

Access to U.S. Federal Government Information for People with Disabilities: An Analysis of the Legal Requirements, Interpretations, and Implications

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If we are not careful about maintaining policies to provide for the efficient and equitable access of all citizens to Government information, we run the risk of turning into a Nation of information-haves and information have-nots (DiMario, 1997).

Access to information, as well as the ability to communicate one's opinions and information to others, is crucial to full inclusion in the community of the United States and full participation in a democratic society (Schauer, 1984). Access for people with disabilities to a wide variety of U.S. federal government information has been improved through disability legislation, federal freedom of information laws, other federal access laws and various administrative guidelines for implementing federal agency information access, and various court cases. No laws specifically have mandated access to federal information for people with disabilities, though parts of several laws have addressed access-related issues either directly or indirectly.

The Problem

Communication is the basis of many activities of modern daily life. If some theorists prove to be correct about the far-reaching implications of the Internet and digital communication technologies, communication may become the basis for nearly all daily life activities (e.g., Negroponce, 1995). Yet, there remains a gap between the proliferation of information and paths of dissemination and the ability of people with disabilities to access that information.

It is a fact that the whole range of communicative activities is not accessible to all peo-

ple with a disability. Communicative activities include reading, writing, speaking and listening (Rothstein, 1992). Accessibility is defined as "easily approachable, enterable or obtainable" (*American Heritage Dictionary*, 1994). According to Title 34 of the Code of Federal Regulations, disabilities are impairments of one or more major life activities, including breathing, speaking, seeing, hearing, walking, working, learning, caring for one's self and performing manual tasks.

Individuals who have disabilities – including impairments of one or more of their auditory, visual, vocal, respiratory and mobility capacities – cannot receive and transmit information as easily and openly with the whole of society without the use of intermediaries. These intermediaries could be mortal, such as sign language interpreters or oral interpreters; or they could be technological, such as reading machines, character recognition scanners and software, computers with voice synthesizers, respirators, wheelchairs, crutches, sound amplifiers, speaker phones, closed captioning and decoder devices, teletypewriters (TTYs) or raised lettering, including braille (e.g., The Annenberg Washington Program, 1994).

Reading the newspaper without technological aids, a relatively common everyday activity for many Americans, is an impossibility for a person who is legally blind