



G A O

Accountability * Integrity * Reliability

**United States General Accounting Office
Washington, DC 20548**

B-287005

January 4, 2001

The Honorable Robert C. Smith
Chairman
The Honorable Max Baucus
Ranking Minority Member
Committee on Environment and Public Works
United States Senate

The Honorable William F. Goodling
Chairman
The Honorable William Clay
Ranking Minority Member
Committee on Education and the Workforce
House of Representatives

Subject: Architectural and Transportation Barriers Compliance Board: Electronic and Information Technology Accessibility Standards

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by Architectural and Transportation Barriers Compliance Board (Access Board), entitled "Electronic and Information Technology Accessibility Standards" (RIN: 3014-AA25). We received the rule on December 19, 2000. It was published in the Federal Register as a final rule on December 21, 2000. 65 Fed. Reg. 80500.

The final rule contains the final accessibility standards for electronic and information technology covered by Section 508 of the Rehabilitation Act Amendments of 1998.

Section 508 requires that when federal agencies develop, procure, maintain, or use electronic and information technology, they shall ensure that such technology allows federal employees with disabilities and members of the public with disabilities seeking information or services have access to and use of information and data comparable to the access of federal employees and members of the public without disabilities.

Enclosed is our assessment of the Access Board's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the

rule. Our review indicates that the Access Board complied with the applicable requirements.

If you have any questions about this report, please contact James W. Vickers, Assistant General Counsel, at (202) 512-8210. The official responsible for GAO evaluation work relating to the subject matter of the rule is Cindy Fagnoni, Director, Education, Workforce, and Income Security. Ms. Fagnoni can be reached at (202) 512-7215.

Kathleen E. Wannisky
Managing Associate General Counsel

Enclosure

cc: Mr. James J. Raggio
General Counsel
Architectural and Transportation
Barriers Compliance Board

ANALYSIS UNDER 5 U.S.C. § 801(a)(1)(B)(i)-(iv) OF A MAJOR RULE
ISSUED BY THE
ARCHITECTURAL AND TRANSPORTATION BARRIERS
COMPLIANCE BOARD
ENTITLED
"ELECTRONIC AND INFORMATION TECHNOLOGY
ACCESSIBILITY STANDARDS"
(RIN: 3014-AA25)

(i) Cost-benefit analysis

The Access Board conducted a cost-benefit analysis of the final rule. The total quantified costs to society range from \$177 million to \$1,068 million annually. The federal proportion of these costs is estimated to range from \$85 million to \$691 million. The range of costs results from uncertainty of manufacturers to distribute these costs over the general consumer population. If the addition of the accessibility features add value to the products outside the federal government, the costs will be distributed across society.

The benefit of the final rule is increased access to electronic and information technology for federal employees and members of the public with disabilities seeking federal information provided using electronic and information technology.

(ii) Agency actions relevant to the Regulatory Flexibility Act, 5 U.S.C. §§ 603-605, 607, and 609

As the final rule only imposes requirements on the federal government, the Access Board has certified that the final rule will not have a significant economic impact on a substantial number of small entities.

(iii) Agency actions relevant to sections 202-205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532-1535

The final rule does not contain an intergovernmental or private sector mandate, as defined in title II, of over \$100 million in any one year.

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 et seq.

The final rule was issued using the notice and comment procedures contained at 5 U.S.C. 553.

On March 31, 2000, the Access Board published a Notice of Proposed Rulemaking in the Federal Register. 65 Fed. Reg. 17346. Over 100 comments were received and are discussed in the preamble to the final rule.

Paperwork Reduction Act, 44 U.S.C. §§ 3501-3520

The final rule does not contain any information collections that are subject to review and approval by the Office of Management and Budget under the Paperwork Reduction Act.

Statutory authorization for the rule

The final rule was promulgated pursuant to the authority contained in 29 U.S.C. 794d and section 508 of the Rehabilitation Act Amendments of 1998.

Executive Order No. 12866

The final rule was determined to be an “economically significant” regulatory action by the Office of Management and Budget under the order.

Executive Order No. 13132 (Federalism)

The Access Board has determined that the final rule does not have federalism implications.