

Docket: ATBCB-2015-0002
ICT NPRM

Amina Donna Kruck, VP Advocacy, Arizona Bridge to Independent Living
Valerie Kappas, Person living with Environmental Illness, Mesa Arizona

Re: Proposed Rule, Updated Accessibility Requirements
Information and Communication Technology in the Federal Sector as per Section 508 of
the Rehabilitation Act and Section 255 of the Communications Act

To the Access Board:

Thank you for this opportunity to offer comments on the Proposed Rule.

The proposal for this update, we understand, is based on recommendations from the Access Board's Electronic and Information Technology Advisory Committee ("TEITAC"). TEITAC is composed of stakeholders representing industry, government agencies, other countries, and (certain) disability groups. These regulations appear to completely omit the interests of people for whom electronics and radiofrequency (Wi-Fi , etc.) pose insurmountable barriers to access, for instance: hospitals; medical offices; grade schools; colleges; social service agencies; court houses; transportation; places of employment regarding accommodations related to computers, lighting, and telephones.

With so many technology changes happening so fast, increasing numbers of Americans are reporting experiencing environmental intolerances such as multiple chemical sensitivities and extreme debilitating reactions to some electronics and radiofrequencies that are now becoming quickly pervasive. We realize what may be a helpful accommodation for one individual with a disability, may be a hindrance or danger to another. For instance, a person with an extreme allergy to dogs may find accommodation conflicts with a person who uses a service dog or guide dog. Similarly the switch to Wi-Fi, cell phones and energy saving fluorescent lighting, have many benefits and are also harm producing for some citizens that must be recognized.

We believe that many reasonable efforts could be included in your proposed regulations to enable some people with environmental intolerances to use federal and federally-funded facilities and programs with little to no cost, since they involve retaining existing technologies or employ only the most straightforward modifications.

In the spirit of full inclusion of all people with all disabilities, please consider these recommendations and determine how to integrate them into the Final Rule.

Some examples:

- Retain landline phones as an accommodation in certain select federal and federally funded facilities such as courts, medical facilities, libraries, schools.

- Have safe(r) places to meet with citizens, customers and patients that are free of Wi-Fi and florescent lighting. Perhaps require alternative incandescent lighting to be available when requested as an accommodation.
- Designate some areas of facilities as “Wi-Fi free” zones.
- Install wired buzzers and intercoms at one or more accessible entrances to federal and federally-funded facilities, with signage and a directory in all formats, to allow a person with environmental intolerances to be able to summon a person to come outside to meet with them. This might mean a nurse, doctor, postal clerk, case worker; law enforcement personnel would then come outside the building to meet with the person.
- Do not install flashing lights and fluorescents on all ticket vending machines.
- Retain incandescent lights or daylight in designated areas and paths of travel.

Suggestions to add to the "Support Services" described in 602.4, 603, and 603.3:

- Allow outdoor appointments if requested as an accommodation, in as confidential a setting as attainable, when a facility is inaccessible to a person with environmental intolerances. An outdoor smoking area is not an accommodation because it would subject the person with the environmental intolerances to cigarette smoke.
 - During inclement weather or bad outdoor air conditions, an accommodation could be to allow business to be conducted in an alternate site that is away from electronic equipment, for example, in the person’s vehicle in the parking lot or other federal or federally-funded facility that is more accommodating.
- We urge you to not convert vitally essential equipment needed by citizens with environmental intolerances over to the “smart” grid, Wi-Fi, and routers without other options available at no added cost. Permit citizens to retain landlines in homes and require them in public places in order to have access and use of telephones and computers.
- Very important and helpful would be for you to require readily available electromagnetic field and radiofrequency emission data and labeling from manufacturers, retailers, and procurement offices for purchase and/or use of electronic information and communication equipment. This provides essential information for citizens with environmental intolerances so they can make informed choices when purchasing equipment as well as federally funded

agencies that purchase these types of devices to do business and to provide to citizens, as does Department of Education, Vocational Rehabilitation Services.

- We request a much needed clear policy statement by the Access Board that exempts citizens from mandatory "smart" features in appliances, lights, meters, routers, security systems, etc. purchased or subsidized by federal funding.

We ask you to integrate these considerations and suggestions above in a way that is congruent with the Board's format. We have every confidence that the Access Board can readily develop such for inclusion in the Final Rule.

Provisions including those suggestions above will provide at least a minimum of access, to federal and federally-funded facilities and programs, to people who are legally entitled to access. Including these kinds of suggestions in the final ICT update document will provide a measure of consideration and protection for people with environmental intolerances, while more fully accessible equipment, with adequate shielding and better electronics, are being developed and made available to everyone.

Thank you for your consideration!

For additional information contact:

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