

Comments to US Access Board on Section 255/508 NPRM
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I am grateful to the Access Board for this opportunity to comment on the proposed Section 508 regulations. These comments concern the implementation of items in Chapter 6, Support Documentation and Services.

As the Board is already aware, there are many information services and resources available regarding accessible ICT and assistive technologies. These include industry-sponsored programs such as the Global Accessibility Reporting Initiative (GARI; <https://www.gari.info/>), consumer advocacy programs such as the American Foundation for the Blind's Access World (<https://www.afb.org/aw/main.asp>), and federally-supported information resources such as the FCC's Accessibility Clearinghouse (<https://ach.fcc.gov/>), the Job Accommodation Network (JAN; <http://askjan.org/>), assistivetech.net (<http://assistivetech.net/>), and ABLEDATA (<http://www.abledata.com/>). Some federal agencies maintain Section 508 resources as well. There are numerous resources in other countries as well, which is especially relevant given the fully globalized nature of the ICT market.

While no one would claim that these information resources are reaching all of the potential beneficiaries, they are an essential part of the process by which many people find the products and features they need. Both individuals with disabilities and professionals who serve them rely on these resources for current and accurate information leading to better marketplace decisions.

The proposed revision of the Section 508 Standard offers a unique opportunity to improve the flow of information about accessibility to end users with disabilities. Provision 602.2 requires ICT documentation to "list and explain how to use the accessibility and compatibility features required by Chapters 4 and 5. Documentation shall include accessibility features that are built-in and accessibility features that provide compatibility with assistive technology." Provision 603.2 requires "ICT support services [to] ... include information on the accessibility and compatibility features required by 602.2."

Together these provisions establish an important mandate: that fulfilling the technical provisions of the new regulations is not sufficient; that information about product and service accessibility and AT compatibility must be collected, organized, and disseminated so as to enable users to take full advantage of those features. As part of this mandate, ICT providers will explicitly identify and document accessibility and compatibility features; most may do so as part of their product development process.

If we consider how accessibility is factored into the product development process, we will see that there is a potential jeopardy regarding this information. Developers and designers will appropriately use tools such as WCAG 2.0 to guide their efforts. They may prepare a final report

on their accessibility work in terms of those technical guidelines, either directly from the source, or as shown in the revised Section 508 Final Rule.

I am concerned that if ICT providers comply with these provisions solely in terms of WCAG 2.0 and similar language, that the intent of the regulations will not be met. Note that this is not because the WCAG 2.0 language is faulty in any way, but because it is intended to guide developers and designers, not end users with disabilities. There may be too weak a connection between the guidance offered to designers and developers, and the needs of ICT users with disabilities to understand “how to use the accessibility and compatibility features”.

For example, it is not reasonable to assume that average consumers will understand what is meant by the following WCAG 2.0 language:

“1.3.2 Meaningful Sequence: When the sequence in which content is presented affects its meaning, a correct reading sequence can be programmatically determined. (Level A)”
or by one of 1.3.2’s Techniques:

“H56: Using the dir attribute on an inline element to resolve problems with nested directional runs (HTML)”.

nor whether such a provision or feature relates to the barriers they themselves encounter. Simply put, the technical provisions of the proposed revised Section 508 Standard are appropriately phrased in ‘supply-side’ language, while end users with disabilities need user-focused, consumer-friendly ‘demand-side’ language.

I recommend a slight addition to the provisions, adding to the end of 602.2 the following sentence: “Product documentation should use consumer-friendly language and established, harmonized, and intuitive indexing frameworks for easy searching.”

Also add to the end of 603.2 the following sentence: “Live support personnel should receive the necessary training to enable them to communicate about product accessibility in consumer-friendly language, using the established, harmonized, and intuitive indexing frameworks.”

I also recommend that the Access Board, in concert with other stakeholders, support current information resource providers to collaborate on a strategy and plan to facilitate the ‘translation’ function between the technical provisions of the revised Section 508 regulations and user-oriented language and frameworks. These information resource experts have long and valuable experience in such a function, and could possibly use the opportunity of the 508 Refresh to harmonize their own frameworks and insights into a new synthesis of great benefit to consumers.

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