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This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Accessibility Standards for Electronic and Information Technology

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of intent to establish advisory committee.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) announces its intent to establish an Electronic and Information Technology Access Advisory Committee (Committee) to make recommendations for accessibility standards for electronic and information technology covered by the Rehabilitation Act Amendments of 1998. The Access Board requests applications for representatives to serve on the Committee.

DATES: Applications should be received by September 23, 1998.

ADDRESSES: Applications should be sent to the Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC 20004-1111. Fax number (202) 272-5447. Applications may also be sent via electronic mail to the Access Board at the following address: wakefield@access-board.gov.

FOR FURTHER INFORMATION CONTACT: Doug Wakefield, Office of Technical and Information Services, Architectural and Transportation Barriers Compliance Board, 1331 F Street, NW., suite 1000, Washington, DC 20004-1111. Telephone number (202) 272-5434 extension 39 (Voice); (202) 272-5449 (TTY).

SUPPLEMENTARY INFORMATION:

Availability of Copies and Electronic Access

Single copies of this publication may be obtained at no cost by calling the Access Board's automated publications order line (202) 272-5434, by pressing 1 on the telephone keypad, then 1 again, and requesting publication N-01 (Electronic and Information Technology Access Advisory Committee notice). Persons using a TTY should call (202) 272-5449. Please record a name, address, telephone number and request publication N-01. This document is available in alternate formats upon request. Persons who want a copy in an alternate format should specify the type of format (cassette tape, Braille, large print, or computer disk). This document is also available on the Board's Internet site (<http://www.access-board.gov/notices/eitaac.htm>).

Background

On August 7, the President signed into law the Workforce Investment Act of 1998, which includes the Rehabilitation Act Amendments of 1998. Section 508 of the Rehabilitation Act Amendments requires that when Federal departments or agencies develop, procure, maintain, or use electronic and information technology, they shall ensure that the electronic and information technology allows Federal employees with disabilities to have access to and use of information and data that is comparable to the access to and use of information and data by Federal employees who are not individuals with disabilities, unless an undue burden would be imposed on the department or agency. Section 508 also requires that individuals with disabilities, who are members of the public seeking information or services from a Federal department or agency, have access to and use of information and data that is comparable to that provided to the public who are not individuals with disabilities.¹

Section 508 was originally added to the Rehabilitation Act in 1986. (29 U.S.C. 794d). It required the Secretary of Education and the Administrator of the General Services Administration to develop and establish guidelines for Federal agencies for electronic and information technology accessibility

and required that such guidelines be revised, as necessary, to reflect technological advances or changes.² Section 508 also required each Federal agency to comply with the guidelines. However, there was no enforcement mechanism to provide for compliance. The changes to section 508 contained in the Rehabilitation Act Amendments of 1998 were designed to strengthen current law.

Access Board Responsibilities

Section 508(a)(2)(A) of the Rehabilitation Act Amendments of 1998 requires the Architectural and Transportation Barriers Compliance Board (Access Board)³ to publish standards setting forth a definition of electronic and information technology and the technical and functional performance criteria necessary for accessibility for such technology. The standards are required to be published by February 7, 2000.

The definition of electronic and information technology is required to be consistent with the definition of information technology in section 5002(3) of the Clinger-Cohen Act of 1996. (40 U.S.C. 1401(3)). Information technology under that law means "any equipment or interconnected system or subsystem of equipment, that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information" by a Federal agency.

In developing its standards, the Access Board is required to consult with

² On January 30, 1991 the General Services Administration issued Bulletin C-8 as part of the Federal Information Resources Management Regulations (FIRMR). In 1996 the FIRMR was eliminated.

³ The Access Board is an independent Federal agency established by section 502 of the Rehabilitation Act (29 U.S.C. 792) whose primary mission is to promote accessibility for individuals with disabilities. The Access Board consists of 25 members. Thirteen are appointed by the President from among the public, a majority of who are required to be individuals with disabilities. The other twelve are heads of the following Federal agencies or their designees whose positions are Executive Level IV or above: The departments of Health and Human Services, Education, Transportation, Housing and Urban Development, Labor, Interior, Defense, Justice, Veterans Affairs, and Commerce; the General Services Administration; and the United States Postal Service.

¹ Section 508 does 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).

various Federal agencies,⁴ the electronic and information technology industry, and appropriate public or nonprofit agencies or organizations, including organizations representing individuals with disabilities. The Access Board is also required to periodically review and, as appropriate, amend the standards to reflect technological advances or changes in electronic and information technology. The General Services Administration and the Access Board are required to provide technical assistance to individuals and Federal departments and agencies concerning the requirements of section 508.

Other Section 508 Requirements

Section 508(a)(3) provides that within six months after the Access Board publishes its standards, the Federal Acquisition Regulatory Council is required to revise the Federal Acquisition Regulation, and each Federal department or agency is required to revise the Federal procurement policies and directives under its control to incorporate the Access Board's standards.⁵

Section 508(a)(4) provides that if a Federal department or agency determines that compliance with the standards imposes an undue burden, any documentation by the department or agency supporting a procurement shall explain why compliance creates an undue burden. Additionally, when it is determined that compliance with the standards imposes an undue burden, the Federal department or agency shall provide individuals with disabilities with the information and data involved by an alternative means of access that allows the individual to use the information and data.⁶

Section 508(a)(6)(A) states that when the Federal government provides access to the public to information or data through electronic and information technology, a Federal department or agency is not required to make equipment available or to purchase equipment at a location other than that where the electronic and information technology is provided to the public.

Also, specific accessibility-related software or the attachment of specific accessibility-related peripheral devices are not required to be installed at workstations of Federal employees without disabilities.⁷

Section 508(c) provides that by February 7, 1999, 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 and submit a report containing the evaluation to the Attorney General.

Section 508(d) provides that by February 7, 2000, 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. By August 7, 2001, and every two years thereafter, the Attorney General shall 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 section 508, including actions regarding individual complaints.

Section 508(f) provides that beginning August 7, 2000, any individual with a disability may file a complaint alleging that a Federal department or agency fails to comply with section 508 in providing accessible electronic and information technology.⁸ Complaints 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 of the Rehabilitation Act for resolving allegations of discrimination in a federally conducted program or activity.

Electronic and Information Technology Access Advisory Committee

The Access Board will begin the process of developing its accessibility standards by establishing an Electronic and Information Technology Access Advisory Committee (Committee). The establishment of the Committee is in the public interest and will assist the Board in meeting its obligation for broad consultation with Federal agencies, the

electronic and information technology industry, organizations representing individuals with disabilities, and others in the development of the standards.

The Committee will make recommendations to the Access Board on issues such as:

- types of electronic and information technologies to be covered by the standards;
- barriers to the use of such technologies by persons with disabilities;
- solutions to such barriers, if known, and research on such barriers;
- methods for evaluating accessibility of such technologies; and
- contents of the standards.

To assist in developing the standards, the Board is interested in obtaining relevant documents on access to electronic and information technology. For example, on February 3, 1998, the Access Board published guidelines under section 255(e) of the Telecommunications Act for accessibility of customer premises equipment and telecommunications equipment. (36 CFR Part 1193). Portions of those guidelines may be appropriate for inclusion in the section 508 standards. Also, portions of the ADA Accessibility Guidelines on reach ranges (4.2.5 and 4.2.6) are applicable to fixed equipment control consoles and operable parts. (36 CFR Part 1191).

In addition to the above documents, the General Services Administration and the Department of Education have developed guidelines and other documents for accessible hardware and software. Guidelines for creating accessible World Wide Web pages have been created by several entities. These documents may provide a useful starting point for the development of electronic and information technology standards. The Board is interested in obtaining any other relevant documents that may be of assistance in developing standards.

The Committee will be expected to present a report with its recommendations to the Access Board within six months of the Committee's first meeting. The Access Board requests applications for representatives of the following interests for membership on the Committee:

- Federal agencies and Federal contractors;
- the electronic and information technology industry;
- organizations representing the access needs of individuals with disabilities; and
- other persons affected by these accessibility standards.

⁴The Access Board is required to consult 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.

⁵Whenever the Access Board revises its standards, the Council is required to revise the Federal Acquisition Regulation, and each appropriate Federal department or agency is required to revise its procurement policies and directives within six months to incorporate the revisions.

⁶Section 508(a)(1)(B).

⁷Section 508(a)(6)(B).

⁸This provision applies only to electronic and information technology that is procured by a Federal department or agency after August 7, 2000.

The number of Committee members will be limited to effectively accomplish the Committee's work and will be balanced in terms of interests represented. Organizations with similar interests are encouraged to submit a single application to represent their interest. Although the Committee will be limited in size, there will be opportunities for the public to present written information to the Committee, participate through subcommittees, and to comment at Committee meetings.

Applications should be sent to the Access Board at the address listed at the beginning of this notice. The application should include the representative's name (and an alternate), title, address and telephone number; a statement of the interests represented; and a description of the representative's qualifications, including engineering, technical and design expertise and knowledge of making electronic and information technology accessible to individuals with disabilities.

Committee members will not be compensated for their service. The Access Board may, at its own discretion, pay travel expenses for a limited number of persons who would otherwise be unable to participate on the Committee. Committee members will serve as representatives of their organizations, not as individuals. They will not be considered special government employees and will not be required to file confidential financial disclosure reports.

After the applications have been reviewed, the Access Board will publish a notice in the **Federal Register** announcing the appointment of Committee members and the first meeting of the Committee. The first meeting of the Committee is tentatively scheduled for October 15–16, 1998 in Washington, DC. The Committee will operate in accordance with the Federal Advisory Committee Act, 5 U.S.C. app 2. Committee meetings will be held in Washington, DC. Each meeting will be open to the public. A notice of each meeting will be published in the **Federal Register** at least 15 days in advance of the meeting. Records will be kept of each meeting and made available for public inspection.

Thurman M. Davis, Sr.,

Chair, U.S. Architectural and Transportation Barriers Compliance Board.

[FR Doc. 98–22758 Filed 8–21–98; 8:45 am]

BILLING CODE 8150–01–P

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

Meeting

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Notice of meeting.

SUMMARY: The Architectural and Transportation Barriers Compliance Board (Access Board) has scheduled its regular business meetings to take place in Washington, D.C. on Tuesday and Wednesday, September 8–9, 1998 at the times and location noted below.

DATES: The schedule of events is as follows:

Tuesday, September 8, 1998

11:00 a.m.–Noon

Planning and Budget Committee

1:30 a.m.–3:00 p.m.

Technical Programs Committee

3:00–5:00 p.m.

Committee of the Whole—Speaker on Technology and Accessibility
Speaker—Gregg C. Vanderheiden, Ph.D., Professor—Human Factors, Department of Industrial Engineering, University of Wisconsin, Director—Trace Research & Development Center

Wednesday, September 9, 1998

9:00–10:30 a.m.

Committee of the Whole—ADA Rulemaking (Closed Meeting).

10:30 a.m.–Noon

Technical Programs Committee (continued)

1:30 p.m.–3:30 p.m.

Board Meeting

ADDRESSES: The meetings will be held at: Marriott at Metro Center, 775 12th Street, NW., Washington, D.C.

FOR FURTHER INFORMATION CONTACT: For further information regarding the meetings, please contact Lawrence W. Roffee, Executive Director, (202) 272–5434, ext. 14 (voice) and (202) 272–5449 (TTY).

SUPPLEMENTARY INFORMATION: At the Board meeting, the Access Board will consider the following agenda items. Specific voting items are noted next to each committee report.

Open Meeting

- Executive Director's Report.
- Approval of the Minutes of the July 15, 1998 Board Meeting.
- Planning and Budget Committee Report—Agency Goals, Fiscal Years 1998 and 1999 Status.
- Technical Programs Committee Report—Status Report on Projects and

Interactive Transaction Machines Research.

Closed Meeting

- Committee of the Whole Report—ADA Rulemaking.
- All meetings are accessible to persons with disabilities. Sign language interpreters and an assistive listening system are available at all meetings.

Lawrence W. Roffee,

Executive Director.

[FR Doc. 98–22590 Filed 8–21–98; 8:45 am]

BILLING CODE 8150–01–P

ASSASSINATION RECORDS REVIEW BOARD

Formal Determinations and Additional Releases

AGENCY: Assassination Records Review Board.

ACTION: Notice.

SUMMARY: The Assassination Records Review Board (Review Board) met in a closed meeting on August 6, 1998, and made formal determinations on the release of records under the President John F. Kennedy Assassination Records Collection Act of 1992 (JFK Act). By issuing this notice, the Review Board complies with the section of the JFK Act that requires the Review Board to publish the results of its decisions in the **Federal Register** within 14 days of the date of the decision.

FOR FURTHER INFORMATION CONTACT:

Peter Voth, Assassination Records Review Board, Second Floor, Washington, D.C. 20530, (202) 724–0088, fax (202) 724–0457. The public may obtain an electronic copy of the complete document-by-document determinations by contacting <Eileen_Sullivan@jfk-arrb.gov>.

SUPPLEMENTARY INFORMATION: This notice complies with the requirements of the President John F. Kennedy Assassination Records Collection Act of 1992, 44 U.S.C. § 2107.9(c)(4)(A) (1992). On August 6, 1998, the Review Board made formal determinations on records it reviewed under the JFK Act.

Notice of Formal Determinations

- 8 Church Committee Documents: Postponed in Part until 05/2001
- 69 Church Committee Documents: Postponed in Part until 10/2017
- 10 CIA Documents: Postponed in Part until 05/2001
- 636 CIA Documents: Postponed in Part until 10/2017
- 140 FBI Documents: Postponed in Part until 10/2017
- 1 HSCA Document: Postponed in Part until 10/2003