$15 million for NIDRR

By agency

Education/NIDRR	\$23 million
GSA	\$10 million (\$8 million of which for cabinet agencies)
Defense	\$2 million



Thomas A. Kalil

12/07/98 12:22:36 PM



Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc: lisa m. brown/ovp @ ovp

bcc:

Subject: Re: So did the assistive technology group reach a consensus on Friday? 

Cynthia A. Rice



Cynthia A. Rice

12/07/98 11:51:01 AM

Record Type: Record

To: Thomas A. Kalil/OPD/EOP, Lisa M. Brown/OVP @ OVP

cc:

Subject: So did the assistive technology group reach a consensus on Friday?

We got there after 1 1/2 hrs -- I only lost my patience once. The outlines of the agreement were:

1. Increase CAP budget enough to offer technical assistance & free services for small agencies
2. Require all cabinet agencies to have a separate line item for assistive technology at a minimum -- maybe assistive services depending on cost estimates

[Cynthia -- we will need both NEC and DPC to raise this with OMB.]

3. Create ongoing inter-agency fora for sharing of best practices

Administration Goals

1. Increase federal employment opportunities for persons with disabilities
 - Eliminate disincentives for agencies to ^{hire}~~hire~~ persons with disabilities
2. Demonstrate Administration leadership on assistive technology, universal design, and accommodation services
3. Full compliance with new Section 508
4. Sharing of best practices in accommodation services and assistive technology (e.g. accessible software certification, training, ergonomics, dispute resolution)
5. Allow agencies to take advantage of procurement power and vehicles of other agencies

Agency Concerns

1. Avoid undermining existing agency assistive technology and accommodation programs
2. Don't send the signal to agency leadership that accommodation is something that can be "outsourced"
3. If possible, pursue policies that can be done through Administration action and budget as opposed to legislation -- to allow experimentation & flexibility
4. Accommodation is about more than purchasing an isolated device -- needs to be integrated with broader agency policies

Options for expanding CAP

1. CAP as an “executive agent”

- CAP purchases items in response to a voluntary, funded request from an agency
- Requires modest increase in CAP funding & FTEs, each agency responsible for funding

2. DoD pays for government-wide costs

- CAP budget increases, provides “free” services to agencies that request help
- Requires legislation

Education is not covered that is a barrier

→ want leadership to

→ strong tech cost

→ OK if got wide fund as long as it doesn't create

Answer Board

have another barrier

→ would from one stop shopping

→ not govt wide fund

→ CAP as "agent" plus tech cost

option 2 + option 2

Presig Cmt / John

→ Gov't wide fund need

→ Fund could be @ DOD

QAD

USOA Cost is a problem

like #2, #2

DOD

Other Options

1. Government-wide fund for accommodation and assistive technology
 - Could provide 50% - 100% of costs
 - Agencies could elect to use CAP as procurement vehicle if they chose to
2. Technical assistance/sharing of best practices
 - Fund "lead" agencies (e.g. DoD, SSA, etc.) to provide technical assistance
 - Create or designate inter-agency forum to engage in bench-marking, sharing of best practices
3. *Line item in Agency Budget to increase funds*

Goals

1/21

Fed govt as leader

→ be more explicit re:
elementary budget
apps + FTEs

Add Section 504

→ explain legal ~~responsibility~~ obligation

put authority in ~~strategic~~ based on design
(could provide CIO + program office)

Add: provide - ~~all~~ good area in real time

Goal: provide seamless services at p
technical services as possible

Add increase level of awareness
same way as do other people

Concerns

burden 4 = integrate w/ large proactive technology

Circular A130 (1317) being revised

→ make explicit that accessibility like
Security must be integrated into
systems themselves

XX personal assistants, readers + interpreters
should be equally important pieces
as technology → FTE issues are difficult
AND NOTHING in place for cognitive disabilities

Need not only technology but training ~~in~~ use
and repairs



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FACSIMILE TRANSMITTAL

Date: 11/24/98

Pages to Follow: 3

To: Lisa Brown

From: BECKY Ogle

Fax #: 456-6429

Tel #: 219-4001 ext. 120

Ofc: VP COUNSEL

Subj: CAP

Distribution:

- Normal
- Urgent/Hand Carry
- Confidential

Comments: *Also included for reading is a copy of Linda Wang's compromise approach!*

Put Ability to Work!

NOV-20-98 FRI 18:24

USDOE/OSERS

FAX NO. 2022059252

P. 02



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES

THE ASSISTANT SECRETARY

November 20, 1998

Mr. Tony Coelho, Vice-Chairman
Presidential Task Force on Employment
of Adults with Disabilities
1331 F Street, NW, Room 300
Washington, DC 20004-1107

Dear Vice-Chairman Coelho, *Tom*

We at the Department of Education have reviewed the initial draft proposal for a "Federal Assistive Technology System Act of 1999" which was made available to us informally several weeks ago by the staff of the Presidential Task Force on Employment of Adults with Disabilities. I am now responding for the Department of Education in my capacity as Secretary Riley's representative to work on the Task Force. The Department had communicated earlier and less formally with the Task Force staff in an effort to meet their deadline for review. The views in this letter are the Department's most considered positions on the initial draft legislation and best advice about how technology assistance and other accommodations for individuals with disabilities might be provided most effectively within the Executive branch.

The Department strongly endorses the draft legislation's goal of increased employment of people with disabilities in the federal workplace and maximization of their productive capacities through technology assistance. However we do not believe that centralizing the administrative and program functions of providing access assistance in a single Federal agency, i.e. the Department of Defense (DoD), is the best way to accomplish this goal. We do believe, however, that a degree of centralization of funding for technology access and employee accommodations of all types is desirable and would address certain weaknesses in present practices. We will discuss this further, below.

We believe decentralization of procurement and management are the best strategies for successful implementation of this goal. A decentralized approach includes all employees so that both disabled and nondisabled employees receive technological assistance from their own agencies on an equal basis. A decentralized approach is also sensitive to agency-based technology decision-making and organizational cultures, including decisions about information system-level purchases and compatibility among products which are at the core of the universal design concept. A decentralized approach puts service delivery closer to the customer and can be expected to allow a more timely response to employee and agency needs.

NOV-20-98 FRI 18:24

USDOE/OSERS

FAX NO. 2022059252

P. 03

We base our opinions on our success in the development and implementation of the Department of Education's decentralized program for the procurement and management of technology devices and services which are accessible to all employees. Based on the Department's experience, we strongly recommend this approach as an alternative to the centralized Federal assistive technology system envisioned by the first draft bill. The Department would be pleased to have an opportunity to share the details of our model program with the leadership of the President's Task Force.

Today's technologies make it almost impossible to separate assistive technology issues at the systems level from those at the level of the individual user. A centralized approach would, in our opinion, soon transmute into an inefficient and unwieldy consulting operation because of the detailed understanding of hundreds of unique agency operations that would be needed to provide effective technology assistance in so many different settings. It would be extremely difficult for any one office to fulfill this role for the entire Federal government. We suggest it is not realistic to believe assistive technology issues can be addressed successfully within a Federal agency without a close and detailed understanding of the Federal agency's information infrastructure, program responsibilities and administrative procedures. In our opinion there is a low probability of DoD staff being able to develop these competencies and carry out government-wide assistive technology consulting and provision on the large scale needed, given the resources likely to be realistically available in a Department that has undergone major reductions in the number of civilian employees.

The Department of Education believes that ensuring the procurement and support of accessible technology should be an integral responsibility of each agency's senior leadership and line managers. Designation of an external office to handle accessibility concerns could reinforce an improper perception that the task of ensuring access can be separated from basic agency management responsibility. For example, we believe that the Chief Information Officer of an agency should serve that function for all employees, and that delegating a portion of an agency's systems and technology responsibilities to a third party would diffuse responsibility and management attention and decrease responsiveness.

Another consideration is quality control and long-term follow up. We suggest that managers within an agency would generally be in a better position to assess and ensure that satisfactory solutions have been reached than persons outside the agency. As a matter of philosophy, we would urge a management approach recognizing the needs of employees with disabilities as being integral to agency operations and addressed as an integral part of those operations, rather than calling for the assistance of a separate agency or program. We note also that agencies and departments presently have authority to contract for services and establish policies for administration. Option II of the draft bill therefore appears duplicative.

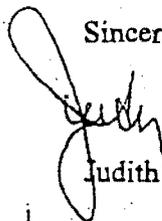
The Department of Education believes a more centrally funded approach to providing all accommodations, including technology, is a concept with many advantages. Presently managers who hire employees requiring accommodations are in effect fiscally penalized

because any accommodation costs are charged against their "local" salary and expense budgets. Central funding would help accomplish much of what the proposed legislation outlines by spreading the cost of accommodations across a larger base. It would increase the willingness of operating offices to hire persons with disabilities and help ensure that job applicants with disabilities would receive equal opportunity in job interviews and the selection process by decoupling hiring decisions from local resource constraints concerning the cost of accommodations. It would maximize the productive capacities of employees with disabilities. Finally, it would help concentrate federal procurement power to promote universal design and accessible technologies.

We also see a need for establishing a centralized mechanism for continuing discussions about government-wide practices and progress in providing technology assistance and other accommodations and to provide guidance and advice on these subjects to Department heads, the Office of Personnel Management, and the Office of Management and Budget. The various "operating divisions" of the government should have a degree of consistency in their provision of accommodations, as a matter of equity, but at present there is no means of working to achieve this. An Interdepartmental Coordinating Council or workgroup with these functions should be established. The membership should be senior agency appointees. In fact, some of the value of the work of such a group would come from exposing those agency leaders who might be lacking any background in disability or technology assistance to information about accommodation issues, technology solutions, and best practices. DoD could chair or manage such a group or Council and play a government-wide leadership role. The group would provide an vehicle for the exchange of information among Departments, the identification of useful technologies and practices in providing accommodations, and serve, potentially, as a national model for the discussion and resolution of technology accommodation issues by a large scale employer.

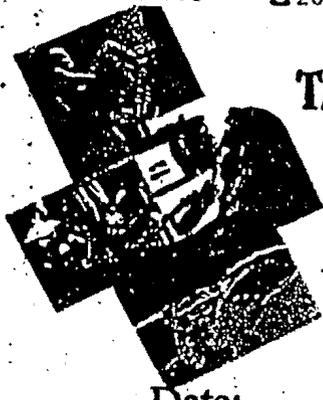
The Department of Education believes there is a need for an awareness program to highlight access issues and their solutions. The general populace is not insensitive, but most people have not been educated to consider the needs of persons with disabilities in the course of planning and designing work products, worksites, and information technology and systems. Today we are all aware of EEO issues related to gender, race, and culture because past actions, legislation, news media coverage and judicial decisions have made these issues part of our consciousness. The Federal government should try to foster similar understanding of access issues, particularly in the workplace.

Sincerely yours,



Judith E. Heumann

Thursday's meeting was really good.
 Could I suggest that you invite the
 National Association of State Directors of Special Education
 to the field on their chair 703 and NSAVR U-See Men



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001

FACSIMILE TRANSMITTAL

Date: _____

Pages to Follow: 4

To: Lisa Brown

From: BECKY

Fax #: 456-6429

Tel #: _____

Ofc: _____

Subj: _____

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Comments:

*Here's the quick draft from
Linda*

Put Ability to Work!

**FEDERAL COMPUTER/ELECTRONIC
ACCOMMODATIONS PROGRAM (Fed CAP)
Working Draft 11/24/98**

SECTION 1. FINDINGS AND PURPOSES

(a) Findings. (to be drafted)

(b) Purposes.

(1) Appropriate centralized funding to provide computer and electronic accommodations for federal employees and applicants with disabilities to the Department of Defense in order to:

- (A) Minimize any financial disincentive for federal managers to hire and reasonably accommodate people with disabilities;
- (B) Support availability of accommodations and eliminate disparities in departments' and agencies' budgets for providing reasonable accommodations and accessible technologies;
- © Complement and coordinate with existing federal accommodations programs **without duplicating services.**

(2) Authorize the Department of Defense's Computer/Electronic Accommodations Program (Fed CAP) to procure computer and electronic accommodations and provide related services for the federal government in order to:

- (A) Promote universal design principles and savings;
- (B) Eliminate barriers to receiving computer/electronic accommodations for managers, employees and applicants.
- © Provide technically current computer/electronic accommodations to support the fair competition and upward mobility of federal employees of disabilities

(3) Provide technical assistance and advice to managers so they can more effectively accommodate and promote people with disabilities.

(4) Award computer/electronic accommodations contracts and grants to encourage innovation and to coordinate federal best practices.

EXEMPTIONS--depending on whether Fed CAP is mandatory or not. With \$ & outreach, Fed CAP will naturally be used in reality, and other programs will naturally fall out. If want specific language to negate others, may need exemption language.

SECTION 2. DEFINITIONS.

(a) Adoption of definitions from Rehabilitation Act. The terms "disability," "reasonable accommodation," "undue hardship," (ETC.) shall have the same meanings as those terms are given in the Rehabilitation Act of 1973, and its implementing regulations, as amended.

(b) Computer and electronic accommodation include but is not limited to: specialized computer hardware, software, and peripherals; telecommunication devices; related services and training; sign language interpreters, readers, and personal assistants for lengthy trainings; and miscellaneous specialized equipment as set forth by rules and regulations.

© Covered entity. The term "covered entity" shall mean any federal department or agency that is covered by the Rehabilitation Act of 1973, as amended, or the Architectural Barriers Act.

(d) Protected person. The term "protected person" shall mean any person having rights under the Rehabilitation Act or the Architectural Barriers Act.

SECTION 3. APPROPRIATIONS

For the purpose of allotments under section ..., there are appropriated to the Department of Defense \$25 million as may be necessary for each of the fiscal years 2000, 2001, 2002, 2003 and 2004 to implement Fed CAP.

OMB issue: DOD as executive agent?

DOD & political decision: DOD commitment, etc.

SECTION 4. ADMINISTRATION

The Department of Defense is hereby authorized to procure computer and electronic accommodations for all federal employees and applicants with disabilities. The DOD will state explicitly in its mission its responsibility to provide computer/electronic accommodation and related services at no cost to covered entities and protected persons. The director of this Fed CAP shall promulgate rules and regulations as are necessary and proper to carry out the purposes of this section. This Fed CAP shall be administered in a manner to supplement but not supplant other federal accommodations programs.

SECTION 4. RESPONSIBILITIES OF COVERED ENTITIES

- (a) Covered entities shall continue to be responsible for, and legally liable for, their own reasonable accommodation decisions, including the determination of whether a person has a disability.
- (b) No covered entity shall be excused from compliance with any Federal civil rights law, including the Rehabilitation Act and the Architectural Barriers Act, because of any failure to receive assistance under this section.

SECTION 5. Fed CAP ACTIVITIES AND RESPONSIBILITIES

(a) Notwithstanding provisions of any previous act, this entity is authorized to provide computer and electronic accommodations to federal employees and job applicants with disabilities. The responsibilities of this entity include:

- (1) Provide technical assistance to managers of covered entities on computer/electronic accommodations and related services.
- (2) **The Fed CAP shall be accountable for its computer/electronic accommodation and related services to covered entities. Fed CAP shall maintain all relevant documents for potential grievances.**
- (3) Conduct needs assessments for federal employees who request computer and electronic accommodations.
- (4) Purchase, lease, or otherwise provide for the acquisition of computer/electronic accommodations for federal employees and applicants.
- (5) Select, design, fit, customize, adapt, apply, maintain, repair, or replace computer/electronic accommodations for federal employees.
- (6) Grants and contracts. The Director of Fed CAP may make grants or award contracts to effectuate the purposes of this section, subject to the availability of appropriations. Such grants

and contracts may be awarded to individuals, institutions not organized for profit and no part of the net earnings of which inures to the benefit of any private shareholder or individual (including educational institutions), and associations representing individuals or entities having rights or duties under the Rehabilitation Act or the Architectural Barriers Act. Contracts may be awarded to entities organized by profit, but such entities may not be the recipients of grants described in this paragraph.

Ask OMB: make sure other federal programs can be covered.(6) Conduct assistive technology demonstrations for protected persons.

(7) Provide information to covered entities and protected persons on Fed CAP and their access to Fed CAP.

(8) Provide training and technical assistance on the use of specific computer/electronic accommodations for protected persons and, where appropriate, the managers of protected persons.

(9) Track and analyze statistics of federal computer/electronic accommodations.

(10) Measure the performance of Fed CAP for accountability.

Section 6. POLICY DEVELOPMENT ADVISORY COMMITTEE--need this?

(a) **Not later than 180 days after date of enactment of this Act, the Chair of the Fed CAP shall develop uniform policies regarding the reasonable accommodation of employees and job applicants with disabilities, and what constitutes an undue burden or undue hardship as applied to Federal agencies under the Rehabilitation Act. [are there other policy topics that need to be developed?] These policies shall be developed in consultation with people with disabilities and disability rights organizations, as well as the Chair of the National Task Force on Employment of Adults with Disabilities, the Chair of the EEOC, the Attorney General, the Secretary of Transportation, the Chair of the Access Board, the Chair of the Federal Communications Commission, the Chair of the President's Committee on Employment of Persons with Disabilities, and the Chair of the National Council on Disability.**

(b) Covered entities shall adopt the policies developed under this subsection immediately upon their promulgation.

SECTION 7. EVALUATION

(a) The director of the Fed Fed CAP shall collect data and prepare and submit a report to the Task Force or its designated **agency/committee** no later than February 1 of each year. The report shall contain at least the following:

- (1) Outcome accomplished;
- (2) Performance measurements used to measure achieved outcomes;
- (3) Activities;

(4) Supporting statistics for the above, which includes but is not limited to: the number and types of assistive technology and services, the number of requests completely fulfilled, the number of requests partially fulfilled and their reasons, the number of requests denied and their reasons, and the number of agency grievances related to the Fed Fed CAP actions and their issues and outcomes.

(5) Procedures.

Notes:

Words in bold are in question.

Any said entity may substitute for DOD CAP.

Lisa M. Brown @ OVP

 11/30/98 09:16:40 AM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Thomas A. Kalil/OPD/EOP
cc: Sarah A. Bianchi/OPD/EOP
Subject: CAP expansion

Can we talk about the expansion of CAP? We need to decide what the VP can/will say about it at the Task Force meeting on Dec. 14. In fact, can we meet to talk generally about what you think the VP's message should be at the meeting -- I want to make sure we coordinate with you and in particular make sure he doesn't step on the budget issues you are working on since many of them are suggestions of the Task Force. Thanks!

PS Do you have a copy of the letter Judy Heumann at Education sent to Tony Coelho re: CAP expansion? If not, I will route it to you.

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: Re: CAP Program 

First of all, I apologize for the lateness of this reply. With my Director's review and the follow-up from it, I've been pretty busy. As I see it, however, here are 4 possible options, with funding mechanisms, needs, and some thoughts. I will continue to flesh this out, if need be - please let me know which option you might wish to pursue.

-Jeff

There are several options for funding CAP:

1) CAP revolving fund

In this option, We put seed money into a fund at DoD which buys items, then sells them with a surcharge to keep the fund at breakeven (including administrative expenses).

Requires: Legislation
 Seed money
 Agency acceptance and willingness to pay surcharge to cover costs

Funding: CAP gets initial funding; each Agency gets additional funding.

2) CAP as executive agent

In this option, CAP buys items upon receipt of a funded request from an agency. I think they can already do this, if Agencies are willing. CAP probably doesn't currently have the staff to do this, and would have to be increased. This option is similar to Option 4, but there would be no "tax" on agencies - it would be voluntary purchases.

Requires: Agency buy-in.
 Agency funding.
 Probable increase in CAP staff.

Funding: CAP funding increase; each agency responsible for additional funding

3) DoD pays government-wide costs

In this option, the CAP program would receive a larger appropriation, sufficient to provide free service to all other agencies. Under current law, this is not allowed.

Requires: Legislation
 DoD willingness to fund and recognition that there may be cost absorption.

Funding: DoD receives additional funding.

4) Agencies fund additional CAP resources through mandatory "tax"

Agencies would pay DoD, according to a formula, amounts sufficient to cover the costs of CAP. All agencies would pay, but agencies who use CAP would receive more benefits, and some agencies will be pay but not receive any services.

Requires: Agency conceptual buy-in (very difficult, as many will not use service)
Agency ability to fund
Legislation

Funding: Agencies

Lisa M. Brown @ OVP


▲ 11/17/98 05:12:57 PM

Record Type: Record

To: Thomas A. Kalil/OPD/EOP
cc: cynthia a. rice/opd/eop
bcc:
Subject: Re: Disabilities tech. initiative 

At the inter-agency meeting on the expansion of CAP last week, Education and GSA were surprisingly hostile to the concept of expanding CAP. DOD did a TERRIFIC presentation of CAP. Although govt-wide provision of their services will certainly be more difficult, their "can-do" attitude was just what one wants in such a program and they already have a lot of experience with a large number of varied requests all over the country. Tony Coelho, co-chair of the Pres Task Force on Employment of People with Disabilities, made it abundantly clear that he supports the expansion of CAP. The CAP Director expressed willingness to work with agencies, so they could continue to process requests for accommodations under their own procedures as they have been doing, only coordinating with CAP for equipment and training.

There was some concern expressed that agencies currently doing good work in the area would cut back on their effort (and \$) if CAP was expanded. This is a legitimate concern to be addressed, but it strikes me that it is more important to launch a program that will help employees in the larger number of agencies that are not doing enough and will not do enough if the program is funded agency by agency. Indeed, it was emphasized that the agencies remain legally responsible for making reasonable accommodations generally and there a number of key items that are not covered by CAP (systems integration, making agency programs accessible, training the agency installers of equipment, and non-equipment related accommodations), which should help them protect their budgets and programs.

So . . . it seems to me that we should be able to work out some combination of an expanded CAP in coordination with other agency programs. I worry that a decentralized program will not come close to the same results.

Thomas A. Kalil @ EOP



Thomas A. Kalil @ EOP

11/17/98 04:12:37 PM



Record Type: Record

To: Cynthia A. Rice/OPD/EOP @ EOP, Lisa M. Brown/OVP
cc:
Subject: Disabilities tech. initiative 

I am continuing to get strong push-back from the

agencies that already have assistive tech programs
on expanding CAP even if it is optional rather than
mandatory.

I am challenging them to come up with an alternative
that achieves the same objectives but is decentralized.

Let me know if you have any thoughts.



Cynthia A. Rice

11/08/98 10:30:02 PM

Record Type: Record

To: Jeffrey D. Goldstein/OMB/EOP
cc: Thomas A. Kalil/OPD/EOP
Subject: RE: Question re: CAP

The attachments provide the Task Force's reponse to the Kalil memo I sent you. As you can see, they recommend a revised description of CAP, which would make it a voluntary alternative for agencies. What do you think of that? I think it would be difficult to push mandatory if the President's Task Force is recommending voluntary. What do you think? How are the cost estimates coming along?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 11/08/98 10:28 PM -----



Ogle Becky <ogle-becky@dol.gov>
11/02/98 08:48:46 AM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: RE: Question re: CAP

Okay, now for the response time. As I stated earlier, we have been working on exploring a viable proposal for CAP that has taken many shapes, forms and dimensions given the variety of players we have brought into to share their opinions. You thought BRIDGE was bad, well you should have been a fly on the wall for some of the discussions around the variety of ways to expand CAP, eliminate CAP, blow up CAP, whatever. Turf wars abound in this discussion, but can be overcome. Below is a sampling of what we've found to be the case:



- Kalil.wpd



- Kalil2.wpd

from
Bakery Ogle

General Comments

Overall, these elements appear to go well together because of the coordination that can occur among them. In addition to those already stated in the memo, another example would be the expanded CAP serving as a model and vehicle for carrying out Section 508 standards. The technology expertise of CAP and other agency assistive technology programs should be coordinated and shared.

Specific Comments

Element 1b: Expanding the Defense Department's CAP Program

Caveat

Current agency assistive technology programs would object strongly to an expanded CAP program, unless they are assured that an expanded CAP would be an additional source of funding and provider. As an additional resource center serving the entire government, those agencies without the money, the will and the expertise would have a useful resource to go to for equipment, consultation, technical assistance, and etc. Agency's disincentive to hiring persons with disabilities because of any lacking is broken. Please see attached matrix of pro's and con's.

Clarification on Language

The existing paragraph talks about CAP making decisions on what equipment is purchased, not the employee. To clarify, CAP does not necessarily make the decision, but does assess the needs of the employee, then procure equipment according to their staff of experts.

I would suggest the following description of the CAP Program:

The goals of making a model accommodation program that provides assistive technology, related services and expertise available to the entire federal government are:

- to sever agency management's disincentive to not hire persons with disabilities because of the lack of funding, expertise, and knowledge; and
- to provide job accommodation to federal employees and job applicants with disabilities effectively and efficiently; therefore allowing employees with disabilities to produce at their highest levels; and
- to compel technology manufacturers to incorporate universal design principles through government procurement.

A federal best practices program such as the Defense Department's Computer/Electronic Accommodations Program ("CAP") will serve these goals well as an excellent voluntary alternative for agencies. The ultimate reasonable accommodation decision lies with the agencies.

CAP assesses employees' needs, purchases equipment and provides accommodation services using a central \$2.5 million fund for such purchases. CAP has a high-tech showroom that demonstrates and allows employees to test advanced and appropriate adaptive devices. Since its inception in 1990, this program has provided over 9,000 accommodations such as computers for the blind that talk and listen, and alternative computer keyboards for people with dexterity problems.

The Administration's appointees with disabilities, especially Tony Coelho, the Chair of the President's Committee on Employment of People with Disabilities strongly supports such a centrally funded, government-wide program.

Question 4. Management Structure for The Initiative

Currently, there are informal and haphazard networks of technology for persons with disabilities; however, no structured network exists. The Task Force would be willing to take the lead and coordinate a more structured and regularly-meeting interagency group.

2. Investing in R&D, technology transfer, and “one-stop” demonstration centers for accessible technologies

- Set up an interagency group independently or under Task Force, PCEPD, ?
- Provide a way to collect and evaluate the successes of assistive technology and accommodations in the federal workforce.?

The coordination of demonstration centers and an expanded CAP would be excellent.

PRO'S & CON'S OF CAP FEATURES

Central Point of Contact

Centralized Responsibilities		Decentralized Responsibilities/As Is	
+ <ul style="list-style-type: none"> • no disincentive for agency and mgmt to not hire persons with disabilities • expertise • bulk savings • leverage procurement power for universal design • remove barriers for employees 	- <ul style="list-style-type: none"> • possible delays • lack of knowledge in individual agency's applications/information technology systems • more bureaucratic layers • possible agency disengagement policy-wise 	+ power closer to the employees	- <ul style="list-style-type: none"> • agencies' lack of knowledge in individual offices/divisions' applications/information technology systems • some agencies lack of expertise • employee's individual negotiating power • approval process & knowledge varies widely depending mostly on supervisor • employee needs to complain to get what one wants

Responsibilities

Mostly Procurement Approach		Integrated System	
+ <ul style="list-style-type: none"> • preserve agency's current assistive technology programs 	- <ul style="list-style-type: none"> • supervisor with shallow understanding of the employee's needs & ability to contribute 	+ <ul style="list-style-type: none"> • educational opportunity • change uninformed attitudes of management • partner between management & persons with disabilities; turn both into "owners" 	- <ul style="list-style-type: none"> • too many programs that tried this approach did not work

Mostly-Procurement Approach

- CAP could assist in the selection of any equipment, including technology, that would be part of the reasonable accommodations given to the employee/applicant;
- The CAP would purchase the requested equipment for the employee/applicant;
- The CAP could assist in the ongoing effort to re-evaluate the appropriateness of specific accommodations with available technology changes;
- Either the employee/applicant or his/her supervisor may contact the CAP for accommodation requests and information;
- The CAP would provide training to the requesting employee or supervisor on the use of the technology provided to the employee;
- The CAP would disseminate information government-wide on its services;
- The CAP would have its demonstration center available to everyone.

Integrated Approach

- Responsibilities under the Mostly-Procurement Approach, plus:
- The CAP would help educate the employee/applicant and supervisors about whether the employee/applicant has a disability;
- The CAP would help educate the employee/applicant and supervisors about what reasonable accommodations are required by law;
- The CAP would help mediate any dispute that arise between the employee/applicant and supervisor, while leaving it to them to ultimately work together to accomplish the common goal of full productivity of the employee/applicant;
- The CAP would provide sign-language interpreters for training that are more than two days.



Gary Strong <gstrong@nsf.gov>
11/05/98 08:46:12 AM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: Re: New draft of memo on "universal access"

Tom: As you suggest, the "right management structure" for this is critical if it is to be successful. While I would like to suggest that NSF play a role of management in light of the PITAC interest in NSF leadership, the better approach may be just what you've already done to get this started, with some modification. I suggest that it start out, if approved, as a partnership overseen by a committee of agency representatives and WH representatives. It could fit within both HuCS and FISAC, but would get lost there, I think. It is better as a working group that reports to both. Therefore, having the existing Universal Access working group, currently chaired by Susan Turnbull and myself, be the oversight management committee is my best recommendation.

- Gary

At 12:31 PM -0500 10/30/98, Thomas_A._Kalil@opd.eop.gov wrote:

> (See attached file: CURBCUTS.O28)

>

> Attached is a new version of the memo on a
> "universal access" initiative for the President's
> FY2000 budget.

>

> Could I get comments by COB Monday?

>

> I don't have e-mail addresses for Becky Ogle -
> can someone forward this to her?

>

> Questions and comments:

>

> 1. Cynthia -- where in the budget would we put
> funding for the expanded CAP program?

>

> 2. Kate -- I combined the tech transfer & demo center
> into one program because I think they are closely
> related - with funding of \$8 million/year.

>

> 3. Carol -- do you think it makes sense to have
> an "ed tech" component to this?

>

> 4. For everyone -- If this got funded -- what is
> the right management structure for this initiative?



Thomas A. Kalil

10/30/98 12:31:48 PM



Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: New draft of memo on "universal access"



CURBCUTS.

Attached is a new version of the memo on a "universal access" initiative for the President's FY2000 budget.

Could I get comments by COB Monday?

I don't have e-mail addresses for Becky Ogle - can someone forward this to her?

Questions and comments:

1. Cynthia -- where in the budget would we put funding for the expanded CAP program?
2. Kate -- I combined the tech transfer & demo center into one program because I think they are closely related - with funding of \$8 million/year.
3. Carol -- do you think it makes sense to have an "ed tech" component to this?
4. For everyone -- If this got funded -- what is the right management structure for this initiative? Is there an existing inter-agency organization that we could use?

Thanks for your help on this - I am happy to pull together another meeting if people think it would be useful.

Tom Kalil
kalil_t@a1.eop.gov

Message Sent To:

mlesk @ nsf.gov @ inet
gstrong @ nsf.gov @ inet
kate_seelman @ ed.gov @ inet
Susan.brummel @ gsa.gov @ inet
Cynthia A. Rice/OPD/EOP
Lisa M. Brown/OVP @ OVP
Audrey Choi/OVP @ OVP
Jonathan Travers/OMB/EOP
Lewis W. Oleinick/OMB/EOP
Jeanne Lambrew/OPD/EOP
Cecilia E. Rouse/OPD/EOP
Carol_Cichowski @ ed.gov @ inet

October 28, 1998

MEMORANDUM FOR

FROM: TOM KALIL

RE: "Curbcuts on the Information Superhighway"

Summary: This memo proposes a Presidential initiative to accelerate the development and adoption of information and communications technologies that can be easily used by the 55 million Americans with disabilities. The key idea is that technology should be designed from the beginning to be accessible to people with disabilities, which is referred to as "universal design." If technology is accessible, this will significantly improve the quality of life for people with disabilities, enhance their ability to participate in the workplace, and make them full participants in the Information Society. However, if information technology is not accessible, Americans with disabilities could be even more isolated. Presidential leadership is needed to make information technology accessible to all Americans.

Possible elements of the initiative

1. Leveraging the government's procurement power to promote accessible technologies

a. Enforcing Section 508

- The President has signed legislation that strengthens Section 508 of the Rehabilitation Act. The new Section 508 will require federal agencies to ensure that both employees and members of the public seeking government services "have access to and use of information and data" that is equivalent to people without disabilities.
- Strengthening Section 508 would encourage private sector companies that want to sell to the government to make their products more accessible to people with disabilities.
- The Access Board would be charged with developing the standards for accessible technology, and these standards would be incorporated into federal procurement regulations. As part of their FY2000 budget submission, they have requested an additional resources to support this new responsibility.

Cost: \$1 million/year for 5 years. Access Board.

b. Expanding the Defense Department's CAP program

The Defense Department's Computer Accommodations Program ("CAP") purchases equipment for DOD employees with disabilities to allow them to keep working if they become disabled, or for new employees just joining the workforce. By using a central \$2 million fund for such purchases, individual offices do not have to bear the cost within their own budgets, and are less likely to be deterred from hiring a person with a disability. CAP is also able to get better prices on equipment through its bulk purchases and expertise. It has a showroom to help employees try out appropriate adaptive devices (CAP makes the decision on what equipment is purchased, not the employee). It has provided over 9,000 accommodations since its inception in 1990. This program is a good example of how employers and employees are taking advantage of new (and increasingly cheap) technology, such as computers for the blind that talk and listen, and alternative computer keyboards for people with dexterity problems, that allow people with disabilities to work. Expanding the program has the strong support of the Administration's appointees with disabilities, in particular for Tony Coelho, chair of the President's Committee on Employment of People with Disabilities.

Cost: \$10-\$25 million over five years. [Which agency?]

2. Investing in R&D, technology transfer, and "one-stop" demonstration centers for accessible technologies

- The Administration could expand its investment in R&D and technology transfer that would improve the accessibility of information technology. Currently, the National Science Foundation and the National Institute on Disability and Rehabilitation Research (NIDRR) collectively invest several millions of dollars per year [check] in this area.
- The National Science Foundation would take the lead in funding the longer-term research. NIDRR would take the lead in supporting technology transfer and demonstration activities.

a. Longer-term research

- The primary goal would be to develop technology that allows people with disabilities to interact with computers, telecommunications equipment, and information services in a way that is convenient for them. This might mean supporting R&D for:
 - Improved speech recognition technology or "eye-tracking" technology for people who can't use a keyboard;
 - "Text-to-speech" or "dynamic braille" for people who are blind;

- Automatic captioning of multimedia or audio for people who are deaf;
- A device that recognizes American Sign Language and translates it to speech or text in real-time;
- Collaboration software that is so good that participants can't tell whether someone in their "virtual" group has a disability;
- The electronic equivalent of a "seeing eye dog";
- "Tactile" access to graphical information for people who are blind or low vision;
- Graphical user interfaces or operating systems that are usable by people who are blind or low-vision; and
- Storing information so that it can be displayed in multiple formats, depending on the needs of the user.

Cost: \$5 million in FY2000, rising to \$10 million in FY2004, ~ \$35 million over 5 years. National Science Foundation. [Note that research in this area is being considered as part of a broader "information technology" research initiative.]

b. Technology Transfer/One-stop demonstration centers

- Develop "road-maps" for accessible information and communications technology, based on input from industry, researchers, and disabilities community.
- Expand support for academic researchers and Rehabilitation Engineering Research Centers so that they can work with companies to (upon request) transfer the results of research on universal design and accessibility into upcoming products.
- Identify technologies that may have been developed for other purposes in National Labs or by other federally-supported research and demonstrate their applicability for accessibility. Partner with other organizations such as the Federal Laboratory Consortium.
- Fund several demonstration centers where people will be able see, touch, compare and learn about information and communications hardware/software that has been designed to be accessible. The centers would also demonstrate research prototypes of software and hardware. Center personnel would also have a mandate to conduct outreach to industry and trade shows. At least one of the centers would be located in D.C. - possibly coordinated with the expanded CAP program.

Cost: \$8 million/year. NIDDR.

3. Developing an "Underwriters Laboratory" for accessible technologies

- The government could provide start-up funding to a private sector organization -- analogous to the Underwriters' Laboratory -- that would test information & communications technologies to see if they are accessible.
- Benchmarking results would be made available on the World Wide Web. Again, this would improve the market for accessible technology, and make it easier for government agencies and other purchasers to buy accessible technology.
- Eventually, this would be self-supporting from user fees.

Cost: \$2 million/year. General Services Administration.

4. Education and training for universal design

- The government could provide grants to universities that develop curriculum on universal design. These courses, which would be offered in traditional classroom settings and using distance learning technologies -- would train hardware and software engineers to develop products that are accessible.

Cost: \$1 million/year. National Science Foundation.

5. Industry consortia for accessibility

- Last year, President Clinton endorsed the Web Accessibility Initiative, which was funded by industry, the National Science Foundation, the National Institute on Disability and Rehabilitation Research, and the European Community. The Web Accessibility Initiative is working to make the Web accessible for people with disabilities by:
 - Making sure that the evolving Web standards are developed with accessibility concerns in mind;
 - Developing guidelines for accessible Web sites and Web browsers;
 - Raising awareness among people who develop Web sites and Web software about the importance of the accessibility issue.
- The Web Accessibility Initiative was regarded as a significant step forward by the

disabilities community because it gave them an opportunity to work cooperatively with industry, and to address accessibility concerns from the very beginning.

- The government could provide matching funds for industry consortia that would work to make other technologies accessible, such as interactive television, small, hand-held computers, and cellular phones.

Cost: \$4 million/year. NIDDR.

6. Tax incentives

- The Treasury Department is examining the proposal to allow a credit of 50 percent of the first \$10,000 of impairment-related work expenses for people with disabilities. These expenses, in general, are for attendant care services at work and other expenses necessary to be able to work, but should include assistive technology. This credit would help expand the market for accessible technology.



Cynthia A. Rice

11/01/98 08:24:56 PM

Record Type: Record

To: Jeffrey D. Goldstein/OMB/EOP

cc: Thomas A. Kalil/OPD/EOP, Cecilia E. Rouse/OPD/EOP, Lewis W. Oleinick/OMB/EOP

Subject: CAP Program

Jeff -- as we discussed, there is real interest in expanding the CAP program. You noted that we would need statutory authorization for DOD to take on this role. The additional funding could be proposed in the DOD budget in order to hold them harmless for the additional costs of providing these services to other agencies. Could you write up a bit more about how we could do this and how much it might cost?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 11/01/98 08:18 PM -----



Thomas A. Kalil

10/30/98 12:31:48 PM



Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: New draft of memo on "universal access"



CURBCUTS.

Attached is a new version of the memo on a "universal access" initiative for the President's FY2000 budget.

Could I get comments by COB Monday?

I don't have e-mail addresses for Becky Ogle - can someone forward this to her?

Questions and comments:

1. Cynthia -- where in the budget would we put funding for the expanded CAP program?
2. Kate -- I combined the tech transfer & demo center into one program because I think they are closely



Cynthia A. Rice

11/01/98 08:41:32 PM

Record Type: Record

To: ogle-becky @ dol.gov @ inet
cc: Cecilia E. Rouse/OPD/EOP
Subject: Question re: CAP

We're working on getting a CAP expansion into the proposed budget. Were you picturing that CAP would be made available to all the other agencies or that all the other agencies would be required to use CAP?

Where is OPM on this?

I understand that the Task Force, at least the section 2 subcommittee, does not want to mandate agencies pay into the CAP fund based on the number of people with disabilities they hire.



Cynthia A. Rice

11/01/98 08:36:29 PM

Record Type: Record

To: Thomas A. Kalil/OPD/EOP
cc: Cecilia E. Rouse/OPD/EOP
bcc: Records Management
Subject: Re: New draft of memo on "universal access" 

I had a long talk with the OMB DOD who works on CAP, Jeffrey Goldstein. He said it probably makes sense to increase DOD's budget to hold them harmless for the cost of providing CAP services to other agencies (although some may argue why not have OPM take over this function, we both think that since the CAP program was a center of excellence it makes sense not to move it).

He said the real question we have will be whether to pay for this increase in DOD's budget though a "head-tax" on all the other agencies, i.e., reduce other agencies admin budget line on a per person basis. This relates to the question of whether we want to make CAP available to other agencies or require other agencies to use CAP. I'm going to consult with the Becky Ogle et. al. regarding this issue.

Goldstein suggested I send him an email so he can show his bosses we're interested and that he would work on more detailed funding options.

Thomas A. Kalil



Thomas A. Kalil

10/30/98 12:31:48 PM



Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: New draft of memo on "universal access"



CURBCUTS.

Attached is a new version of the memo on a "universal access" initiative for the President's FY2000 budget.

Could I get comments by COB Monday?

Jeff Goldstein

- DOD could have reimbursable contract w/ other agency

(But a lot of agencies might not do it)

- 40%

- ① Appropriation to DOD
→ would need authorization to do this ^{pay for other agency}
→ admin expenses
→ then pro-rata share other agencies would contribute

~~Send Jeff Goldstein email~~

→ could do EO in concert

Key question

↳ will we force agency to pay
when they don't use it

→ Could give a bump up to CAP

→ or move CAP to OPM

- Do we make it mandatory or discretionary
for agencies

→ If man what about agencies
don't use it

→ If disc, how do we get agencies
to do it?

- Where should it be housed?

- DOD gets an increase in its budget
"bump up top-line"



→ paid for by ^{hard} tax on other agencies

- Need approp agencies authorizing them

→ goes to DOD

- award winning

- held down

→ mandatory

 **Lori Schack**

10/20/98 06:09:57 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc: Larry R. Matlack/OMB/EOP
bcc:
Subject: Re: Disabilities tech initiative 

S-4571
National Security

1. I have not received draft language from Becky for CAP. Jeff Goldstein is the examiner who handles the CAP program. He would have the budget information on the program. I'd recommend talking to him about implications for going government-wide.

2. As for the tech initiative signing statement, try the Legislative Reference Division, they handle signing statements. I don't know which analyst would be handling it.
Cynthia A. Rice



Cynthia A. Rice

10/20/98 05:45:05 PM

Record Type: Record

To: Lori Schack/OMB/EOP@EOP
cc:
Subject: Disabilities tech initiative

Can you help?

Re: CAP-- I was planning to call DOD to discuss this, but haven't done so yet. In the meantime, did you get draft language from Becky? Have you this costed out?

And who could we ask about the tech initiative signing statement?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 10/20/98 05:45 PM -----



Thomas A. Kalil

10/20/98 02:06:01 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: Disabilities tech initiative



 Lori Schack

10/20/98 06:09:57 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc: Larry R. Matlack/OMB/EOP
bcc:
Subject: Re: Disabilities tech initiative 

1. I have not received draft language from Becky for CAP. Jeff Goldstein is the examiner who handles the CAP program. He would have the budget information on the program. I'd recommend talking to him about implications for going government-wide.

2. As for the tech initiative signing statement, try the Legislative Reference Division, they handle signing statements. I don't know which analyst would be handling it.
Cynthia A. Rice



Cynthia A. Rice

10/20/98 05:45:05 PM

Record Type: Record

To: Lori Schack/OMB/EOP@EOP
cc:
Subject: Disabilities tech initiative

Can you help?

Re: CAP-- I was planning to call DOD to discuss this, but haven't done so yet. In the meantime, did you get draft language from Becky? Have you this costed out?

And who could we ask about the tech initiative signing statement?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 10/20/98 05:45 PM -----



Thomas A. Kalil

10/20/98 02:06:01 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: Disabilities tech initiative



Cynthia:

Time to gear up for FY2000 initiatives!

I have 2 questions for you.

1. Have you been able to identify someone who can price the cost of extending CAP to the other agencies - and write a few paragraphs on it?
2. Is there someone at OMB who can tell us when the Congress will send us the Tech Act reauthorizatin and do a signing statement?

July 28, 1998

MEMORANDUM FOR GENE SPERLING

FROM: TOM KALIL

CC: CECILLIA ROUSE, JEANNE LAMBREW, JON KAPLAN

RE: "Curbscuts on the Information Superhighway"

Summary: This memo proposes a Presidential initiative/event to accelerate the development and adoption of information and communications technologies that can be easily used by the 55 million Americans with disabilities. The key idea is that technology should be designed from the beginning to be accessible to people with disabilities, which is referred to as "universal design." If technology is accessible, this will significantly improve the quality of life for people with disabilities, enhance their ability to participate in the workplace, and make them full participants in the Information Society. However, if information technology is not accessible, Americans with disabilities could be even more isolated. Presidential leadership is needed to make information-technology accessible to all Americans.

Event:

- President sees demonstrations of accessible technology.
- Speaking program:
 - Person from disabilities community discusses importance of accessibility.
 - Industry leader discusses commitment of private sector to make progress in this area (e.g. member of Task Force)
 - President makes policy announcement.

Next steps

- If you are comfortable with the outlines of the proposal, I will work to coordinate this on an inter-agency basis. It will have FY2000 budget implications, however.

① Direct + AG Review; direct (OMB to draft)
~~OPPP~~ - Dec Lee - issue memorandum

18 mo. Access Board est - funding request
6 mo. FAR turn them into reqs

Possible elements of the initiative

1. Leveraging the government's procurement power to promote accessible technologies

? Resources for CSA office
? Resources for Access Board
→ Dept of Ed will contact

The Administration has been supporting amendments that would strengthen Section 508 of the Rehabilitation Act as part of the "GI-Bill." The new Section 508 would require federal agencies to ensure that both employees and members of the public seeking government services "have access to and use of information and data" that is equivalent to people without disabilities. The Access Board would be charged with developing the standards for accessible technology, and these standards would be incorporated into federal procurement regulations.

who (a) Justice - Fair accessible technology is? 6 mo review

- Strengthening Section 508 would encourage private sector companies that want to sell to the government to make their products more accessible to people with disabilities.

→ supports public → for employees

Takes effect 2 YRS (must develop steps)

2. Investing in R&D and testbeds for accessible technologies

- The Administration could expand its investment in R&D that would improve the accessibility of information technology. Currently, the National Science Foundation and the National Institute on Disability and Rehabilitation Research (NIDRR) collectively invest several millions of dollars per year [check] in this area.

invest several millions of dollars per year [check] in this area. ① public/private demonstration centers (3 @ \$1m ea) - 2) Rapid Response (attach to TRACE) - 3) Tech Transfer (2-10 mtoys)

- The primary goal would be to develop technology that allows people with disabilities to interact with computers, telecommunications equipment, and information services in a way that is convenient for them. This might mean supporting R&D for:

Next step
① How much?

- Improved speech recognition technology or "eye-tracking" technology for people who can't use a keyboard;
- "Text-to-speech" or "dynamic braille" for people who are blind;
- Automatic captioning of multimedia or audio for people who are deaf;
- A device that recognizes American Sign Language and translates it to speech or text in real-time;

NSF will do \$1-2 mil/yr in FY 1999
Wants \$5 mi in FY 100

Let's put down \$5-\$10

→ CAP expansion

- Graphical user interfaces or operating systems that are usable by people who are blind or low-vision; and
- Storing information so that it can be displayed in multiple formats, depending on the needs of the user.

→ get DOE National Labs involved

NTIS @ Commerce also interested

mobile computing has defense + other applications (CAP has used some)

→ How much at least \$?

NS = feel out industry

Canadian has tried similar they had resistance from private sector

3. Developing an "Underwriters Laboratory" for accessible technologies

GSA \$2mi

- The government could provide start-up funding to a private sector organization -- analogous to the Underwriters' Laboratory -- that would test information & communications technologies to see if they are accessible. Again, this would improve the market for accessible technology. *conformance testing for regs*
- Eventually, this would be self-supporting from user fees.

4. Education and training for universal design

NSF

- The government could provide grants to universities that develop curriculum on universal design. These courses, which would be offered in traditional classroom settings and using distance learning technologies -- would train hardware and software engineers to develop products that are accessible. *training next generation of engineers*

and re-training for currently employed engineers

5. Industry consortia for accessibility

have market = AIAA
will do one page

- Last year, President Clinton endorsed the Web Accessibility Initiative, which was funded by industry, the National Science Foundation, the National Institute on Disability and Rehabilitation Research, and the European Community. The Web Accessibility Initiative is working to make the Web accessible for people with disabilities by:
 - Making sure that the evolving Web standards are developed with accessibility concerns in mind;
 - Developing guidelines for accessible Web sites and Web browsers;
 - Raising awareness among people who develop Web sites and Web software about the importance of the accessibility issue.
- The Web Accessibility Initiative was regarded as a significant step forward by the disabilities community because it gave them an opportunity to work cooperatively with industry, and to address accessibility concerns from the very beginning.
- The government could provide matching funds for industry consortia that would work to make other technologies accessible, such as interactive television, small, hand-held computers, and cellular phones.

could decide through application process

Check w/ Treasury

6. Tax incentives

- The Treasury Department is examining the proposal to allow a credit of 50 percent of the first \$10,000 of impairment-related work expenses for people with disabilities. These expenses, in general, are for attendant care services at work and other expenses necessary to be able to work, but should include assistive technology. This credit would help expand the market for accessible technology.

~~Q =~~

Coren / Q = Does this replace credits for health expenses already in tax code?

7. → Need to discuss procurement + CIOs
 Dee Lee (official of procurement policy)
 new lead

8. CAP program Gajis language will budget
 → announce in Nov that he will include in budget

9. Challenge to private sector

10. IDEA? new ideas

Constance J. Bowers

09/14/98 05:51:43 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc: See the distribution list at the bottom of this message

Subject: LRM CJB279 -- Draft SAP on S. 2432 -- Assistive Technology Act

PLEASE REVIEW THE DRAFT STATEMENT OF ADMINISTRATION POLICY BELOW AND PROVIDE ANY COMMENTS BY:

2:00 P.M., TUESDAY, SEPT. 15, 1998

LRM ID: CJB279

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Monday, September 14, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Janet R. Forsgren (for) Assistant Director for Legislative Reference

OMB CONTACT: Constance J. Bowers
PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: Statement of Administration Policy on S2432 Assistive Technology Act of 1998

DEADLINE: 2:00 p.m. Tuesday, September 15, 1998

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: The Senate is expected to consider this bill, under unanimous consent, as early as this week.

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Danny Werfel
Janet Forsgren
James Jukes

DRAFT -- NOT FOR RELEASE

September 14, 1998

(Senate)

S. 2432 - Assistive Technology Act of 1998
(Jeffords (R) VT and 9 others)

The Administration supports passage of S. 2432, which would replace the Technology-Related Assistance for Individuals with Disabilities Act with a series of grants that the Department of Education would issue to States in order to improve access to assistive technology for people with disabilities. As we move into the 21st Century, it is important that Federal and State policies promote the design of products and environments that are readily useable by all Americans, including individuals with disabilities.

Pay-As-You-Go Scoring

[S. 2432 would affect direct spending; therefore, it is subject to the pay-as-you-go requirement of the Omnibus Budget Reconciliation Act of 1990. Because the reauthorization does not change mandatory spending calculations from current law, OMB estimates that the net pay-as-you-go effect would be zero.]

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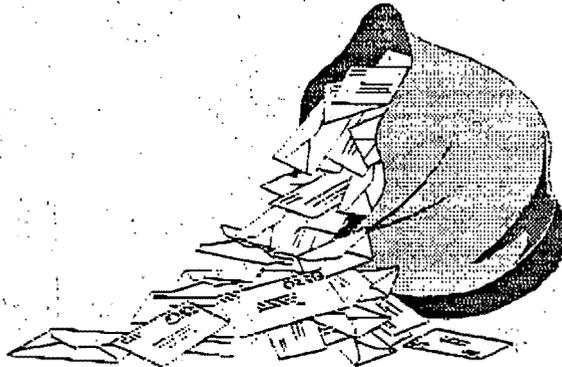
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OFFICE OF MANAGEMENT AND BUDGET

*Legislative Reference Division
Labor-Welfare-Personnel Branch*

Telecopier Transmittal Sheet

FROM: Melissa Benton

395-7887

DATE: 9/11/98TIME: 2:25

Pages sent (including transmittal sheet): _____

COMMENTS:

FYI, ED's comments on S. 2432

TO:

Cynthia Rice
Jonathan Travers
Tom Kalil

PLEASE CALL THE PERSON(S) NAMED ABOVE FOR IMMEDIATE PICK-UP.

Memorandum:

September 10, 1998

TO: Ms. Melissa Benton, OMB

FROM: Ms. Jennifer Orzechowski and Mr. Randy Hansen

SUBJECT: S.2432, the "Assistive Technology Act of 1998"

This will respond to your request for the Department's views on S. 2432. S. 2432 would replace the expiring "Technology-Related Assistance for Individuals with Disabilities Act" (the "Tech Act") with a new authority that would authorize grants to States to continue to assist them in increasing the access of individuals with disabilities to assistive technology devices and services and related national activities. This bill has bipartisan support in the Congress and among the advocacy groups nationwide, and is "hotlined" for passage. While we find some of the bill problematic and would have liked to have had more time to work with the Congress in perfecting the legislation, on balance, we support the bill as the best chance to reauthorize these important activities in this, and perhaps the next, Congress.

The existing Tech Act expires at the end of fiscal year 1998 (1999 with the one-year GEPA extension). To date, only 9 States have received the full 10 years of funding contemplated under the expiring Tech Act and 45 States and territories are in the process of receiving funding. The Senate bill would allow all these States to continue to receive support, including States that have received 10 years of funding. The bill would authorize all States to receive core grants under one of two authorities and would also provide for competitive grants to States.

The following discussion focuses on those areas of the bill that are problematic. Some of these problems may lend themselves to administrative and regulatory solutions. For some of these problems, we may want to consider legislative solutions in the next Congress.

Title I--State Grants Programs

The Department supports continued funding, even for States that have received 10 years of funding, because individuals with disabilities still face considerable barriers to accessing technology. In addition, there are new challenges to be faced as service delivery systems change (e.g., managed care) and technology advances.

Were there time and opportunity, we believe that the State grant programs authorized by the Senate bill could be improved in a number of ways.

First, we believe that States that have not yet received 10 years of funding under the existing

Tech Act should be required to carry out the programs for which they received approval for funding under the Tech Act. The Senate bill would allow these States to apply for funding under a new authority in fiscal year 2000 and abandon the projects they proposed to conduct under the Tech Act.

Second, the bill would authorize continued funding for States that have completed 10 years of funding without challenging them to look to the future. Mandatory activities would include: interagency coordination, a statewide information and referral system, a public awareness program, systems change activities (referred to in the Senate bill as "capacity building and advocacy activities"), and technical assistance and training—all activities that States were required to support under the expiring Tech Act. The Department would have preferred that the bill build upon the existing program by tying additional funding (beyond the 10 years of funding the State would have already received) to new activities and challenges. In particular, the Department believes that we must promote the application of universal design principles to the built environment, telecommunications, and transportation. For example, we would have preferred that all States be required, as a condition of continued funding after 10 years of funding under the current Tech Act, to support the development and implementation of State policies for the procurement of accessible information technology and telecommunications that incorporate the principles of universal design. We believe that we can no longer afford to retrofit systems with costly equipment or to eliminate barriers after creating them. We must design systems that are flexible enough to accommodate the broadest range of users regardless of age or disability.

Third, the bill would allow for different agencies to apply on behalf of the State for the various State grants and would allow applications from such entities as institutions of higher education and individuals. We would have preferred that the Governor designate a single agency as the lead under both the formula and competitive grant programs and that this agency be a State agency with the experience and ability to provide leadership in developing and implementing State budget, legislative, and regulatory policy related to assistive technology, including policy related to the procurement of electronic and information technology by State agencies and the incorporation of the principles of universal design in the State infrastructure. We have been concerned about the ability and motivation of some of the agencies that have served as the lead agencies under current law to provide the kind of leadership that is needed to coordinate and reform State policies and procedures that affect the provision of and funding for assistive technology and to promote the incorporation of principles of universal design into the State infrastructure.

Finally, the bill would mandate that some of funds earmarked for technical assistance be used to establish a national public Internet site. This requirement, which is very detailed, could interfere with the Department's ability to carry out other needed technical assistance activities.

None of these flaws, however, warrant risking not being able to continue supporting States in their efforts to increase access of individuals with disabilities to assistive technology devices and services.

Applicability of Section 508 to States

The Department supports the provision in the State Challenge Grant program that would require each State participating in that program and any subrecipient of funds provided to the State under that program to have procurement policies and procedures in place that are consistent with the objectives, complaint procedures, and standards of section 508 of the Rehabilitation Act. We interpret this language to require all State agencies as well as grantees and subgrantees under the Assistive Technology Act to comply with the standards for accessible information technology that will be published by the Access Board.

Title II--National Activities

This title would amend authorities in other acts, including the authorities for National Institute on Disability and Rehabilitation Research and the Access Board in the Rehabilitation Act, and authorize other discretionary activities.

We do not support the changes to the NIDRR authority that would earmark funding appropriated for Title II for joint research projects recommended by the Interagency Committee on Disability Research and administered by the respective agencies of at least two members of the Committee. The agencies represented on the Committee currently enter into interagency agreements when it is desirable to jointly support projects being conducted by one of the agencies. It is unnecessary to prescribe how projects in the area of technology will be coordinated and to require joint administration of research projects on technology, which will be unnecessarily cumbersome.

While we do not object to most of the other discretionary programs that are authorized, the proposed authorities could be improved. For example, we would have liked the training authority to include authority to train individuals in professions other than rehabilitation engineering who have unique knowledge of the built environment, telecommunications, the transportation infrastructure, and consumer products such as architects, home contractors, and manufacturers.

Authorizations of Appropriations for Titles I and II

We also object to the earmarking in the authorization of appropriations for both Titles I and II. For example, in Title I the bill would prescribe how much would be allocated to State grants, grants for protection and advocacy activities, and technical assistance at varying appropriation levels. The Secretary should have the flexibility to allocate funds among authorized activities. In Title II, the bill would earmark funding provided to ED for a variety of activities, including the joint projects to be carried out by the Interagency Committee on Disability Research, which is chaired by the National Institute on Disability and Rehabilitation Research, and for the President's Committee on the Employment of People with Disabilities. The Department objects overall to the earmarking, which interferes with the Secretary's ability to allocate resources to meet identified needs. In addition, the Department does not support allocating ED funds to be administered by an interagency committee or earmarks for entities outside the Department (like

the President's Committee).

Reporting Requirements

The Senate bill would also impose a number of new reporting requirements that the Department does not support.

In Summary

Again, although problematic in some areas, the Department supports the passage of S. 2432 in order to continue funding to States to assist them in increasing the access of individual with disabilities to assistive technology devices and services. We would also recommend that the Administration send a Statement of Administration Policy that supports passage of the the bill.

From: Melissa N. Benton on 09/11/98 01:04:00 PM

Record Type: Record

To: randy_hansen @ ed.gov @ inet, Cynthia A. Rice/OPD/EOP, Jonathan Travers/OMB/EOP, Thomas A. Kalil/OPD/EOP

cc:

Subject: FYI--Justice Comments on S2432, Assistive Technology Act of 1998 (LRM-MNB220)

First, at several points the bill refers to "underrepresented population." That is defined as "a population that is typically underrepresented in service provision, and includes populations such as persons who have low-incidence disabilities, persons who are minorities, poor persons, persons with limited-English proficiency, older individuals, or persons from rural areas." We understand from conversations with staff at the Department of Education that these are intended to be examples of folks who may be underrepresented, but that the language is not intended to create a presumption. We believe that the language should be clarified to reflect that these are examples of groups who may be underrepresented but that there is no presumption.

Second, section 106 (Technical Assistance Programs) requires the establishment by the Federal government of a National Public Internet Site to provide information on assistive technology. Section 106 c(C)(i) requires that the site be designed so "any member of the public may obtain information posted on the site at any time." This seems impossible. As we learned in the last go-round on the Rehabilitation Act Amendments, the technology has not yet been developed that will allow all people, regardless of their disabilities, to access and use the Internet. The language should be changed to reflect that the Government will design the site, to the maximum extent possible, so that any member of the public can access the information at any time.

Finally, in the purposes section, subsection 2 (a)(12), (13), there are a couple of swipes at the Feds (particularly NASA and the Federal Laboratories) for not doing enough and not recognizing "the value of" technology transfer initiatives to individuals with disabilities. We would rather not have that in there, but suppose Congress can "find" whatever it wants.



randy_hansen @ ed.gov (Randy Hansen)
09/11/98 05:04:45 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Jonathan Travers/OMB/EOP, Thomas A. Kalil/OPD/EOP, Melissa N. Benton/OMB/EOP

cc: See the distribution list at the bottom of this message

Subject: Re: FYI--Justice Comments on S2432, Assistive Technology Act

Melissa - Thanks for sending this and the other comments. Let us know if you think we should be doing something with these. I imagine that Pat M. would be willing to clarify some of these things in report language. I don't know how much leeway she has, though, in changing the bill and still getting it through Congress.

Below is our recommendation on a draft SAP:

Statement of Administration Policy - DRAFT 9/11/98

"The Administration supports passage of S. 2432. It is important, especially as we move into the 21st Century, that Federal and state policies promote the design of products and environments that are readily useable by all Americans regardless of their age or functional capability."

Call if you need anything. - Randy

Reply Separator

Subject: FYI--Justice Comments on S2432, Assistive Technology Act of
Author: Melissa_N._Benton@omb.eop.gov at Internet
Date: 9/11/98 1:04 PM

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