

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.

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## 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

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## 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

section, the Director of the Office of Management and Budget—

“(i) shall assist such agency in its efforts to comply with such guidelines; and

“(ii) shall monitor the progress of such agency to comply with such guidelines.”.

**SEC. 4. REQUIREMENT THAT STATES CONTINUE TO COMPLY WITH ELECTRONIC AND INFORMATION TECHNOLOGY ACCESSIBILITY GUIDELINES UNDER TITLE I OF THE REHABILITATION ACT OF 1973.**

(a) IN GENERAL.—Section 101(a) of the Rehabilitation Act of 1973 (29 U.S.C 721(a)) is amended—

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

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

(3) by adding at the end the following:

“(37) provide assurances that the State, or any recipient of funds made available to the State under this title, will comply with the guidelines established under section 508(a) of this Act.”.

(b) EFFECTIVE DATE.—Paragraph (37) of section 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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