

**PROPOSAL FOR LEADERSHIP & PUBLIC POLICY
TO ENSURE EQUAL ACCESS & OPPORTUNITY FOR
DEAF, HARD OF HEARING, LATE-DEAFENED,
DEAFBLIND, & DEAF-MOBILE DISABLED AMERICANS
2020 Election**

This proposal for leadership and public policy to ensure equal access and opportunity for deaf, hard of hearing, late-deafened, DeafBlind, and deaf-mobile disabled Americans is presented to the 2020 presidential campaigns by these organizations:¹

American Association of the DeafBlind
American Deafness and Rehabilitation Association
Association of Late-Deafened Adults
Cerebral Palsy and Deaf Organization
Communication Service for the Deaf
Conference of Educational Administrators of Schools and Programs for the Deaf
Deaf and Hard of Hearing Consumer Advocacy Network
Deaf Seniors of America
Gallaudet University Alumni Association
Hearing Loss Association of America
National Association of the Deaf
National Association of State Agencies of the Deaf and Hard of Hearing
North Virginia Resource Center for Deaf and Hard of Hearing Persons
Registry of Interpreters for the Deaf
Telecommunications for the Deaf and Hard of Hearing, Inc.

We fully appreciate the total, active effort of the 2020 Presidential campaigns—to solicit support and votes from the American electorate, including the deaf and hard of hearing community.

We take into account some encouraging glimpses from the public record that U.S. Presidential campaigns recognize, and commit to address, our deaf and hard of hearing community's access needs and issues. The following are some instances from previous campaigns that represent their awareness of, and sensitivity to, our community on issues critical to our future as first-class Americans.

During the 2016 election, the Democratic National Committee announced its platform during its convention in Philadelphia, PA and the following section focused on guaranteeing rights for people with disabilities:

No one should face discrimination based on disability status. Democrats are committed to realizing the full promise of the Americans with Disabilities Act (ADA). We will protect and expand the right of Americans with disabilities to get the accommodations and support they need to live in integrated community settings. We will improve access to meaningful and gainful employment for people with disabilities. We will provide tax relief to help the millions of families caring for aging relatives or family members with chronic illnesses or disabilities.

¹ See attached brief descriptions of and contact information for these organizations.

And we will continue to fight for ratification of the Convention on the Rights of Persons with Disabilities.

The Republican National Committee adopted its 2016 platform during its convention in Cleveland, OH and one section aimed to advance the ADA:

Under the last two Republican presidents, landmark civil rights legislation affirmed the inherent rights of persons with disabilities. Republicans want to support those rights by guaranteeing access to education and the tools necessary to compete in the mainstream of society. This is not just a moral obligation to our fellow Americans with disabilities. It is our duty to our country's future to tap this vast pool of talented individuals who want to work and contribute to the common good. ...The Individuals with Disabilities Education Act (IDEA) has opened up unprecedented opportunities for many students. Congressional Republicans will lead in its reauthorization, as well as renewal of the Higher Education Act, which can offer students with disabilities increased access to the general curriculum.

We respectfully invite all the presidential campaigns to actively participate with us during the 2020 election cycle in a bipartisan dialogue and exchange of information, with the ultimate goal of improving the quality of life for all Americans. During the campaigns, scores of deaf and hard of hearing Americans will attend town hall meetings and rallies across the nation, and we fully expect that, when requested in advance, the campaigns will provide accessible services at these events, such as but not limited to: captioned videos, sign language or tactile interpreting, Communications Access Real-time Translation (CART) services, and assistive listening systems. We also ask that your political advertisements on TV and the Internet include accurate captions.

This document focuses on addressing the human and civil rights of approximately 48 million individuals who are deaf, hard of hearing, late-deafened, DeafBlind, and deaf-mobile across a broad spectrum of areas:

- Promoting civil rights through legislative, administrative, and enforcement actions.
- Improving the quality of education and related services, and ensuring appropriate transition services.
- Increasing employment opportunities through new initiatives and the provision of reasonable accommodations in the workplace.
- Ensuring effective early intervention systems; access to health care, including substance abuse and mental health care; and insurance coverage for hearing health care, including hearing aids, other assistive technology, and comprehensive rehabilitative services.
- Increasing the availability of safe and accessible housing.
- Providing equal access to telecommunications, information services and video programming, realizing the potential of broadband services, and enabling public safety improvements through accessible emergency communications.
- Ensuring accessible transportation information, services, and facilities.

We stand ready to serve as a partner and resource to further the goals of the Presidential campaigns in accord with our community principle of "Nothing About Us Without Us." Please do not hesitate to contact us at zainab.alkebsi@nad.org and include us as we, together as a nation, move forward to address the needs of all Americans, from cradle to grave, through the delivery of consumer-directed policy and services; by incorporating universal design; and by embracing the diversity of our experiences, abilities, and cultures.

Recommendations: ***Civil Rights Protection and Enforcement***

The incoming administration should take steps to ensure that federal legislative, public policy, regulatory, and enforcement actions be taken on the issues outlined below, with input from consumer and community-based organizations as partners, to serve the needs of the expanding population of 48 million Americans who are deaf, hard of hearing, late-deafened and DeafBlind, including those with additional disabilities:

1. Ratify and implement the United Nations Convention on the Rights of People with Disabilities.
2. Ensure that the White House creates a position or office whose function is to create a liaison with the disability communities and to inform the President on civil rights and public policy issues that impact people with disabilities.
3. Work with Congress and the national disability community to amend the ADA to ensure protection against discrimination based on disability:
 - a. Legislatively overrule *Buckhannon v. West Virginia* (catalyst theory for attorney fees).
 - b. Raise the \$300,000 limit for damages under ADA Title I.
 - c. Permit damages under Title III.
 - d. Grant damages for acts of discrimination without requiring a showing of intentional discrimination.
4. Work with Congress to amend any federal anti-Strategic Lawsuit Against Public Participation (SLAPP) legislation and Section 230 of the Communications Decency Act to exempt any civil rights action under the ADA or any similar state law.
5. Work with Congress to reject entirely any ADA notification bills that limit the ability of people with disabilities to enforce their rights under the ADA to access the programs, services, activities, and facilities of covered entities in the same manner as all citizens.
6. Work with Congress to ensure additional funding and staffing for the various Office of Civil Rights and the Department of Justice's Disability Rights Section offices to allow for proper investigation of all cases as they come in.
7. Take federal action to mandate that each federal, state and local agency, as well as covered entities, create, implement, and maintain well-advertised centralized funds for auxiliary aids and services to ensure that their programs, services, activities, and facilities are accessible for deaf, hard of hearing, late-deafened, and DeafBlind individuals, including those with additional disabilities², in compliance with Section 504 of the Rehabilitation Act of 1973, as amended in 1978 and Title II of the Americans with Disabilities Act, as amended in 2008 and the final rule published in the Federal Register on August 16, 2016.³
8. Direct federal agencies to amend their Section 504 regulations to include Certified Deaf Interpreters (CDIs) and Support Service Providers (SSPs) in their list of auxiliary aids, and allow the Department of

² For the remainder of this comment, the use of the term "deaf and hard of hearing" is intended to encompass all deaf, hard-of-hearing, late-deafened, and DeafBlind individuals, including those with additional disabilities, except where specifically distinguished.

³ https://www.ada.gov/2010_regs.htm

Justice to amend Title II and Title III of its ADA regulations to include CDIs and SSPs in its list of auxiliary aids and services.

9. Require all federal agencies to ensure that information and educational materials produced by federal fund recipients are accessible through open or closed captioning or other effective means.
10. Direct federal agencies to implement American Sign Language (ASL) hotlines staffed by deaf and hard of hearing employees.
11. Ensure the development of accessible emergency preparedness procedures across various applicable agencies, including directing the Department of Justice to mandate Public Safety Answering Points to accept text-to-911 and provide direct connect to Next Generation 9-1-1 (NG9-1-1) using various telecommunication modalities, including multiple media applications such as voice, text, images, video and data.⁴
12. Expand funding within the U.S. Department of Justice Office on Violence Against Women to meet the needs of deaf and hard of hearing victims and their families, and direct federal agencies to create and implement initiatives for States to promote equal justice access for deaf, hard of hearing, late-deafened, and DeafBlind victims, including those with additional disabilities, such as through the Edward Byrne Memorial Justice Assistance Grant.
13. Direct the U.S. Department of Justice to bring the Bureau of Prisons into compliance with Section 504 of the Rehabilitation Act of 1973 by mandating that federal prisons provide qualified interpreters or other appropriate auxiliary aids and services whenever necessary for all programs, activities, services, and facilities; provide both reliable videophones, TTYs, and amplified and/or captioned telephones to be available for deaf and hard of hearing inmates whenever telephones are available for other inmates; and provide visual notifications to accompany aural notifications. Likewise, direct the Department of Justice to ensure that state and local prisons and jails comply with Title II of the Americans with Disabilities Act by ensuring that these correctional facilities provide qualified interpreters or other appropriate auxiliary aids and services such as Communication Access Realtime Translation (CART) or assistive listening devices and systems whenever necessary for all programs, activities and services; provide both reliable videophones, TTYs, and amplified and/or captioned telephones to be available for deaf and hard of hearing inmates whenever telephones are available for other inmates; and provide visual notifications to accompany aural notifications.
14. Direct the U.S. Department of Justice to issue regulations for Title II and Title III of the ADA regarding web, application, and Internet accessibility, particularly ensuring captioning of Internet audiovisual content and clarifying that places of public accommodation operating over the Internet are covered by Title III without a need for a nexus to a physical location, and regulations regarding movie theater captioning and audio description.
15. Direct the Department of Justice, the Department of Housing and Urban Development, and the Department of Defense to enforce the use of smoke, carbon monoxide, and other alerting devices that provide effective, accurate, and immediate alerts to deaf and hard of hearing individuals, such as multiple or low frequency, tactile and/or visual interconnected alerting systems in military, commercial, and lodging environments.

⁴ <https://www.fcc.gov/document/ng9-1-1-service-media-communication-line-services-mcls>

16. Direct the U.S. Department of Health and Human Services to adopt its Notice of Exercise of Authority under 45 C.F.R. 84.52(d)(2) regarding recipients with fewer than fifteen employees.
17. Require the U.S. military to permit deaf and hard of hearing citizens to serve in noncombat positions.
18. Recognize, accept, and respect the linguistic diversity and communication choices that each deaf or hard of hearing individual finds effective, including but not limited to ASL (the linguistic identity of the Deaf community), tactile sign language, English-based sign systems, captioning, Computer Assisted Real-time Translation, Cued Speech, speaking, writing, and speech reading—with or without the use of hearing aids, cochlear implants, assistive listening devices and systems, and other hearing assistive technologies.
19. Direct the Department of Transportation to require captioning of all in-flight entertainment, cabin announcements, and gate announcements.
20. Direct the Department of Transportation to permit the use of ASL interpreters during road skills testing and to remove the hearing test requirement for Commercial Driver’s Licenses and prohibit states from having such rules.

Recommendations: *Education*

1. Support passage of the Alice Cogswell and Anne Sullivan Macy Act⁵, most recently H.R. 1120 and S. 2087, which will amend the Individuals with Disabilities Education Act (IDEA) to better serve the language and academic needs of deaf, hard of hearing, blind, visually impaired, and DeafBlind students, including those with additional disabilities.
2. Monitor IDEA Part C early intervention programs to ensure that they appropriately address the language and communication needs of infants and toddlers who are deaf, hard of hearing, and DeafBlind, including those with additional disabilities⁶ (34 C.F.R. §303.13(a)(4)). Needs include the development of American Sign Language and/or spoken English, and English literacy.
3. Establish a new education initiative to support language equality and acquisition for deaf children’s kindergarten-readiness, including children who are DeafBlind.
 - a. Ensure that all parents and families of children who are deaf have resources about language milestones toward kindergarten-readiness in reading and writing skills based on the child’s primary language.
 - b. Ensure that teachers receive training on these milestones and conduct assessments using checklists to track and support such goals in the Individualized Family Service Plan (IFSP) and Individualized Education Program (IEP) for deaf children ages 0-5.
 - c. Disaggregate the data to show progress in language development for pre-K children.
 - d. Post on the Office of Special Education and Rehabilitative Services website the data collected per state on the progress of language development in children who are deaf.
4. Ensure that states support and maintain the “continuum of alternative placements,” (34 C.F.R. §300.115) including placements such as state and center-based schools and specialized programs serving deaf, hard of hearing, and DeafBlind children. Such placement should be based on a language first approach and prevent the ongoing systemic problem of deaf and hard of hearing children being placed in appropriate programs only after a presumed "less restrictive" placement has failed.
5. Consider hosting a national summit at the White House to address how the educational systems (secondary) are adequately preparing students with disabilities (including those who are deaf and hard of hearing) for post-secondary educational opportunities and/or the workplace.
6. Monitor states to ensure that students who are deaf, hard of hearing, and deafblind are placed in settings that appropriately meet their language, communication, and educational needs (34 C.F.R. 300.116).
7. Require that IDEA monitoring ensure that IEP teams comply with the requirement to consider IDEA “special factors” for deaf, hard of hearing, and DeafBlind students (34 C.F.R. §300.324(a)(2)(iv)).
8. Increase funding and expand programs for the training of personnel (such as teachers, counselors, administrators, interveners, American Sign Language interpreters, speech-language pathologists, and

⁵ <https://www.congress.gov/bill/115th-congress/senate-bill/2087?q=%7B%22search%22%3A%5B%22Alice+Cogswell+and+Anne+Sullivan+Macy+act%22%5D%7D&s=1&r=1>

⁶ For the remainder of this comment, the use of the term “deaf, hard of hearing, and DeafBlind” is intended to encompass all deaf, hard of hearing, late deafened, and DeafBlind individuals, including those with additional disabilities,

CART writers, occupational therapists and physical therapists) serving individuals who are deaf, hard of hearing, and DeafBlind, including those with additional disabilities (20 U.S.C. §1462(c)).

9. Monitor and enforce the IDEA requirement for states to "make positive efforts to employ, and advance in employment, qualified individuals with disabilities" (20 U.S.C. §1405).
10. Fully fund IDEA to raise the current federal funding level of 16% of average per pupil expenditure to the authorized amount of 40% (20 U.S.C. 1411(a)(2)(A)(ii)).

Every Student Succeeds Act

11. Enforce ESSA requirements that assessments be valid and reliable (20 U.S.C. §6311(b)(2)(B)(iii)) and accessible for all students (20 U.S.C. §6311(b)(2)(B)(vii)(II)), including for those with disabilities.
12. Monitor and hold states accountable for ensuring that students who are deaf, hard of hearing, and DeafBlind are meeting state-identified accountability indicators through data tracking of these students, apart from reporting on them in the "disability" category (20 U.S.C. §6311(b)(2)(B)(xi)).

Departments of Education and Health and Human Services

Early Hearing Detection and Intervention Act

13. Ensure that federally-funded state and local early hearing detection and intervention (EHDI) systems (42 U.S.C. §280g–1) identify and offer families a full continuum of services and programs, including center-based programs, family-to-family support services, support and mentorship from individuals who are deaf or hard of hearing, American Sign Language services and resources, spoken language services and resources, intervener services, hearing aids as appropriate, and facilitation of fitting of those devices, as well as other resources specifically designed to meet the unique language and communication needs of deaf, hard of hearing, and DeafBlind infants and toddlers.

Departments of Education and Justice

Americans with Disabilities Act

14. Continue to enforce the "effective communication" provisions of the Americans with Disabilities Act as applied to schools, including for students who are DeafBlind. (28 C.F.R. §35.160).

Recommendations: ***Employment***

In its 2019 report, the National Deaf Center on Postsecondary Outcomes found that in 2017, only 53.3% of deaf people were employed, compared to 75.8% of hearing people; this is an employment gap of 22.5 percentage points.⁷ These barriers to employment opportunities should be recognized as a crisis.

One significant barrier to employment deaf and hard of hearing employees face is access to communication. Effective communication—used by all on a daily basis to collaborate; build relationships; and negotiate with coworkers, managers, and clients or customers—is key to success in today’s global workforce.

For the deaf and people who are hard of hearing, accommodations such as sign language or oral interpreters, computer-assisted real-time captioning (CART) or assistive listening devices and systems, as well as accessible telephones and remote or in-person meeting accommodations are often required to ensure effective communication in the workplace. Lack of access to these resources, due to constrained supply, demand, and funding sources, significantly impacts those with all degrees of hearing loss in hiring, retention, and career advancement.

The need for accommodations encompasses not only the 48 million individuals who are counted in the deaf and hard of hearing population, but also veterans returning from conflict with hearing loss, mature workers who lose hearing as part of the aging process, those with other disabilities that may prevent them from communicating according to societal norms (non-verbal Autistic spectrum, speech disabilities, stroke survivors), and English as a Second Language speakers.

The next administration should:

1. Recommend the replication and use of Centralized Accommodations Funds to cover the cost of communications accommodations. If this expense is written into the overall operating budget of an organization, the cost would not be burdensome, much like 9-1-1, Telephone Relay Service, and Federal Universal Service Charges Fees or Taxes that consumers pay on their monthly telephone and cell service bills.
2. Propose that the tax credit be made available to those transitioning off Social Security benefits such as the Social Security Disability Insurance program (SSDI). The Work Opportunity Tax Credit (WOTC) provides for an annual tax credit of up to \$2,400 to employers who hire people from certain low-income groups. However, the paperwork and documentation required to use the WOTC makes it burdensome and difficult for businesses to take advantage of it. Moreover, the tax credit does not apply to those on SSDI or youth in transition with IEPs or 504 plans and Congress often allows the WOTC to expire then reinstates it retroactively, making it unpredictable for many businesses.
3. Request that the Small Business Tax Credit be expanded—or alternatives be developed—to cover 100% of eligible access expenditures. A Small Business Tax Credit, Section 44, provides a tax credit of up to \$5,000

⁷ Garberoglio, C.L., Palmer, J.L., Cawthon, S., & Sales A. (2019). *Deaf People and Employment in the United States: 2019*. Washington D.C: U.S. Department of Education, Office of Special Education Programs, National Deaf Center on Postsecondary Outcomes. Retrieved from the NDC website:

<https://www.nationaldeafcenter.org/sites/default/files/DeafEmploymentReport-2019.pdf>

annually for certain small businesses to be used for the cost of providing reasonable accommodations such as sign language interpreters, readers, materials in alternative format, the purchase of adaptive equipment, the modification of existing equipment, or the removal of architectural barriers. However, the Section 44 credit covers only 50% of eligible access expenditures, posing a significant financial burden for many small companies.

4. Encourage that the Architectural/Transportation Tax Deduction (Section 190) be expanded—or alternatives be developed—so that a greater number of employers can claim this credit for work done toward removing accessibility barriers. It currently allows businesses of any size to deduct up to \$15,000 annually for the costs of removing barriers to accessibility. Only certain expenses are deductible and modifications must meet certain standards under the IRS Code. As a consequence, the deduction is often difficult for businesses to understand and utilize. Indeed, a 2002 Government Accountability Office report found only a small proportion of corporate and individual taxpayers with a business affiliation were taking advantage of these tax incentives and most were concentrated in only a few industries.

In 2010, Executive Order 13548 (EO 13548) was signed, calling for the hiring of an additional 100,000 individuals. By the end of 2015, that target had not been met. Further, federal agencies usually hire people with non-targeted and/or non-severe disabilities. Despite the ambitious goal set in EO 13548, and despite an emphasis on hiring persons with targeted disabilities, Schedule A employees only make up one percent of the overall number of federal employees. In addition, despite the ADA's prohibition against a job qualification standard that screens out or tends to screen out disabled persons, we have found that some federal agencies screen out applicants and/or current employees based on their use of hearing aids, cochlear implants and/or other assistive hearing devices and systems during job qualification testing.

5. Reissue EO 13548 with separate hiring targets for people with targeted and/or severe disabilities, and people with "other", non-targeted and non-severe disabilities, as defined by the Office of Personnel Management.
6. Ensure that all federal agencies that require hearing acuity testing ensure that those agencies 1) provide a realistic and data-driven rationale for setting such requirements and 2) adhere to the ADA by evaluating individuals on a case-by-case basis and allowing the use of hearing aids, cochlear implants, or other types of devices that assist hearing (e.g., PSAPs, and any new category of hearing aids) and systems during job qualification testing.

According to the FY 2013 report from the Rehabilitation Services Administration (RSA) on Vocational Rehabilitation ("VR") programs, only 64.9% of VR cases resulted in successful employment. This should not be considered a satisfactory rate, and RSA has done little to address it. From 2012 to 2013, the number of VR applicants decreased by 6.8%, due in part to applicants being frequently discouraged from applying for VR service.

7. Generate an increase in VR funding for all 50 states through the Department of Education, with goals set for the hiring of additional VR counselors fluent in ASL and familiar with deaf culture.
8. Ensure that VR counselors are hired who are trained and knowledgeable regarding assistive listening devices and systems, Communication Access Realtime Translation (CART), captioned phones or other telecommunication devices or services to ensure success in the workplace for people who are hard of hearing
9. Take action to reform VR processes to:

- a. bring about an increase in the rate of VR cases resulting in successful employment, and
 - b. increase the number of new cases admitted into the VR system, from the current 40% level to a more acceptable level.
10. Implement data reporting to track and assess individuals who have successfully obtained employment through VR, for a period of five years. Current VR cases are considered closed after 90 days of successful placement into employment, which doesn't provide support to ensure long-term success in the workplace.
 11. Consider hosting a national summit at the White House to address how the nation is positioning the future of the workplace and how to incorporate predicted changes in technologies and automation in the curriculum and instruction in secondary and post-secondary systems to fully develop students with disabilities (including those who are deaf and hard of hearing) with appropriate skills and abilities to respond well with fast-paced opportunities and challenges in the workplace.

Recommendations: *Health Care*

1. Support reauthorization of the Early Hearing Detection and Intervention Act to improve hearing detection and intervention systems. The next reauthorization is scheduled for 2022.
2. Ensure that federally-funded state and local early hearing detection and intervention systems offer families a full continuum of services and programs, including center-based programs; family-to-family support services; ASL services and resources; auditory and speech habilitation services; occupational/physical therapy services; and other resources specifically designed to meet the unique language and communication needs of deaf, hard of hearing, DeafBlind, and deaf/mobile disabled infants and toddlers.
3. Direct the U.S. Department of Health and Human Services (HHS) to fund and lead a nationwide campaign with consumer groups, service providers, and government agencies to raise public awareness about hearing loss, the need for prevention, and the importance of regular hearing screenings throughout life—and to provide assistance and resources for late-deafened individuals and their families to learn how to address and adjust to hearing loss.
4. Support and implement the 12 recommendations provided in the National Academies of Sciences, Engineering, and Medicine’s report, *Hearing Health Care for Adults: Priorities for Improving Access and Affordability*, including recommendations for affordable and available hearing health care, Medicare coverage of hearing aid, consideration of a new category of “over the counter” hearing aids as well as greater research into hearing health care.
5. Direct HHS and the U.S. Substance Abuse and Mental Health Services Administration to establish a national blue ribbon commission, consisting of specialized mental health care providers and deaf, hard of hearing, late-deafened, deafblind, and deaf/mobile disabled consumers to implement and oversee a strategic planning process with all 50 states and territories which will:
 - a. Ensure full and equal access to community-based and school-based substance abuse and mental health services for diverse groups of deaf, hard of hearing, late-deafened, and deaf-blind people of all ages, across the continuum of service modalities.
 - b. Strengthen university-based training, recruitment, and retention of substance abuse, domestic violence, sexual assault, and mental health care professionals to work with deaf, hard of hearing, late-deafened, and deafblind people of all ages.
 - c. Research evidence-based practices in substance abuse and mental health services with diverse groups of deaf, hard of hearing, late-deafened, and deafblind people.
6. Require Medicare and private insurance companies to cover all types of hearing aids, cochlear implants and other implantable devices, related examinations, and training in rehabilitative strategies including skills development in ASL, English-based sign systems, cued speech, speech, speech reading, auditory rehabilitation and mapping services for hearing aid and cochlear implant users, and the use of hearing assistive technology for individuals who have recently lost their hearing as well as the provision of sign language interpreters for medical-related services.
7. Increase funding for research on disability demographics. Expand funding for medical research in the areas of hearing, vision, and language; advances in technology to improve hearing in noisy environments; standards for acoustics in meeting places and public areas; affordable technology; technological

accommodations in the workplace; and stress-related conditions such as the incidence of high blood pressure, diabetes, depression and their association with hearing loss.

8. Direct HHS to increase enforcement actions to ensure access and outreach to routine and emergency health care, in person and/or by telephone that supports a consumer's choice of effective language and communication mode. This includes determining which scenarios warrant proper and safe use of Video Relay Interpreting (VRI), and which do not, by consulting the National Association of the Deaf (NAD)'s guidelines on VRI: <https://www.nad.org/about-us/position-statements/minimum-standards-for-video-remote-interpreting-services-in-medical-settings/>

Recommendations:

Housing

1. Direct the U.S. Department of Housing and Urban Development to educate stakeholders and enforce the provision of accessibility features, including sign language services, for deaf, hard of hearing, late-deafened, DeafBlind, and deaf/mobile disabled individuals in housing that is subject to the Fair Housing Act or Section 504 of the Rehabilitation Act.
2. Fund research to explore alternatives to current residential visual smoke and carbon monoxide detectors for deaf, hard of hearing, late-deafened, DeafBlind, and deaf/mobile disabled individuals; and support the design and production of fully effective and affordable safety equipment with universal design features including auditory, visual, and tactile alerting systems.
3. Increase the availability of housing options accessible to deaf, hard of hearing, late deafened, DeafBlind, and deaf/mobile disabled individuals of all ages, including collaboration with the U.S. Department of Health and Human Services Administration on Aging for the development of programs, including accessible housing for senior citizens. This also calls for a reexamination of current regulations with the U.S. Department of Housing and Urban Development, regarding use of federal funds to develop housing facilities, that are more accessible and culturally suitable for low-income residents and/or senior citizens who are deaf, hard of hearing, late-deafened, deafblind, or deaf/mobile disabled.

Recommendations: ***Telecommunications, Information Services, & Video Programming***

1. Issue an executive order directing that all federal agencies and related commissions review their rules and regulations for compliance with existing laws and policies that ensure effective access to communication and information by people with hearing disabilities.
2. Coordinate with the Federal Communications Commission (FCC) to have its Disability Rights Office build on its commendable work such as providing guidance or information on its services through videos that are both captioned and interpreted in ASL, generating quarterly reports on consumer complaints about the accessibility of telecommunications and video programming equipment and services, expanding the role and functions of its Disability Advisory Committee to provide input and solutions on a range of access issues that are under the FCC's jurisdiction, and ensuring that appropriate investigation and resolution are made for all disability-related complaints.
3. Work with the FCC to ensure that Internet-based and digital telephone and television technologies are accessible, usable, and compatible to people who are deaf and hard of hearing, also those who are DeafBlind or deaf and mobile-disabled under the 21st Century Communications and Video Accessibility Act (CVAA) - and that they offer access to telecommunications relay services (TRS). Such new technologies or shifts include but are not limited to gaming systems, Virtual Reality (VR), HD Voice, Real-Time Text (RTT), video telephony, amplified phones, and the Internet of Things (IoT). Consider the following examples for the DeafBlind: new ovens in the market today are no longer tactile-controlled, but are driven by a touch screen; and when captions are shown on television or on the Internet, the caption data can be sent untethered, such as passing through a wireless network to a Braille device, which is used by the DeafBlind to follow the video program by reading captions via Braille from his or her Braille device.
4. Encourage the FCC to establish a firm action plan to ensure that outstanding closed captioning issues are addressed and resolved. These issues include reforming the complaint system, narrowing or eliminating the current categorical exemptions from the FCC's closed captioning rules, and reports or updates on best practices in caption quality from the 2004, 2011, and 2019 captioning quality petitions by a coalition of national consumer groups of, by, and for the deaf and hard of hearing. This also includes regulatory action by the FCC to adopt a schedule to phase out inferior electronic newsroom technique captioning for local news, weather, and sports outside the top 25 markets nationwide; implement metrics for live captioning quality; and transition to techniques that are at least functionally equivalent to real-time captioning.
5. Coordinate with the FCC and, if necessary, Congress to address holes in the coverage of the FCC's Internet Protocol captioning rules for online-exclusive content that has never been published or exhibited on television.
6. Coordinate efforts with Congress, appropriate federal agencies, consumer advocates, and key stakeholders to spearhead full government response with adequate legislative or regulatory action, training, and financial wherewithal to ensure direct and equal access by people with hearing disabilities to next generation 9-1-1 services and wireless emergency alerts.
7. Ensure that the FCC fully implements its recent decisions related to its Connect America Fund initiative to pave the way for its Universal Service Fund (USF) programs to subsidize low-income deaf, hard of hearing, late-deafened, and DeafBlind individuals and their service providers (for instance, schools and libraries) in the acquisition of broadband service to partially cover the cost of telecommunications devices, and to conduct a meaningful outreach campaign to ensure access to information and communication by deaf,

hard of hearing, late-deafened, and DeafBlind individuals across America. In particular, the administration should ensure that the FCC accounts for the need for deaf and hard of hearing people, as well as people with speech disabilities, to access plans with increased data limits to accommodate the use of relay services as basic communications.

8. Provide full support for captioned radio technology, which is currently languishing after some encouraging research and development by National Public Radio, Towson University, and its other partners.
9. Coordinate with Congress and the U.S. Copyright Office to implement appropriate exemptions and limitations in copyright law, including the exclusive rights of copyright holders and the anti-circumvention measures in Section 1201 of the Digital Millennium Copyright Act, to ensure that the development of accessibility technology, accessible adaptations to and of content including closed captions, and accessibility services are not hindered by copyright concerns.
10. Fully support the FCC's Report and Order Released August 5, 2016 that take steps to implement a historic consensus proposal drafted in a collaborative effort by consumer organizations working with the wireless industry. These efforts will ensure people with hearing loss have greater access to innovative wireless handsets over the next few years, and pursue a goal of 100% hearing aid compatible handsets deployment in eight years.
11. Enlist the White House's support in coordination with the U.S. Department of Health and Human Services to provide funding for expanded activities addressing the technology needs of Americans who are deaf and hard of hearing with its Rehabilitation Engineering Research Center and other related funding programs.
12. Secure a strong commitment from the White House to fulfill the promise and potential of the ADA, specifically the fourth provision for a national telecommunications relay service program. The relay service program has witnessed some meaningful progress in twenty-six years. Today, several forms of relay services are being offered to a diverse deaf and hard of hearing population and their hearing contacts across the nation, but new initiatives are needed in the next few years to achieve functional equivalency using relay service at a "state of the art" level.
13. Coordinate efforts from both the FCC and the U.S. Department of Justice to make revisions, and then enforce their respective policies and regulations for accessible technologies and services in prisons at federal, state, and local levels for Americans who are deaf and hard of hearing that are incarcerated in these facilities.
14. Encourage the FCC to spur competition and innovation in the video navigation marketplace that would improve the accessibility of multichannel video programming for deaf and hard of hearing consumers, while making clear that all competitive navigation devices—whether hardware, software, or a combination of both—will be subject to the FCC's accessibility rules.
15. Support addressing unique access needs in critical communication and information avenues for those who are DeafBlind, have low vision, a speech disability, or are deaf or hard of hearing, and have an additional disability such as mobility.
16. Encourage or mandate more public places to require that their public television sets display captioning. Recent examples include the City of Portland, Oregon, U.S. airports as mandated by the U.S. Department of Transportation, and the state of Minnesota (medical facilities).

Recommendations: ***Transportation***

1. Direct the U.S. Department of Transportation (DOT) to implement measures that ensure full visual access to all public announcements made at all airports and public ground transportation facilities.
2. Direct the DOT to ensure that communication access is available on board all airplanes, trains, buses and other public transportation vehicles both for on board announcements and communications as well as entertainment. This includes meeting such needs of those who use wheelchairs.
3. Direct the DOT to make highway emergency communications systems, including those located at rest areas, accessible to deaf, hard of hearing, late-deafened, DeafBlind, and deaf/mobile disabled travelers.
4. Direct the DOT to include the FCC in the interagency efforts to establish Next Generation 9-1-1 services to ensure access by people with disabilities by enabling direct communication by these individuals with public safety answering points (PSAPs) and emergency services through video, text, and voice carried by wireline, wireless, and Internet-based communication networks.
5. Direct the DOT to issue regulations for the Air Carrier Access Act (ACAA) that ensure access to all airline services and ensures that individuals who are DeafBlind or deaf/mobile disabled can exercise their right of self-determination for independent travel.
6. Amend the ACAA to include a private right of action and mandating full visual access to all public announcements and in-flight entertainment.
7. Ensure that people who use service animals have equal access to all forms of public transportation.
8. Direct the FAA to explore opening up additional employment opportunities for deaf and hard of hearing pilots to operate commercial and passenger routes in conjunction with the rollout of the Data Comm system by reforming its system for medical licensing.
9. Obtain support from the DOT to work with leaders of the national deaf and hard of hearing and the vehicle manufacturing industry to address an increasing number of fatal carbon monoxide accidents for people who are deaf and hard of hearing that use fobs to operate vehicles.
10. Collaborate with the disability communities, the DOT, and the vehicle industry to ensure autonomous vehicles are fully accessible in the near future for people with disabilities, including those who are deaf and hard of hearing.
11. Work with major cities - which are increasingly offering light rails and other public transits as an alternative to overcrowding road traffic - to ensure that accessible notification systems are provided to the deaf and hard of hearing when using such forms of transportation.

**PROPOSAL FOR LEADERSHIP AND PUBLIC POLICY
TO ENSURE EQUAL ACCESS AND EQUAL OPPORTUNITY FOR
DEAF, HARD OF HEARING, LATE-DEAFENED AND DEAF BLIND AMERICANS**

American Association of the DeafBlind (AADB)	
<p>Art Roehrig AADB Representative for DHHCAN art.roehrig43@gmail.com</p>	<p>American Association of the DeafBlind (AADB) is a national consumer advocacy organization of, for and by DeafBlind Americans. The mission of AADB is to enable DeafBlind individuals achieve their maximum potential through increased independence, productivity, and integration into the community. Founded in 1937 to have DeafBlind people meet and provide moral support to one another, AADB evolved into a formal organization in 1984 with 501 (c) (3) status, bylaws, and a board of directors, the majority of whom are DeafBlind themselves.</p>
American Deafness and Rehabilitation Association (ADARA)	
<p>Damara Goff Paris, Ed.D, NCC, CRC, LPC President 1204 Queen St. NE, Washington D.C. 20002 president@adara.org</p> <p>Caroline Kobek Pezzarossi ADARA Representative for DHHCAN caroline.pezzarossi@gallaudet.edu</p>	<p>American Deafness and Rehabilitation Association (ADARA)'s mission is to facilitate excellence in human service delivery with individuals who are Deaf or Hard of Hearing. This mission is accomplished by enhancing the professional competencies of the membership, expanding opportunities for networking among ADARA colleagues and supporting positive public policies for individuals who are Deaf or Hard of Hearing. In achieving the mission, ADARA members are committed to: full access for members to all aspects of the organization's business, including Board matters, conference planning, presentations and journal publications, recognizing and affirming the ethnic, racial, and cultural diversity of the membership, and fostering an inclusive language community through the use of American Sign Language, signed communication, and other communication strategies used by all members at ADARA events in order to strive for barrier-free communication.</p>
Association of Late-Deafened Adults (ALDA)	
<p>Richard Brown President 8038 MacIntosh Lane, Suite 2 Rockford, IL 61107 president@alda.org www.alda.org</p>	<p>The Association of Late-Deafened Adults (ALDA) was formed in Chicago, Illinois in 1987. It has evolved to membership that is international in scope, working collaboratively with other organizations and individuals around the world to serve the needs of people who are late-deafened. Through a support network of chapters, groups, and individuals, ALDA promotes public and private programs to alleviate the problems faced by those with late-deafness in becoming reintegrated into all aspects of society. ALDA also provides educational information through publications and an annual conference, as well as</p>

	advocacy on behalf of, and in support for, late-deafened adults and their families and friends.
Cerebral Palsy and Deaf Organization (CPADO)	
<p>Mark Hill President 14510 Homecrest Road Unit #3008 Silver Spring, MD 20906 president@cpado.org www.cpado.org</p> <p>Michele Mulligan CPADO Representative for DHHCAN hotpinkwheelie@gmail.com</p>	<p>Cerebral Palsy and Deaf Organization is a membership and consumer advocacy organization. Its' mission has been to generate incentives for members of this special constituency which has various forms of cerebral palsy or another mobile disability, to pursue for higher quality of life, and to promote maximum achievement of their full potential and recognition of their contributions to society here in America.</p>
Communication Service for the Deaf (CSD)	
<p>Christopher Soukup Chief Executive Officer 2028 E. Ben White Blvd. #240-5250 Austin, Texas 78741 csoukup@csd.org www.csd.org</p>	<p>CSD (also known as Communication Service for the Deaf, Inc.) is a private, nonprofit organization dedicated to providing broad-based services, ensuring public accessibility and increasing public awareness of issues affecting Deaf and Hard of Hearing individuals. Through global leadership and a continuum of quality communication services and human service programs, CSD provides the tools conducive to a positive and fully integrated life.</p>
Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD)	
<p>David Geeslin - President Superintendent/CEO Indiana School for the Deaf 1200 East 42nd Street Indianapolis, IN 46205 Voice/Relay: 317-550-4807 VP: 317-550-1983 dgeeslin@isd.k12.in.us www.ceasd.org</p> <p>Barbara Raimondo CEASD Representative for DHHCAN ceasd@ceasd.org</p>	<p>CEASD supports and promotes effective school leadership to advance education programs for deaf and hard of hearing children. Founded in 1868, the Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD) is committed to the promotion of excellence within a continuum of equitable educational opportunities for all children and adults who are deaf or hard of hearing. CEASD advocates on behalf of individuals who are deaf or hard of hearing and supports the efficient and effective management of schools, programs, program service centers, and governmental units offering educational and related programs and services.</p>

Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN)

<p>Zainab Alkebsi Chair, DHHCAN 8630 Fenton Street, Suite 820 Silver Spring, MD 20910-3803 (301) 563-9111 zainab.alkebsi@nad.org</p> <p>Marcia Zisman Secretary, DHHCAN marcia.zisman@gallaudet.edu</p> <p>Al Sonnenstrahl Treasurer, DHHCAN alsonny@icloud.com</p>	<p>Established in 1992, the Deaf and Hard of Hearing Consumer Advocacy Network (DHHCAN) provides a forum for proactive coordination of information for addressing and influencing legislation. It also seeks to further the movement toward universal, barrier-free access with emphasis on quality, certification and standards.</p> <p>Sixteen organizations are members of this national coalition of, for, and by the deaf and hard of hearing: American Association of the DeafBlind (AADB), American Deafness and Rehabilitation Association (ADARA), Association of Late-Deafened Adults (ALDA), Cerebral Palsy and Deaf Organization (CAPDO), Communication Service for the Deaf (CSD), Conference of Educational Administrators of Schools and Programs for the Deaf (CEASD), Deaf Seniors of America (DSA), Gallaudet University Alumni Association (GUAA), National Association of State Agencies of Deaf and Hard of Hearing (NASADHH), Hearing Loss Association of America (HLAA), National Association of the Deaf (NAD), National Black Deaf Advocates (NBDA), Northern Virginia Resource Center (NVRC), Registry of Interpreters for the Deaf, Inc. (RID), and Telecommunications for the Deaf and Hard of Hearing, Inc. (TDI).</p>
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Deaf Seniors of America (DSA)

<p>Al Sonnenstrahl President And DSA Representative for DHHCAN alsonny@icloud.com www.deafseniorsofamerica.org</p>	<p>Deaf Seniors of America (DSA) is a membership organization that was established after its first conference in 1992. Originally called the National Association of Deaf Seniors Citizens (NADSC), the current name was adopted in 1997. The mission of DSA is to improve the quality of life for senior citizens who are Deaf by providing seminars dealing with issues impacting their well-being and safety; conducting awareness projects or activities among decision makers, providers of service and the general public regarding their unique needs, and acquainting those senior citizens with national, state, and local resources that will contribute to their positive image and fuller participation in the mainstream society.</p>
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Gallaudet University Alumni Association (GUAA)

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& GUAA
Peikoff Alumni House
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Gallaudet University Alumni Association (GUAA) was founded in 1889. It's mission includes three objectives: a.) to preserve and increase the influence and prestige of Gallaudet University as an institution of higher education for the deaf. b.) to promote those concerns that affect the welfare of the Deaf in general, especially those associated with education, and c.) to perpetuate the friendships formed during college life and to promote social and fraternal relations among alumni of different college generations. The Association represents more than 18,000 alumni of Gallaudet who live across the United States and around the world. It has more than 7,000 Life members and 52 chapters in the U.S., Japan, and Canada.

Hearing Loss Association of America (HLAA)

Barbara Kelley
Executive Director
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Lise Hamlin
Director of Public Policy & State
Development
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Hearing Loss Association of America (HLAA) is the nation's leading consumer organization representing people with hearing loss. HLAA impacts accessibility, public policy, research, public awareness, and service delivery related to hearing loss on a national and global level. HLAA's national support network includes an office in the Washington D.C. area, 14 state organizations, and 200 local chapters. The HLAA mission is to open the world of communication to people with hearing loss through information, education, advocacy, and support. HLAA provides cutting edge information to consumers, policy makers, business professionals and family members through our website, an award -winning publication, Hearing Loss, an online newsletter, ENews, and message boards. In addition, it brings consumers and policy makers together to learn about hearing accessibility issues at our national and regional conventions.

National Association of State Agencies of the Deaf and Hard of Hearing (NASADHH)

Sherri Collins
President
100 N. 15th Ave.
Suite 104
Phoenix, AZ 85007
S.Collins@acdhh.az.gov

National Association of State Agencies Serving the Deaf and Hard of Hearing (NASADHH) functions as the national voice of state agencies serving Deaf and Hard of Hearing people and promotes the implementation of best practices in the provision of services. It seeks to increase public awareness through research, education, and informational activities about the abilities and capacity of persons who are Deaf or Hard of hearing, and to promote their independence. It provides resources and consulting to improve equal access opportunities to effective communication. It creates best practices in the federal, state, and local provision of services. It provides a forum for administrators of state agencies to study, deliberate, and act

	<p>upon matters affecting services to Deaf and Hard of Hearing persons. It establishes and maintains liaison with federal agencies and national non-profit organizations as they develop policies and administer programs affecting services to Deaf and Hard of Hearing persons. It seeks to be a voice on public policies and strategic initiatives to improve programs and services to Deaf and Hard of Hearing persons.</p>
<p>National Association of the Deaf (NAD)</p>	
<p>Howard Rosenblum Chief Executive Officer 8630 Fenton Street, Suite 820 Silver Spring, MD 20910 howard.rosenblum@nad.org</p> <p>Zainab Alkebsi Policy Counsel zainab.alkebsi@nad.org</p>	<p>The National Association of the Deaf (NAD) was established in 1880 by deaf leaders who believed in the right of the American deaf community to use sign language, to congregate on issues important to them, and to have its interests represented at the national level. These beliefs remain true to this day, with American Sign Language as a core value. As a nonprofit federation, the mission of the NAD is to preserve, protect, and promote the civil, human, and linguistic rights of deaf and hard of hearing Americans. The advocacy scope of the NAD is broad, covering the breadth of a lifetime and impacting future generations in the areas of early intervention, education, employment, health care, technology, telecommunications, youth leadership, and more.</p>
<p>Northern Virginia Resource Center for Deaf and Hard of Hearing Persons</p>	
<p>Dr. Eileen McCartin Executive Director execdirector@nvrc.org 3951 Pender Drive Suite 130 Fairfax, VA 22030</p>	<p>The Northern Virginia Resource Center for Deaf and Hard of Hearing Persons serves a diverse range of people, including the deaf, deaf-blind, late-deafened, hard of hearing, parents with deaf and hard of hearing children, children of deaf and hard of hearing parents, educators, sign language teachers and students, hearing aid users, people with cochlear implants, people with tinnitus, and people with auditory processing disorders</p>
<p>Registry of Interpreters for the Deaf (RID)</p>	
<p>Charity Warigon Interim Executive Director 333 Commerce Street Alexandria, Virginia 22314 CWarigon@rid.org www.rid.org</p> <p><u>Neal Tucker</u> <u>Director of Member Services and Government Affairs</u> ntucker@rid.org</p>	<p>Registry of Interpreters for the Deaf (RID) was established in 1964 and incorporated in 1972 as a 501(c)(3) non-profit membership organization promoting the welfare and growth of individual interpreters as well as the profession of interpretation of American Sign Language and English. In order to promote excellence in interpreting, all interpreters should demonstrate skill, knowledge, and ability through the attainment of certification. RID is the only nationally recognized organization in the United States that credentials both Deaf and hearing interpreters to provide services in a wide range of settings, as well as test and certify interpreters for legal work. As of 2019,</p>

	RID had over 14,000 members and 56 affiliate chapters.
Telecommunications for the Deaf and Hard of Hearing (TDI)	
<p>Claude Stout Executive Director P.O. Box 8009 Silver Spring, MD 20907 cstout@tdiforaccess.org www.tdiforaccess.org</p> <p>Eric Kaika Director of Public Relations mailto:ekaika@tdiforaccess.org</p>	<p>Telecommunications for the Deaf and Hard of Hearing (TDI) is a consumer advocacy organization that provides leadership in achieving equal access to telecommunications, media and information technologies for 48 million Americans who are Deaf and hard of hearing. TDI publishes the TDI World quarterly magazine and the annual TDI National Directory & Resource Guide, also known as the Blue Book. It produces a substantial number of joint policy filings with other sister national & regional consumer organizations annually with the Federal Communications Commission, and other few federal agencies on related disability access issues.</p>