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June 21, 2010

Tim Creagan  
Office of Technical and Informational Services  
Architectural and Transportation Barriers Compliance Board  
1331 F Street NW, Suite 1000  
Washington, DC 20004

Subject: Docket Number 2010-1/RIN Number 3014-AA37

Dear Mr. Creagan:

The Coalition for Government Procurement appreciates the opportunity to comment on the Advance Notice of Proposed Rulemaking on the draft Information and Communication Technology (ICT) Standards and Guidelines for accessibility in accordance with Section 508 of the Rehabilitation Act and Section 255 of the Telecommunications Act.

The Coalition for Government Procurement is a non-profit association of 330 companies offering commercial services and products to Federal, and increasingly State, agencies through GSA schedule and other contracts. Our members account for approximately 70% of the business conducted through Multiple Award Schedule contracts and about half of the commercial solutions purchased annually by the Federal Government. The Coalition is proud to have worked with officials in Government for over 30 years to promote common sense acquisition solutions.

Coalition member companies offer products to the Federal Government that cover the full scope of Section 508 including software, multimedia equipment, telecommunications products, office equipment and computers. Since the Section 508 standards went into effect in 2001, information communication technology (ICT) companies have responded with the development of advanced accessible solutions to serve Federal agencies, their employees, and the public. In addition to developing new technologies, these companies have also invested in providing Government customers with information about accessibility product features and Section 508 conformance that is critical to making informed procurement decisions.

Given the advances in ICT over the past decade, the Coalition supports the U.S. Access Board's current update of the Section 508 and Section 255 standards. In response to the Draft Information and Communication Technology Standards and Guidelines, we offer the following comments from imaging equipment member companies.

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### **Chapter 3: Common Functionality**

#### **302.1 General. ICT that has closed functionality shall conform to 302.**

Comment: "Closed functionality" is undefined (either here or in E111.5). There are examples provided in the advisory, but no clear definition.

Suggestion: Access Board to provide a definition for closed functionality in E111.5 or other suitable location.

#### **307.2 Clear Floor Space. A clear floor or ground space conforming to 36 CFR Part 1191 Appendix D, Section 305 shall be provided for ICT with operable parts.**

Comment: This requirement is installation-specific and difficult to evaluate.

Suggestion: Vendor should only need to show that product can be installed in such a way to meet 36 CFR Part 1191 Appendix D, Section 308.

#### **307.3 Height. ICT with operable parts shall be placed so that the operable parts are within one or more of the reach ranges conforming to 36 CFR Part 1191 Appendix D, Section 308.**

Comment: Requirement seems to differ in meaning from what is implied by the advisory statement. 307.3 requires that operable parts meet "one or more" of the reach ranges in 36 CFR 1191 Appendix D, Section 308, whereas the advisory states that the provision "applies reach ranges" applicable to both.

Also see 702.1, which requires "conformance to 36 CFR 1191 Appendix D, Section 308" (not one or more).

Suggestion: Change to "307.3 Height. ICT with operable parts shall be placed so that the operable parts are within either front or side reach ranges conforming to 36 CFR Part 1191 Appendix D, Section 308." Or make consistent with 702.1

#### **307.5 Touch-operated Controls. ICT with controls that are designed to be operated by touch using the fingers, including but not limited to keys, buttons, switches, and touch pads, shall conform to 307.5 through 307.5.3.**



Comment: Standards would be easier to interpret if there were clear definitions for how "touch-operated controls" differ from "operable parts" and "non mechanical controls." Are "touch-operated controls" simply "operable parts" designed to be operated with the fingers?

Suggestion: Access Board to clarify differences between types of "operable parts" discussed in section 307.

**307.5.3 Key Repeat. When key repeat is supported by a keyboard interface, the delay before key repeat shall be adjustable to at least two seconds.**

Comment: The intent of 307.5.3 Key Repeat and 307.5.3.1 Adjustability are not entirely clear. Are we to assume at least two seconds before the first "repeat" instance (307.5.3), followed by additional repeats at two second intervals (307.5.3.1)?

Suggestions:

307.5.3 Key Repeat. ICT that supports key repeat through a keyboard interface shall conform to 307.5.3.1 and 307.5.3.2.

307.5.3.1 The delay before key repeat shall be adjustable to at least two seconds.

307.5.3.2 The delay between repeating characters shall be adjustable to two seconds.

**307.6 Non-mechanical controls. ICT that utilize non-mechanical controls shall provide an alternate mode of operation by touch, voice control or gesture input that conforms to 307.6.1 or 307.6.2, as applicable.**

Comment: "Non-mechanical controls" needs to be defined. What is the difference between "touch-operated controls" (307.5) and "non-mechanical controls that are operated by touch (307.6.1). In both cases, touch pads are used as examples. Is there a need for two different sections?

Suggestion: Clarify differences between types of controls with definitions, wherever possible. Consider reorganizing section 307 to eliminate any redundancies.

## Chapter 7: Hardware Aspects of ICT

**702.1 General (Reach Ranges for Installed or Free-standing ICT). Reach ranges for controls and keys on installed or free-standing non-portable ICT intended to be used in one location shall conform to 36 CFR Part 1191 Appendix D, Section 308.**

Comment: Can this be combined with 307 such that the requirements apply to both "installed or free standing non-portable" (702.1) and portable ICT that "shall be placed so that the operable parts are within" 307.3 the designated reach ranges?

Suggestion: 307.3 Height. Reach ranges for operable parts on installed ICT shall conform within one or more of the reach ranges conforming to 36 CFR Part 1191 Appendix D, Section 308.

**703.1 General (Standard Connections). When connection points are provided, at least one of each type of connection shall conform to industry standard non-proprietary formats. Exception: This provision does not apply to products with closed functionality.**

Comment: What exactly is meant by "connection points" needs to be defined, as does "each type of connection." A list of examples is not sufficient to understand the intent of the standards. Interpreted broadly, this standard seems to go beyond the stated goal of ensuring "compatibility with assistive technologies by requiring the use of standard connections on products".

Suggestion: Access Board to clarify meaning of "connection points" and "each type of connection".

**704.3.1 Text Attributes. Characters in images of text shall be in a sans serif font. Characters shall be 3/16 (4.8 mm) high minimum, based on the uppercase letter "I".**

Comment: The provision as written presumes both a viewing distance (unstated) and a visual acuity objective. The resulting requirement provides little flexibility in the design of user operator panels and controls which may have a negative impact on the usability of the equipment regardless of whether the user has a disability.

Suggestion: ITI recommends changing the provision to align with the TEITAC recommendation of 20/70 for visual acuity and allow appropriate flexibility in the size of characters in images of text. As an example, a user operator panel designed to be used at a 20 inch distance would have a minimum text size of 3 mm.

**704.3.2 Contrast Ratio for Images of Text. Images of text shall have a contrast ratio of at least 3:1.**

Comment: Because 704.2 requires that images of text conform to Chapter 5, this provision is a duplicate of 504.2.1 (if we can assume that all characters  $\frac{3}{16}$  high are large scale text - otherwise there is a potential discrepancy with 504.2.2).

Suggestion: Remove 704.3.2.



## Chapter 8: Audio Output from Hardware

**802.1 General (Interactive ICT Within Reach). ICT that provides audio output as a function of its operation, when such output is necessary to inform, alert, or transmit information or data, and is intended to be operated within reach of the user, shall conform to 802 and 307.**

Comment:

Reference to 307 seems unnecessary.

802.1 states that 802 applies "when [audio] output is necessary to inform, alert, or transmit information or data." This can be interpreted to mean that industry connectors or headsets are not required if redundant (non-auditory) information means the audio information is not ""necessary"" to inform, alert, or transmit.

Suggestion:

- a. Remove requirement to conform to 307.
- b. Access Board to clarify scope. Audio connectors may be unnecessary if redundant information is sufficiently available.
- c. Depending on how the above is resolved, many scope statements in this chapter should be updated to match 802.1, stating that provisions apply to ICT that provides audio output as a necessary function of its operation.

**802.2 Products that Provide Audio Output. ICT shall conform to 802.2.1, 802.2.2, 802.2.3, or 802.2.4.**

Comment:

- a. Scope of applicability should be narrowed to more appropriately match the provisions.
- b. Advisory 802.2 states, "Nor does this provision require the addition of audio jacks where handsets are provided." This statement does not apply to "ICT not designed for use in a public location" – the handset clause is only applicable to ICT designed for use in public locations.
- c. 802.2.1-4 refers to whether a product is “designed for use in a public location” or “not designed for use in a public location”. How to interpret this is unclear (e.g. is a standard telephone “designed for use in a public location” or “not designed for use in a public location” - or both?). Is the more appropriate distinction whether or not the product is intended for public use?

Suggestion:

- a. Revise Scope

802.2 Products that Provide Audio Output. ICT that provides audio output as a necessary function of its operation shall conform to 802.2.1, 802.2.2, 802.2.3, or 802.2.4.

b. Remove statement, clarify to match standard, or remove 802.2.1.

**802.2.1 Conforming Handset. When ICT that is designed for use in a public location does not require simultaneous use of a keyboard and produces auditory output via an audio transducer typically held to the ear, the audio transducer shall conform to 803.**

Comment: The phrase, "simultaneous use of a keyboard", is very unclear – use of keyboard at the same time as what? The keyboard definition at E111.5 includes a phone keypad – if a user is operating a payphone and using the keypad to navigate a help menu – does that mean the transducer does not need to conform to 803?

Suggestion: Remove this provision altogether or provide additional information clarifying simultaneous keyboard use and why the handset provision should only apply to ICT designed for use in public locations.

**802.2.3 Hardwire Adapter. ICT not designed for use in a public location shall provide a hardwire adapter that converts the product's audio jack format to an industry standard non-proprietary 2.5 mm or 3.5 mm audio jack.**

Comment: An adapter should not be required if an industry standard non-proprietary 2.5 mm or 3.5 mm audio jack exists.

Suggestion: ICT not designed for use in a public location shall provide an industry standard non-proprietary 2.5 mm or 2.5 mm audio jack connector or a hardware adapter that converts the product's audio jack format to an industry standard non-proprietary 2.5 mm or 2.5 mm audio jack.

**802.2.4.1 Size and Battery Life. The wireless adaptor shall have a similar size and battery life performance to the ICT for which it is provided.**

Comment: The provision is unnecessarily narrow. Wireless adaptors of "similar size and battery life" may not be desirable depending on the ICT for which it is provided.

**802.2.4.2 Without Assistance. The wireless adaptor shall allow the user to pair the adaptor to the product without assistance.**

Comment: Untestable.

Suggestion: Remove or refer to specific standards.



**802.3 Adjustable Volume Control. ICT shall provide a user-adjustable control for the audio output level through speakers and audio jacks.**

Comment: Adjustable volume control should not be required of all ICT. See 802.1 - it is unclear whether user-adjustable controls are required of all ICT with audio output, or if redundant (non-auditory) information negates the need.

Suggestion:

- a. See comment for 802.1. The provision should be modified to more appropriately reflect the intended scope.
- b. ICT that provides audio output shall provide a user-adjustable control for the audio output level through speakers and audio jacks.

**803.4 Automatic Reset. When ICT allows users to adjust the volume to a level greater than 18 dB above baseline, it shall automatically reset the volume to a level not greater than 18 dB above baseline after every use.**

Comment: For some ICT it may be difficult to define "after every use". It could be interpreted as after completion of each task, or after use by each individual.

Suggestion: Recommend an alternate or replacement volume reset criteria for "after each use," such as resetting after a period of inactivity.

**804.1 General (ICT Not Typically Held to the Ear). ICT with audio output that is not typically held to the ear shall conform to 804.**

Comment: The provisions in 804 do not distinguish between ICT that provides audio feedback (for example beeps and tones) and ICT that provides voice output. ICT with beep or tone feedback typically achieve the feedback with buzzers or piezoelectric devices that are incapable of providing voice output. ICT that only utilizes beeps and tones as a feedback mechanism should be exempt from the volume control provisions in 804.

Suggestion: Recommend an advisory for 804.1 to exempt ICT that utilizes beeps or tones as feedback from the requirements in 804.

**804.3 Incremental Volume Control. When ICT provides incremental volume control, at least one intermediate step of 15 dB, or a series of incremental steps totaling 15 dB, shall be provided.**

Comment: The wording of this provision makes the intent unclear and seems to conflict with 804.2, which requires a volume gain adjustable to a minimum of 15dB of baseline.

Suggestion: Revise 804.3 to better reflect intention of provision.



**804.4 Automatic Reset. When ICT allows users to adjust the volume to a level greater than 15 dB above baseline, it shall automatically reset the volume to a level not greater than 15 dB above baseline after every use.**

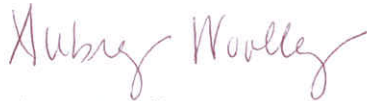
Comment: For some ICT it may be difficult to define "after every use" - could be interpreted as after completion of each task, or after use by each individual.

Suggestion: Recommend an alternate or replacement volume reset criteria for "after each use," such as resetting after a period of inactivity.

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The Coalition for Government Procurement appreciates the opportunity to provide comments on the draft standards presented in the U.S. Access Board Advance Notice of Proposed Rulemaking. We would be pleased to meet with the Access Board to discuss these suggestions in further detail.

Regards,



Aubrey Woolley  
Manager of Policy