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## **Briefing Materials for the Incoming Administration**

### **U.S. Access Board**

*November 1, 2016 \**

## **Summary**

These briefing materials include information on our: (1) mission, vision and strategic goals; (2) budget; (3) overview of key issues facing the Board that require immediate attention by the new Administration; (4) organizational chart; and (5) human capital overview.

## **Overview of the Access Board**

The Access Board was established in 1973 under section 502 of the Rehabilitation Act and is the only federal agency whose primary mission is accessibility for people with disabilities. The Board is responsible for developing guidelines under the Americans with Disabilities Act, the Architectural Barriers Act, and the Communications Act for ensuring that buildings and facilities, transportation vehicles, and telecommunications equipment covered by these laws are readily accessible to and usable by people with disabilities. The Board is also responsible for developing standards under the Rehabilitation Act for accessible electronic and information technology procured by federal agencies and standards for accessible medical diagnostic equipment.

Under the Help America Vote Act, the Board serves on the Board of Advisors and the Technical Guidelines Development Committee, which assist the Election Assistance Commission in developing voluntary guidelines for voting systems, including accessibility for people with disabilities. In addition, under the 2012 Food and Drug Administration Safety and Innovation Act, the Board is responsible for developing best practices on access to information on prescription drug container labels for individuals who are blind or visually impaired.

The Board enforces the Architectural Barriers Act and provides training and technical assistance on each of its guidelines and standards, and on a variety of other accessibility issues. Additionally, the Board maintains a research program that develops technical assistance materials and provides information needed for rulemaking.

The Board is structured to function as a coordinating body among federal agencies and to directly represent the public, particularly people with disabilities. Twelve of its members are representatives from most of the federal departments. Thirteen others are members of the public appointed by the President, a majority of whom must have a disability; we operate with 31 staff.

The Board's programs will result in accessible buildings and facilities, transportation vehicles, medical diagnostic equipment, telecommunications equipment, and information and communications technology across our country and, ultimately, the full economic and social integration of people with disabilities into our society. Achieving these results will depend not only on the Board's activities, but also on the level of commitment and action taken by other federal agencies, State and local governments, and businesses that are required to comply with or enforce the various laws that guarantee the civil rights of people with disabilities.

## Mission, Vision and Strategic Goals

The Access Board’s strategic plan includes a vision statement (advancing full access and inclusion for all) and a mission statement (lead the development, advancement, and implementation of accessibility through outreach, rulemaking (standards and guidelines) and education). The plan includes three goals:

- innovate, develop, and maintain accessibility requirements
- educate about accessibility
- enforce compliance with the Architectural Barriers Act

The Board has established long and short-range goals and annual objectives that describe the strategies it will implement to achieve the goals. In developing objectives and strategies for achieving its goals, the Board seeks to work together with its stakeholders toward common objectives. The Board’s plan is simple: establish guidelines and standards that are fair, reasonable, and derived from broad consensus among stakeholders; where the Board has enforcement responsibilities over federal agencies, assist those agencies to achieve full compliance; and involve its stakeholders in developing and disseminating materials and manuals that will help them understand and comply with our guidelines and standards.

## Budget (Authorization and Appropriations Information)

The Workforce Innovation and Opportunity Act (Pub. L. 113-128) authorizes the Access Board’s funding from FY 2015 – 2020. Our Authorizing and Appropriations Committees are:

- Senate Health, Education, Labor, and Pensions (Authorization)
- Senate Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (Appropriations)
  
- House Committee on Education and the Workforce (Authorization)
- House Subcommittee on Transportation, Housing and Urban Development, and Related Agencies (Appropriations)

<b>Fiscal Year</b>	<b>President’s Request</b>	<b>Appropriated</b>	<b>Authorized Level</b>
<b>2011</b>	7,300,000	7,285,400	
<b>2012</b>	7,400,000	7,445,288	
<b>2013</b>	7,400,000	7,012,936	
<b>2014</b>	7,448,000	7,448,000	
<b>2015</b>	7,548,000	7,548,000	7,448,000
<b>2016</b>	8,023,000	8,023,000	8,023,000
<b>2017</b>	8,190,000	pending	8,190,000
<b>2018</b>			8,371,000
<b>2019</b>			8,568,000
<b>2020</b>			8,750,000

Our Fiscal Year 2017 budget justification can be found on our website at: <https://www.access-board.gov/the-board/budget-and-performance/budget-justification>

## **Overview of Key Issues Facing the Board that Require Immediate Attention by the New Administration**

The status of current guidelines and standards efforts is presented below.

### *Public Rights-of-Way and Shared Use Paths*

In 2009, we contracted with the Volpe National Transportation Systems Center to assist the Board in finalizing a regulatory assessment for the public rights-of-way rulemaking. An NPRM was published for public comment in July 2011.

When the Board approved draft final accessibility guidelines for outdoor developed areas, coverage of shared use paths was deferred to a future rulemaking. Commenters on the outdoor developed areas rule had previously raised concerns about the need for differing guidelines for shared use paths. Commenters noted that shared use paths differ from trails and typically are located in more developed outdoor areas, as opposed to the more primitive trail settings. Unlike trails, they are designed to serve both bicyclists and pedestrians and are used for transportation and recreation purposes.

In September 2010, the Board held a public information meeting in conjunction with the ProWalk/ProBike 2010 Conference. This meeting provided an opportunity for individuals with disabilities, designers of shared use paths, and others with expertise in this area to share information with the Board to assist in the development of new accessibility guidelines. The Board then published an advance notice of proposed rulemaking for shared use paths in March 2011. In February 2013, we published a Supplemental Notice of Proposed Rulemaking to include requirements for shared use paths as part of the public rights-of-way rule. The Board approved the text of the final rule in July 2015; a subsequent vote will take place to approve the entire rulemaking package, including the preamble to the final rule and final regulatory assessment.

### *Passenger Vessels*

On June 25, 2013, the Board released for public comment proposed guidelines for passenger vessels. Developed under the Americans with Disabilities Act (ADA), the guidelines provide design criteria for large vessels when newly constructed or altered to ensure that they are accessible to people with disabilities. The guidelines address various features of vessel accessibility and include provisions for onboard routes, vertical access between decks, doorways and coamings, toilet rooms, guest rooms, alarm systems, and other spaces and elements used by passengers. The Board's guidelines apply to passenger vessels that are permitted to carry more than 150 passengers or more than 49 overnight passengers, all ferries, and certain tenders that carry 60 or more passengers. We received 66 comments, including 10 comments received during a public hearing held in July 2013. An ad hoc committee of Board members and staff are working to develop a final rule.

### *Self-Service Transaction Machines*

The Departments of Justice (DOJ) and Transportation (DOT) have related rulemakings on self-service transaction machines. As a result, we have worked collaboratively with them to develop a single set of technical requirements that can be referenced and scoped by each participating agency. In November 2013 DOT published its rule on Nondiscrimination on the Basis of Disability in Air Travel: Accessibility of Web Sites and Automated Kiosks at U.S. Airports. The DOT requirements for automated kiosks at U.S. airports are derived from the technical requirements we helped develop and are consistent with our requirements for automatic teller machines and fare machines, as well as the current requirements of section 508 for self-contained, closed products. In 2010, DOJ published an ANPRM on Equipment and Furniture that would cover kiosks, interactive transaction machines, and point-of-sale devices, among other things. Our rulemaking will follow the Information and Communication Technology (ICT) final rule after it is completed, capitalizing on what we learn from the rule for ICT with closed functionality. Our intent is to maintain consistency between updated technical requirements for ICT subject to Section 508 of the Rehabilitation Act or Section 255 of the Communications Act and self-service transaction machines – a form of ICT with closed functionality subject to the Americans with Disabilities Act.

### *Transportation Vehicles Guidelines Update (rail)*

In 2010 we issued a notice of proposed rulemaking to revise and update our accessibility guidelines for buses, over-the-road buses, and vans. The NPRM noted that we would revise and update our accessibility guidelines for transportation vehicles that operate on fixed guideway systems (e.g., rapid rail, light rail, commuter rail, high speed, and intercity rail) at a future date. To begin the process of revising and updating our accessibility guidelines for transportation vehicles that operate on fixed guideway systems, we established a 23-member Rail Vehicles Access Advisory Committee in May 2013 to make recommendations for revisions and updates to the guidelines. The committee met for two years and provided its final report to the Board in July 2015.

### **Public Board Members**

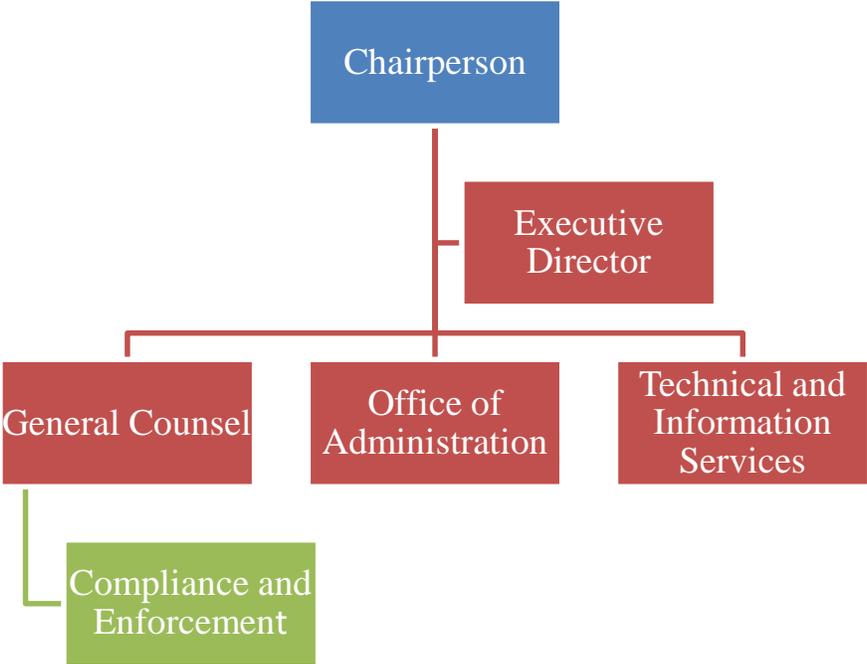
The Board is structured to function as a coordinating body among federal agencies and to directly represent the public, particularly people with disabilities. Twelve of its members are representatives from most of the federal departments. Thirteen others are members of the public appointed by the President, a majority of whom must have a disability.

A list of current public Board members and their terms are provided below.

Public Board Member	Appointed	First Term Ends	Reappointed	Second Term Ends	Eligible for Reappointment
Hans Van Winkle	12/04/2008	12/03/2012			Yes
Patrick Cannon	03/20/2014	12/03/2015			No
Marc Guthrie	12/16/2012	12/03/2015			No
Sachin Pavithran	11/30/2012	12/03/2015	05/05/2016	12/03/2019	No
Victor Pineda	09/02/2015	12/03/2016	11/18/2016	12/03/2020	No
Karen Tamley	09/02/2015	12/03/2016	11/18/2016	12/03/2020	No
Howard Rosenblum	09/15/2010	12/03/2013	03/20/2014	12/03/2017	No
Deb Ryan	05/20/2011	12/03/2013	03/20/2014	12/03/2017	No
Karen Braitmayer	09/15/2010	12/03/2013	04/03/2014	12/03/2017	No
Christopher Hart	08/18/2011	12/03/2014	09/02/2015	12/03/2018	No
Regina Blye	08/30/2011	12/03/2014	09/02/2015	12/03/2018**	No
Mat McCollough	05/20/2011	12/03/2014	09/02/2015	12/03/2018	No
Shelley Siegel	05/05/2016	12/03/2016	11/18/2016	12/03/2020	No

\*\* Regina Blye recently took a job with the Department of Health and Human Services

### Organizational Chart



## Human Capital Overview

<b>Chairperson</b>	
Sue Swenson (ED)	Chairperson
<b>Executive Director's Office</b>	
David Capozzi	Executive Director
Rose Marie Bunales	Executive Secretary
<b>General Counsel</b>	
Gretchen Jacobs	General Counsel
Frances Spiegel	Attorney Advisor
Wendy Marshall	Attorney Advisor
Aromie Noe	Regulatory Analyst
<b>Compliance and Enforcement</b>	
Lisa Fairhall	Deputy General Counsel
Mario Damiani	Compliance Specialist
Jeffery Hill	Compliance Specialist
<b>Office of Administration</b>	
Neil Melick	Director
Gainna Ellis	Receptionist
Vacant (currently contractor)	IT Specialist
Vacant	Human Resources Specialist
Jianhao Zhen	Accountant
Anita Kinney	Program Analyst
Susan Little	Contracts Specialist
Jeffery Sargent	Chief Financial Officer
Charles Washington	Chief Technology Officer
<b>Technical and Information Services</b>	
Marsha Mazz	Director
Vacant	Transportation Engineer
Bruce Bailey	IT Accessibility Specialist
Vacant	IT Accessibility Specialist
Paul Beatty	Accessibility Specialist
William Botten	Accessibility Specialist
Timothy Creagan	Senior Accessibility Specialist
Rex Pace	Technical Assistance Coordinator
Jim Pecht	Accessibility Specialist
Josh Schorr	3D Graphic Designer
Earlene Sesker	Training Coordinator
Scott Windley	Accessibility Specialist
Dave Yanchulis	Public Affairs Coordinator

Regular meetings of the Board and at least one Board sponsored event shall ordinarily be held on the Wednesday following the second Tuesday of every other month.

<b>Year</b>	<b>January</b>	<b>March</b>	<b>May<sup>1</sup></b>	<b>July</b>	<b>September</b>	<b>November</b>
<b>2017</b>	09-11	13-15	08-10	10-12	11-13	13-15
<b>2018</b>	08-10	12-14	07-09	09-11	05-07	05-07
<b>2019</b>	07-09	11-13	13-15	08-10	09-11	04-06
<b>2020</b>	13-15	09-11	11-13	27-29 <sup>2</sup>	14-16	16-18

*This document was updated on December 7, 2016 to reflect that public Board member Regina Blye recently took a job with the Department of Health and Human Services and will not be eligible to be a public member after March 9, 2017.*

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<sup>1</sup> May dates are tentative due to out-of-town events

<sup>2</sup> 30<sup>th</sup> anniversary of the ADA