

105TH CONGRESS
1ST SESSION

H. R. 1255

To amend the Rehabilitation Act of 1973 to establish certain additional requirements relating to electronic and information technology accessibility guidelines for individuals with disabilities, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 9, 1997

Ms. ESHOO (for herself, Mr. FROST, Ms. PELOSI, Mr. FARR of California, Mrs. MALONEY of New York, Mr. MILLER of California, Mr. MCGOVERN, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To amend the Rehabilitation Act of 1973 to establish certain additional requirements relating to electronic and information technology accessibility guidelines for individuals with disabilities, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Electronic and
5 Information Technology Accessibility Compliance Act of
6 1997”.

1 **SEC. 2. FINDINGS AND PURPOSES.**

2 (a) FINDINGS.—The Congress finds the following:

3 (1) There are approximately 145,000 Federal
4 employees with disabilities and these employees com-
5 prise 7.5 percent of the Federal workforce.

6 (2)(A) Although section 508 of the Rehabilita-
7 tion Act of 1973 (29 U.S.C. 794d) requires Federal
8 agencies to comply with Federal guidelines to ensure
9 that electronic and information technology used by
10 such agencies is accessible to individuals with dis-
11 abilities, there is no enforcement mechanism in such
12 Act to provide for compliance.

13 (B) As a result, Federal agencies have an un-
14 even record of offering accessible technologies to
15 their employees with disabilities.

16 (3)(A) States or other recipients of assistance
17 under section 102 of the Technology-Related Assist-
18 ance for Individuals With Disabilities Act of 1988
19 (29 U.S.C. 2212) currently are required to comply
20 with the guidelines established under section 508 of
21 the Rehabilitation Act of 1973.

22 (B) However, this provision of law is expected
23 to expire in 1999, eliminating the link between the
24 States and the guidelines under section 508 of the
25 Rehabilitation Act of 1973.

26 (b) PURPOSES.—The purposes of this Act are—

1 (1) to strengthen compliance by Federal agen-
2 cies with the guidelines established under section
3 508 of the Rehabilitation Act of 1973 (29 U.S.C.
4 794d); and

5 (2) to require States to continue to comply with
6 such guidelines.

7 **SEC. 3. REQUIREMENT THAT FEDERAL AGENCIES PROVIDE**
8 **CERTIFICATION OF COMPLIANCE WITH ELEC-**
9 **TRONIC AND INFORMATION TECHNOLOGY**
10 **ACCESSIBILITY GUIDELINES UNDER THE RE-**
11 **HABILITATION ACT OF 1973.**

12 Section 508(b) of the Rehabilitation Act of 1973 (29
13 U.S.C 794d(b)) is amended to read as follows:

14 “(b) COMPLIANCE.—

15 “(1) IN GENERAL.—Each Federal agency shall
16 comply with the guidelines established under this
17 section.

18 “(2) CERTIFICATION.—

19 “(A) ESTABLISHMENT OF CERTIFICATION
20 PROCEDURES.—The Director of the Office of
21 Management and Budget shall establish uni-
22 form procedures under which the head of each
23 Federal agency shall submit to the Director a
24 written certification, containing such informa-
25 tion as the Director may reasonably require,

1 that such agency is in compliance with the
2 guidelines established under this section.

3 “(B) SUBMISSION OF CERTIFICATION.—

4 Not later than September 30 of each year, the
5 head of each Federal agency shall submit to the
6 Director of the Office of Management and
7 Budget a written certification in accordance
8 with the procedures established under subpara-
9 graph (A).

10 “(C) REVIEW OF CERTIFICATION.—The
11 Director of the Office of Management and
12 Budget—

13 “(i) shall review each certification
14 submitted by each Federal agency under
15 subparagraph (B); and

16 “(ii) shall provide notice to each such
17 Federal agency that such agency is either
18 in compliance or not in compliance with
19 the guidelines established under this sec-
20 tion, as the case may be.

21 “(D) ASSISTANCE FOR AND MONITORING
22 OF AGENCIES NOT IN COMPLIANCE.—In the
23 case of a Federal agency that is not in compli-
24 ance with the guidelines established under this

1 section, the Director of the Office of Manage-
2 ment and Budget—

3 “(i) shall assist such agency in its ef-
4 forts to comply with such guidelines; and

5 “(ii) shall monitor the progress of
6 such agency to comply with such guide-
7 lines.”.

8 **SEC. 4. REQUIREMENT THAT STATES CONTINUE TO COM-**
9 **PLY WITH ELECTRONIC AND INFORMATION**
10 **TECHNOLOGY ACCESSIBILITY GUIDELINES**
11 **UNDER TITLE I OF THE REHABILITATION ACT**
12 **OF 1973.**

13 (a) IN GENERAL.—Section 101(a) of the Rehabilita-
14 tion Act of 1973 (29 U.S.C 721(a)) is amended—

15 (1) in paragraph (35), by striking “and” at the
16 end;

17 (2) in paragraph (36), by striking the period at
18 the end and inserting “; and”; and

19 (3) by adding at the end the following:

20 “(37) provide assurances that the State, or any recip-
21 ient of funds made available to the State under this title,
22 will comply with the guidelines established under section
23 508(a) of this Act.”.

24 (b) EFFECTIVE DATE.—Paragraph (37) of section
25 101(a) of the Rehabilitation Act of 1973, as added by sub-

1 section (a), shall take effect one year after the date of
2 the enactment of this Act.

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