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**2019 LEGISLATIVE PRIORITIES FROM THE BLIND OF VIRGINIA**

**Priority #1: Enable blind people to get back to work faster.**

**Action:** **Support the Governor’s budget proposal for increased funds for DBVI.**

**Issue:** The Department for the Blind and Vision Impaired (DBVI) provides vocational rehabilitation services leading to employment of Virginians who are blind, deaf/blind, and vision impaired. DBVI provides training in the alternative techniques used by blind people to work and live independently. Funding for DBVI has not increased for 20 years and the waiting list for vocational rehabilitation services has grown to 150 adults and 400 underserved students. Additionally, Virginia students with significant vision disabilities receive pre-employment transition services that assist them in acquiring the skills and credentials to enter the Virginia workforce. Individuals on the wait list typically wait for nearly 9 months. Blind Virginians want to work and live independently.

**Solution:** Support the Governor’s budget to increase DBVI funding. The Governor’s budget proposal is an incremental step towards ensuring the availability of sufficient funds needed to serve blind Virginians. Increased funding ($625,000) would reduce the waiting list by 50 people, fund ($176,000) reasonable accommodations for DBVI’s blind employees who need drivers to perform their job functions, and fund services ($218,000) for deaf/blind Virginians. Without this funding, many Virginians will not receive services which lead them to self-sufficiency and the opportunity to lead productive and comfortable lives.

**Priority #2: Support access to online banking by the blind.**

**Action:** **Oppose SB1302 (Patron Barker)/HB2296 (Patron Leftwich) which dramatically weakens protections that ensure accessibility for blind people.**

**Issue:**  Financial institutions expect their customers to use web-based online services to perform banking functions and manage their finances in an efficient and cost-effective manner. When financial institutions provide online services properly, blind people can use assistive technology to meet their professional and personal banking needs in an increasingly web-based world. When web services are inaccessible, blind people pay fees using a phone representative, spend more time to perform functions, receive limited access to services versus other members of the general public, and must reveal private and sensitive financial information to complete transactions.

Web-based banking services have dramatically improved the ability to bank independently for blind people. Access to these services is covered under the Americans with Disabilities Act (ADA). When accessibility problems arise as the financial technology is updated, blind people typically inform their financial institution, and the problems are addressed because the institutions know they are expected to provide accessible services as a place of public accommodation under Title III of the ADA, which has been in effect for nearly 30 years.

The bill (SB1304/HB 2296) would create confusion for financial institutions because it changes their obligations under state law but does not affect their responsibilities under the ADA, which supersedes Virginia law.

**Solution:** Oppose SB1302/HB2296 which seeks to create a commonwealth-sanctioned class of discrimination which would only apply to banking institutions. By doing so, these institutions would be free to exclude current and future customers with disabilities from accessing the services being provided to customers without disabilities. As written, the bill requires that a person with a disability serve a banking institution with a certified letter detailing the violation including “screen shots of the entity's website as evidence of the alleged violations.” Then the banking institution would have 120 days to make "a reasonable effort" to address the issue(s). This is tantamount to giving the banking institution an indefinite extension, and does nothing to bring about meaningful solutions to the systemic accessibility barriers that blind Virginians confront daily.

Also, providing screenshots would not help the financial institution address the access violation because screenshots generally cannot convey how a website fails to be accessible to blind users. Since screenshots are likely to contain sensitive financial information, submitting the required notice would force the blind user to put his or her privacy at risk and increase the chances that the financial institution could face a data breach. Finally, retrofitting accessibility after a customer complaint is more expensive then testing for accessibility up front when implementing web-based technology.

This bill harms the financial institutions it intends to protect. The bill seeks to amend the Virginians with Disabilities Act, which is superseded by federal law. It also increases institutions’ exposure to breaches of data security because it makes sensitive financial information widely available to people who generally would not have access to it. This legislation offers the banking sector a false sense of security while simultaneously creating an onerous process for individuals with disabilities.

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**ABOUT THE NATIONAL FEDERATION OF THE BLIND**

The National Federation of the Blind is America’s largest and most active organization of the blind. With more than 50,000 members, we are not an “agency” claiming to speak for the blind; we are blind people speaking for ourselves. In Virginia, we are organized into 14 local chapters throughout the Commonwealth, and into various special interest divisions; including a parents’ division.