

HAWAI‘I CIVIL RIGHTS COMMISSION

830 PUNCHBOWL STREET, ROOM 411 HONOLULU, HI 96813 · PHONE: 586-8636 FAX: 586-8655 TDD: 568-8692

February 8, 2022
Via Videoconference, 3:00 p.m.
Conference room 225

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Les Ihara, Jr., Vice Chair
Members of the Senate Committee on Human Services

The Honorable Sharon Y. Moriwaki, Chair
The Honorable Donovan M. Dela Cruz, Vice Chair
Members of the Senate Committee on Government Operations

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 2144

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services. The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

The HCRC supports S.B. No. 2144, which requires that all electronic information technology developed, purchased, used, or provided by a state entity be made accessible to persons with disabilities. The measure requires the Office of Enterprise Technology Services (ETS), in consultation with the Disability and Communication Access Board (DCAB) and a working group comprised of stakeholders, to develop and publish electronic information

technology accessibility standards to be implemented by all state entities. Further, the bill mandates review and amendment of the standards every 3 years after the date of publication, or as needed, to reflect advances or changes in information technology.

S.B. No. 2144 requires that the ETS create a State plan for ADA compliance. The HCRC supports the effort to comply with the ADA, and create, develop and implement accessibility standards. It is better for the State to proactively and systematically plan for compliance with accessibility requirements, rather than to leave departments, divisions, agencies, and other state entities to their own devices and react to complaints.

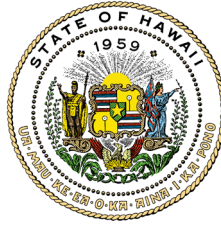
Pursuant to Act 164, L. 2021, effective July 1, 2022, the HCRC will have expanded (restored) jurisdiction over state and state-funded agencies regarding disability discrimination pursuant to HRS § 368-1.5. This expanded enforcement jurisdiction will give the HCRC jurisdiction over complaints of disability discrimination in access to state agencies, programs, and activities, including remote access to meetings, website accessibility, and online transactions. With this enforcement jurisdiction and responsibility, it would be inappropriate for the HCRC to be considered for inclusion in the working group that the bill calls for ETS to convene, in consultation with DCAB.

Given this more limited and narrowly focused enforcement role, the HCRC defers to ETS and DCAB expertise regarding the proactive planning measures that will bring the State into compliance with accessibility requirements.

The HCRC supports S.B. No. 2144.

DAVID Y. IGE
GOVERNOR OF HAWAII

ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH



CAROLINE CADIRAO
DIRECTOR

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STATE OF HAWAII
EXECUTIVE OFFICE ON AGING
NO. 1 CAPITOL DISTRICT
250 SOUTH HOTEL STREET, SUITE 406
HONOLULU, HAWAII 96813-2831

**Testimony in SUPPORT of SB 2144
Relating to Electronic Information Technology Accessibility for Persons with Disabilities**

LATE

COMMITTEE HUMAN SERVICES
SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATOR LES IHARA, JR, VICE CHAIR

COMMITTEE ON GOVERNMENT OPERATIONS
SENATOR SHARON Y. MORIWAKI, CHAIR
SENATOR DONOVAN M. DELA CRUZ, VICE CHAIR

Testimony of Caroline Cadirao
Director, Executive Office on Aging
Attached Agency to the Department of Health

Hearing Date: February 8, 2022
3:00 p.m.

Room Number: 225
Via Videoconference

1 **EOA's Position:** The Executive Office on Aging (EOA), an attached agency to the Department
2 of Health, supports SB 2144, Relating to Electronic Information Technology Accessibility for
3 Persons with Disabilities.

4 **Fiscal Implications:** None

5 **Purpose and Justification:** This measure requires that all electronic information technology
6 developed, purchased, used, or provided by a state entity be made accessible to persons with
7 disabilities. In addition, the Office of Enterprise Technology Services, in consultation with the
8 Disability and Communication Access Board and a working group of stakeholders are required
9 to develop, publish, and update electronic information technology accessibility standards to be
10 implements by all state entities.

1 Mr. Philip Ana is the Long-Term Care Disability Specialist in the Executive Office on Aging. He
2 is also a blind user of assistive technology and relies on several pieces of assistive technology to
3 do his work. His laptop is equipped with a Jaws for windows screen reading program allowing
4 him to read information in email. He is also able to access the internet by entering the link to the
5 Legislature and downloading the bill to be read through Jaws or embossed in braille for him to
6 read. He laughed when he thought about what would happen if the Legislative website was not
7 accessible for him to use with his technology?

8 He shares this example with you because technology is equally as important as accessibility. His
9 previous laptop did not have enough resources to support the new operating system along with
10 the assistive technology.

11 A few years ago, when EOA upgraded from Windows 7 to Windows 10 the Jaws screen reading
12 software needed to be upgraded as well. The embosser that he used also needed a software
13 upgrade. Island Skills, a technology business specializing in blind technology assisted him in
14 making the necessary changes. They submitted a proposal to EOA for all the equipment and
15 software upgrades needed including training on the devices. Included in this package was the
16 Kurtzweil Scanning and Reading technology and the Braille Touch note taker device.

17 Mr. Ana supports the Enterprise Technology Services, in consultation with the Disability and
18 Communication Access Board, and a working group comprising stakeholders to develop and
19 publish information Technology accessibility standards to be implemented by all state entities.

20 **Recommendation:** EOA supports this measure.

21 Thank you for the opportunity to testify.

DAVID Y. IGE
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.
DIRECTOR OF HEALTH

STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
PRINCESS VICTORIA KAMĀMALU BUILDING
1010 RICHARDS STREET, Room 122
HONOLULU, HAWAII 96813
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
February 8, 2022

The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Human Services
The Honorable Senator Sharon Moriwaki, Chair
Senate Committee on Government Operations
The Thirty-First Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

LATE

Dear Senator San Buenaventura, Senator Moriwaki, and Committee Members:

SUBJECT: SB2144 Relating to Broadband Service Infrastructure

The Hawaii State Council on Developmental Disabilities **SUPPORTS SB2144**, which requires that all electronic information technology developed, purchased, used, or provided by a state entity be made accessible to persons with disabilities.

The intellectual/developmental disability community uses a wide range of accessible technologies to access electronic information. The Council appreciates this measure as it seeks to include our disability community's need to access technology and participate in state programs and services.

The Council defers to the Disability and Communication Access Board as the State ADA Coordinator for any substantive recommendation to this measure.

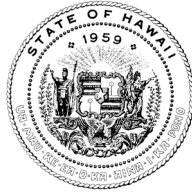
Thank you for the opportunity to submit testimony in **support of SB2144**.

Sincerely,

A handwritten signature in blue ink that reads "Daintry Bartoldus".

Daintry Bartoldus
Executive Administrator

DAVID Y. IGE
GOVERNOR



DOUGLAS MURDOCK
CHIEF INFORMATION
OFFICER

OFFICE OF ENTERPRISE TECHNOLOGY SERVICES

P.O. BOX 119, HONOLULU, HI 96810-0119
Ph: (808) 586-6000 | Fax: (808) 586-1922
ETS.HAWAII.GOV

Testimony of
DOUGLAS MURDOCK
Chief Information Officer
Enterprise Technology Services

Before the

SENATE COMMITTEE ON HUMAN SERVICES
SENATE COMMITTEE ON GOVERNMENT OPERATIONS
Tuesday, February 8, 2022

SENATE BILL 2144
RELATING TO ELECTRONIC INFORMATION TECHNOLOGY ACCESSIBILITY FOR
PERSONS WITH DISABILITIES

Dear Chairs San Buenaventura and Moriwaki, Vice Chairs Ihara and Dela Cruz, and members of the committees,

The Office of the Enterprise Technology Services (ETS) **provides comments** on this bill. ETS prefers Senate Bill 2381 and its role to provide DCAB with consultation and guidance on the appropriate technology solutions to meet accessibility standards. ETS does not have the expertise to in the subject matter to lead the effort in creating accessibility standards. However, we have the technical expertise to support the standards.

Thank you for this opportunity to provide testimony on this bill.

National FEDERATION OF THE BLIND OF HAWAII
Testimony before the Committees on Human Services (HMS) and Government
Operations (GVO)
Hawaii State Senate
Thirty-First Legislature, Regular Session of 2022 February 8,
2022, 3:00 PM, hearing on SB2144

Good afternoon Madam chairs, vice chairs, and committee members. I am James Gashel, representing the National Federation of the Blind (NFB) of Hawaii, fully supporting sb2144.

Before I get to the meat of this testimony, NFB of Hawaii wants to give special thanks to Senator Moriwaki and to Senator Dela Cruz for their leadership as principal introducers of SB2381 and SB2144 respectively. Thanks also to Senators San Buenaventura and Ihara for joining in the introduction of these bills. Fifteen senators in all have put their names on these bills; just about all members of the HMS and GVO committees. We thank you for your support and understanding.

The short title given this bill is important: "The Hawaii Electronic Information Technology Accessibility Act." Enactment of this bill will bring pride to our state and to the legislature, beginning with the first section, declaring a clear and concise name of this law to be.

The findings in section 2 are also important: "The legislature finds that all electronic information technology developed, purchased, used, or provided by a state entity must be made accessible to persons with disabilities. Electronic information is rapidly replacing print media, and all residents need access to technology to work and to participate fully in state programs and services.

The legislature further finds that uniform standards are needed to ensure that state entities are proactively addressing accessibility in their communications, information technology development, and technology procurement processes."

State entities are making great progress to fully embrace the Information Age. Doing so can have enormous advantages when the technology is well designed and accessible. We use the term "accessible" in this context to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Accessible technology tools exist, including screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf.

The point of this bill is adoption and application of standards needed to ensure that the screen readers and other disability access technology tools can perform as intended. Disability access to electronic information technology just won't happen without standards.

As far as access is concerned, existing law is very clear on this. People with disabilities are supposed to have access to information and services that is equivalent to access provided to persons without disabilities. The goal of equivalent disability access is pretty well known but far less often achieved. The reason is lack of clearly applicable standards to guide design, procurement, and deployment. Equivalent disability access must become part of the product specifications. That's the point of this bill.

Please note especially the requirement in section 3 that the standards developed here must be consistent with the accessibility standards issued pursuant to section 508 of the federal Rehabilitation Act as amended in 1998 and web access standards issued by the World Wide Web Consortium Web Accessibility Initiative.

Section 508 requires information technology purchased by federal agencies to meet accessible use standards at the time the technology is purchased and not at some later date in response to a problem arising from lack of access. On its face, section 508 does not have technical applicability to state entities. More law is needed. By adopting this proactive approach with specific disability access standards applicable to state entities, Hawaii will join the mainstream of states now looking to the federal section 508 standards as an achievable accessibility blueprint.

More than just a blueprint, the section 508 federal standards are well known in the information technology industry. They first took effect in 2001 and were last revised in January 2017. With this history we can be confident that our agencies will have the support they need.

It's one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. Try to navigate the Hawaii Safe Travel program with a screen reader. Not showing our aloha, that's for sure. Can it be done? Partly yes, and partly no. Being required to sign your name in a box somewhere on a computer screen you can't see is only one of several barriers. I'm sure we can do better.

SB2144 holds promise that we will do better. In passing this bill the legislature will be making a powerful statement on behalf of equal rights and equal opportunity. SB2144 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. It will also become an important key to independence and equality for people with disabilities in our state. Mahalo for hearing this bill and understanding why we need it passed into law.

Finally, I should note that SB2144 is similar to SB2381, also requiring disability access standards for electronic information technology. Below you will find the comparison and recommendations of NFB of Hawaii regarding these bills. Mahalo for your consideration.

NFB OF HAWAII

Comparison and recommendations re: SB2144 and SB2381

Thirty-First Legislature, regular session of 2022

The National Federation of the Blind (NFB) of Hawaii is pleased with the interest and support shown for a bill to establish and implement disability access standards for electronic information technology. Bills with this objective have been introduced as SB2144 and SB2381. NFB of Hawaii supports both bills and recommends combining them with the following points considered:

(1) We strongly recommend retaining the short title language in section 1. Of both bills.

(2) Comparing the findings and purpose, section 2. Of both bills, NFB of Hawaii recommends the somewhat more concise and precise language of SB2144.

(3) Regarding the purpose as stated in section 2. Of SB2144, NFB of Hawaii prefers designating the Office of Enterprise Technology and Services (OETS) as the lead agency to develop, implement, monitor, and revise the electronic information technology disability access standards, in consultation with the Disability and Communications Access Board (DCAB). Our preference is based on:

(a) Although the objectives of this bill fall within DCAB's overall mission, DCAB may not have the staffing and in-house expertise needed to serve as the lead agency; and

(b) The mission of OETS includes overseeing acquisition and use of technology by state entities. Therefore, development and application of standards for the state's technology is more within the wheelhouse of OETS than DCAB. That said, the ultimate choice of which agency to designate is entirely the legislature's.

(4) Regarding the accessibility standards, section 3. Of both bills, NFB of Hawaii recommends language to state a standard of access for people with disabilities "equivalent to access provided people without disabilities." This standard is stated in SB2381, subsection (a) of section -2, under the heading: "Disability access standards. SB2144 has no comparable provision. Modifying the existing language of SB2381, NFB of Hawaii recommends the following policy statement prior to the standards requirements:

"Policy: It is the policy of the State that electronic information technology developed, purchased, or provided by the State shall be accessible to and usable by individuals with disabilities equivalent to access and use by individuals without disabilities."

(5) Regarding requirements for development and periodic revision of accessibility standards, NFB of Hawaii prefers the language as written in subsections (a) through (g) of SB2144. In particular, we note that clauses (2) and (3) of section 3., subsection (c) of SB2144, clearly specify consistency with the federal section 508 standards and guidelines of the World Wide Web Consortium Web Accessibility Initiative. This matter aside, the differences between SB2144 and SB2381 in respect to requirements for the standards may be seen as essentially technical and editorial.

(6) Regarding definitions, NFB of Hawaii recommends a modified definition of "accessibility" to read: "Accessibility" means the ability to receive, use, and manipulate data and operate technological or mechanical controls to achieve access for people with disabilities equivalent to access for people without disabilities."

SB-2144

Submitted on: 2/6/2022 8:15:26 PM

Testimony for HMS on 2/8/2022 3:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Stan Young	Testifying for Hawaii State committee of Blind Vendors	Support	No

Comments:

Testimony of Stan Young, Chairperson, Hawaii State Committee of Blind Vendors, a Committee created under the Federal Randolph Sheppard Act..

Dear Committe Chairs and Members,

We support SB2144 and SB2381 for accessibility in electronic information and communications for persons with disability. We hope that you will support these measures so that those with disabilities can be informed and included in our modern day communications., so that we can participate in today's society and government.

Mahalo,



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813
Ph. (808) 586-8121 (V) • Fax (808) 586-8129

February 8, 2022

LATE

TESTIMONY TO THE SENATE COMMITTEES ON HUMAN SERVICES AND GOVERNMENT OPERATIONS

Senate Bill 2144 – Relating to Technology Access for Individuals with Disabilities

The Disability and Communication Access Board (DCAB) supports Senate Bill 2144 with comments.

The bill would require the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprising of stakeholders, to develop and publish electronic information technology accessibility standards to be implemented by all state entities.

The DCAB is requesting to remove the “not later than six months after the effective date of this Act” for the Office of Enterprise Technology Services to develop and publish accessibility standards because the definition of “electronic information technology” is so diverse and a huge task to complete in “not later than six months after the effective date of this Act.”

There are limitations to technology, and a cost to the diverse list of electronic information technology, input and output, to ensure accessibility. To complete in “not later than six months after the effective date of this Act” is not sufficient time with limited staff resources.

In addition, procurement of hardware and software in technology is constantly evolving and there is “no one size fits all” for state entities.

The DCAB thanks the Legislature for bringing to attention the need for a Hawaii Electronic Information Technology Disability Access Standards.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

Kristine Pagano

for KIRBY L. SHAW
Executive Director

Testimony of Brandon Young
before the Committees on Human Services (HMS) and Government Operations (GVO)
Hawaii State Senate
Thirty-First Legislature, Regular Session of 2022
February 8, 2022, 3:00 PM, hearing on SB2144

Good afternoon chairs, vice chairs, and members. I am Brandon Young, fully supporting SB2144.

I am a member of the National Federation of the Blind of Hawaii (NFBH), and this measure would help many of us blind and visually impaired persons here in Hawaii. This bill would cause the state to make strict standards to require that all electronic areas of the State of Hawaii are accessible to the blind and visually impaired. As a graduate of the University of Hawaii at Manoa, I faced many instances of inaccessibility as a student during my undergraduate and graduate career. The main website is poorly marked and is hard to navigate. For example, after you log in to the university's website, there is a Enter button. This allows you to view your information. If you did not know that you needed to select this Enter button, you would not be able to find your personal information while using a screen reader. A screen reader helps someone who is blind to navigate the screen without having to use the physical mouse. The computer is navigated by using a number of different keyboard commands. Another example of inaccessibility with our state and electronic information is this Capitol's website. For many years now, I have been advocating at the legislature on behalf of the National Federation of the Blind of Hawaii (NFBH). When I first encountered the Capitol's website, I could not use it at all as a blind person who uses a screen reader. The website has gotten slightly better over the years. I think that there is still much room for the State of Hawaii to grow in the field of electronic information and accessibility for the blind and visually impaired. It was not that long ago where the state operated primarily with a paper and pencil system.

I want to thank you and your committee for taking the time to hear our bill and our concerns surrounding this matter. This is an important topic for myself and many other blind people in our state. We deserve to have the same access that all other residents of this state currently receive. All we want is a seat at the table. If you are willing to listen to us, we will help you to make things the best that they can be. I urge you to pass this bill.

SB-2144

Submitted on: 2/6/2022 2:48:30 PM

Testimony for HMS on 2/8/2022 3:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ann Lemke	Individual	Support	Yes

Comments:

Honorable committee chairs, vice chairs, members:

I support some version of SB2144 or SB2381. Equal access to electronic information and the opportunity to interact with websites, work stations, kiosks, or other related technologies is essential for full and independent participation with those state entities that utilize these technologies in the information age. Federal law requires that those of us with disabilities have the same opportunity to utilize and benefit from these technologies in a comparable manner to persons without disabilities. This access must be timely and adequate. I am recently retired from UH Windward Community College. As a counselor who was blind, I was required to use substantial amounts of online resources and tools on a daily basis. During my years with UH, the campuses made significant strides toward full accessibility. However, I often had to use cumbersome work-arounds and sometimes had to request human assistance. Furthermore, accessibility changes were frequent and unpredictable. Sometimes, a website or function that I could use one day would have been altered through system upgrades with unintended negative consequences. Even among campuses, the level of accessibility varied.

The proposed legislation would promote consistency in the purchase, implementation, monitoring, and maintenance of digital resources. The Enterprise Technology Services department which addresses all such issues would seem to be the logical unit to develop, implement, and upgrade these regulations. This level of access should be integral to the smooth functioning of our state entities and should NOTT be considered just another add-on.

I look forward to tracking and offering further testimony as this vital legislation is molded and advanced.

Testimony of Katie Keim before the Committees on Human Services (HMS) and
Government Operations (GVO)
Hawaii State Senate
Thirty-First Legislature, Regular Session of 2022
February 8, 2022, 3:00 PM, hearing on SB2144

Good afternoon chairs, vice chairs, and members. My name is Katie Keim, a blind woman and member of the National Federation of the Blind of Hawaii in strong support of SB2144.

Each time a state agency's electronic digital application gets designed or updated, new barriers arise. The technology is there yet not implemented within the design of the online application. It is our intent to pass SB2144 which is a step in the right direction for those of us with disabilities by establishing standards ensuring the implementation of our needed access.

A top priority for working age adults with disabilities is to engage fully in employment we are qualified for, including applying for state agency positions. Imagine seeking employment which due to the requirements of the state agency is to apply online, yet you cannot simply because you cannot fill out or file the forms due to the lack of accessibility of the online process? And if you made it past the submittal of your application to an interview, yet what would you do if you couldn't get past the barriers on a digital interview platform? Just because the format was not accessible due to your disability? One more job opportunity lost even though there is existing technology that would enable an individual to participate. Far too often this is the case.

The importance of passing this bill to those of us with disabilities, is critical to our equality and full participation in our community. Mahalo nui loa for your consideration and support in passing this bill.

Testimony of Virgil Stinnett before the Committees on Human Services (HMS) and
Government Operations (GVO)
Hawaii State Senate
Thirty-First Legislature, Regular Session of 2022
February 8, 2022, 3:00 PM, hearing on SB2144

Good afternoon chairs, vice chairs, and members. My name is Virgil Stinnett, a blind entrepreneur and elected president of the National Federation of the Blind of Hawaii in strong support of SB2144.

I stand in support of the testimony submitted by James Gashel, Legislative Director for the NFB of Hawaii.

Mahalo and Aloha for your support in passing this important bill for our equality and access to critical participation of electronic information.

SB-2144

Submitted on: 2/3/2022 12:05:43 PM

Testimony for HMS on 2/8/2022 3:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kimeona Kane	Individual	Support	No

Comments:

Aloha,

Kimeona Kane of Waimānalo in support of this effort to ensure that all people are equally able to access electronic technology.

Mahalo nui,

Kimeona Kane

Testimony of Deb Braiman before the Committees on Human Services (HMS) and Government Operations (GVO)
Hawaii State Senate
Thirty-First Legislature, Regular Session of 2022
February 8, 2022, 3:00 PM, hearing on SB2144

Good afternoon chairs, vice chairs, and members. I am Deb Braiman, fully supporting SB2144.

Enactment of “The Hawaii Electronic Information Technology Accessibility Act” is critical to a totally blind senior such as myself, and others in the blind/deaf-blind community in Hawaii. I am advocating that the state of Hawaii be a leader/example to the nation, Beginning with the passage of this law, which would give access to all residents of Hawaii, that each voice is important to our state.

Thus, the “legislature would find that all electronic information technology developed, purchased, used, or provided by a state entity must be made accessible to persons with disabilities. Electronic information is rapidly replacing print media, and all residents need access to technology to work and to participate fully in state programs and services.

The legislature further finds that uniform standards are needed to ensure that state entities are proactively addressing accessibility in their communications, information technology development, and technology procurement processes.”

State entities are making definite progress to fully embrace the Information Age. Doing so can have enormous advantages when the technology is well designed and accessible.

It is fiscally responsible to write the program for accessibility in the beginning of development, rather than as an afterthought. Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Accessible technology tools exist, including screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf. The point of this bill is adoption and application of standards needed to ensure that the screen readers and other disability access technology tools can perform as intended.

The ADA clearly states that People with disabilities are entitled to the same information and services equivalent to access provided to persons without disabilities. The goal of equivalent disability access is well known, but far less often achieved. The reason is lack of clearly applicable standards to guide design, procurement, and deployment. Equivalent disability access must become part of the product specifications .

More often than not, documents are in PDF format, which is totally inaccessible to a screen reader. It is also difficult to find a signature line for a cursive signature.

Many people don't realize that not everyone has an assistant to help fill out/read documents. Also, there are those, who, don't have a computer to begin with.

An example of compliance is the fact that the Social Security Administration will, upon request, speak to an individual and read documents as necessary/requested by that individual, TTY as well.

Being required to sign your name in a box somewhere on a computer screen you can't see is only one of several barriers.

In passing SB2144, the legislature will make a powerful statement on behalf of equal rights and equal opportunity. SB2381 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. It will also become an important key to independence and equality for people with disabilities in our state. Mahalo for hearing this bill

Debra Braiman

Email: g [REDACTED]
Mobile: [REDACTED]

Testimony of Donald Sakamoto before the Committees on Human Services (HMS) and Government Operations (GVO) Hawaii State Senate Thirty-First Legislature, Regular Session of 2022 February 8, 2022, 3:00 PM, hearing on SB2144.

Good afternoon chairs, vice chairs, and members. I am Donald Sakamoto, in full support of SB2144. The short title given this bill is important: "The Hawaii Electronic Information Technology Accessibility Act." Enactment of this bill will bring pride to our state and to the legislature, beginning with the first section, declaring a clear and concise name of this law.

The findings in section 2 are also important: "The legislature finds that all electronic information technology developed, purchased, used, or provided by a state entity must be made accessible to persons with disabilities. Electronic information is rapidly replacing print media, and all residents need access to technology to work and to participate fully in state programs and services. The legislature further finds that uniform standards are needed to ensure that state entities are proactively addressing accessibility in their communications, information technology development, and technology procurement processes."

State entities are making definite progress to fully embrace the Information Age. Doing so can have enormous advantages when the technology is well designed and accessible. We use the term "accessible" in this context to mean the technology is disability barrier free, and, in that respect, we need the current performance of state entities to be uneven.

Access for people with disabilities is possible however, too often they are not considered as new technologies are designed and deployed. Accessible technology tools do exist, including screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf. The point of this bill is adoption and application of standards needed to ensure that the screen readers and other disability access technology tools can perform as intended. Disability access to electronic information technology just won't happen without standards. As far as access is concerned, the existing law is very clear on this. People with disabilities are supposed to have access to information and services that is equivalent to access provided to persons without disabilities.

The goal of equivalent disability access is pretty well known however, it is far less often achieved. The main reason is lack of clearly applicable standards to guide design, procurement, and deployment. Equivalent disability access must become part of the product specifications. That's the point of this bill. It's one thing to talk about disability access barriers in the abstract however, quite another thing to experience these barriers for yourself. For example, try to navigate the Hawaii State Reapportionment Maps for instance as a blind person with a screen reader. Not showing our aloha, that's for sure. Can it be done? Partly yes, and partly no. Just having the maps first shown on the state's election website in the middle of last year 2021 without no description during their public input is one of several barriers. I'm sure we can do better.

SB2144 holds promise that we will do better. In passing this bill the legislature will make a powerful statement on behalf of equal rights and equal opportunity.

SB2381 is a technology bill for sure however, for blind people, this is an essential twenty-first century civil rights bill. It would be an important key to independence and equality for people with disabilities in our state.

Mahalo for hearing this bill and understanding why we truly need it passed into law!

Testimony of Hoku Burrows before the Committees on Human Services (HMS) and Government Operations (GVO)

Hawaii State Senate

Thirty-First Legislature, Regular Session of 2022

February 8, 2022, 3:00 PM, hearing on SB2144

Good afternoon chairs, vice chairs, and members. My name is Hoku Burrows, a blind woman and member of the National Federation of the Blind of Hawaii in strong support of SB2144.

I stand in support of the testimony submitted by James Gashel, Legislative Director for the NFB of Hawaii.

Mahalo nui loa for your support in passing this important bill.

Testimony of Jaclyn Leilani Borsa
Before the Committees on Human Services (HMS) and Government Operations (GVO)
Hawaii State Senate
Thirty-First Legislature, Regular Session of 2022 February 8, 2022
3:00 PM, hearing on SB2144

Good afternoon chairs, vice chairs, and members. I am Jaclyn Leilani Borsa, fully supporting SB2144.

The short title given this bill is important: "The Hawaii Electronic Information Technology Accessibility Act." Enactment of this bill will bring pride to our state and to the legislature, beginning with the first section, declaring a clear and concise name of this law to be.

The findings in section 2 are also important: "The legislature finds that all electronic information technology developed, purchased, used, or provided by a state entity must be made accessible to persons with disabilities. Electronic information is rapidly replacing print media, and all residents need access to technology to work and to participate fully in state programs and services.

The legislature further finds that uniform standards are needed to ensure that state entities are proactively addressing accessibility in their communications, information technology development, and technology procurement processes." State entities are making definite progress to fully embrace the Information Age. Doing so can have enormous advantages when the technology is well designed and accessible. We use the term "accessible" in this context to mean the technology is disability barrier free, and, in that respect, we find the current performance of state entities to be uneven.

Access for people with disabilities is possible but too often not considered as new technologies are designed and deployed. Accessible technology tools exist, including screen readers able to report words on a computer screen by voice or Braille output for people who are blind, and sign language interpretation or captioning of audio presentations for people who are deaf. The point of this bill is adoption and application of standards needed to ensure that the screen readers and other disability access technology tools can perform as intended. Disability access to electronic information technology just won't happen without standards.

As far as access is concerned, existing law is very clear on this. People with disabilities are supposed to have access to information and services that is equivalent to access provided to persons without disabilities. The goal of equivalent disability access is pretty well known but far less often achieved. The reason is lack of clearly applicable standards to guide design, procurement, and deployment. Equivalent disability access must become part of the product specifications. That's the point of this bill.

It is one thing to talk about disability access barriers in the abstract but quite another thing to experience these barriers for yourself. Try navigating to sign up to get a Covid test using a screen reader. Drop down menus and being able to sign your name in a box on a computer screen in a box you can't see are just some examples of barriers for the blind online. I know we can do better.

SB2144 holds promise that we will do better. In passing this bill the legislature will make a powerful statement on behalf of equal rights and equal opportunity. SB2381 is a technology bill for sure, but for blind people, this is an essential twenty-first century civil rights bill. It will also become an important key to independence and equality for people with disabilities in our state. Mahalo for hearing this bill and understanding why we need it passed into law.

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THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

COMMITTEE ON HUMAN SERVICES
COMMITTEE ON GOVERNMENT OPERATIONS
Testimony on S.B. 2144
Hearing: Tuesday, February 8, 2022

RELATING TO TECHNOLOGY ACCESS FOR INDIVIDUALS WITH DISABILITIES.

Chairs San Buenaventura and Moriwaki, Vice Chairs Ihara and Dela Cruz, and members of the Committee. My name is Peter Fritz. I am an individual with a disability, hard of hearing (HOH), an attorney, advocate for the disabled, former member and chair of the Disability and Communication Access Board and Rehabilitation Advisory Committee, and served on the board of nonprofits providing services to the disabled community. **I offer comments.**

Because the Access Board has published standards that address access to information and communication technology (ICT) under Section 508 of the Rehabilitation Act and Section 255 of the Communications Act, is it necessary to require a working group to develop and publish electronic information technology accessibility standards to be implemented by all state entities when standards already exist? State agencies that receive certain federal funds are currently required to comply with these standards.

The ICT Accessibility 508 Standards and 255 Guidelines. These standards address access to information and communication technology (ICT) under Section 508 of the Rehabilitation Act and Section 255 of the Communications Act. The guidelines had public hearings with comments. The guidelines were finalized many years ago. The Access Board ICT Accessibility 508 Standards and 255 Guidelines. An HTML interactive copy of the rule can be found here <https://www.access-board.gov/ict/> and a PDF copy can be found <https://www.access-board.gov/ict/ict-final-rule.pdf>.

Section 508 requires accessible ICT that is developed, procured, maintained, or used by federal agencies. Examples include computers, telecommunications equipment, multifunction office machines such as copiers that also operate as printers, software, websites, information kiosks and transaction machines, and electronic documents. The Section 508 Standards, which are part of the Federal Acquisition Regulation, ensure access for people with physical, sensory, or cognitive disabilities.

Section 255 Guidelines cover telecommunications equipment and customer-premises equipment — such as telephones, cell phones, routers, set-top boxes, computers with modems, interconnected Voice over Internet Protocol products, and software integral to the operation of telecommunications function of such equipment.

The revised 508 Standards, which consist of 508 Chapters 1 and 2 (Appendix A), along with Chapters 3 through 7 (Appendix C), contain scoping and technical requirements ICT to ensure accessibility and usability by individuals with disabilities. Compliance with these standards is mandatory for Federal agencies subject to Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d).

I would respectfully request that S.B. 2144 be deferred and that the Committee advance S.B. 2381.

Respectfully submitted,

Peter L. Fritz

