Resolutions Passed by the 2023 National Convention

RESOLUTION 2023-01

Regarding the Promulgation of Americans with Disabilities Act Website Accessibility Regulations

WHEREAS, on July 26, 1990, the Americans with Disabilities Act (ADA) was signed into law, including Title II requiring that public entities be accessible

to Americans with disabilities and Title III requiring places of public accommodation to be accessible to Americans with disabilities; and

WHEREAS, “public entity” is defined in Title II of the ADA as “any State or local government; any department, agency, special purpose district, or other

instrumentality of a State or States or local government; and the National Railroad Passenger Corporation, and any commuter authority.”; and

WHEREAS, the twelve examples of public accommodation provided in Title III of the ADA include, but are not limited to: places of lodging, establishments

serving food or drink, places of exhibition or entertainment, places of public gathering, sales or rental establishments, service establishments, public

transportation terminals/stations, places of public display or collection, places of recreation, places of education, social service center establishments,

and places of exercise or recreation; and

WHEREAS, on July 26, 2010, exactly twenty years after the ADA was signed into law, the United States Department of Justice published an advance notice

of proposed rulemaking (ANPRM) regarding website accessibility regulations for both Title II and Title III of the ADA; and

WHEREAS, seven years after the publication of the advance notice of proposed rulemaking, the Department of Justice suddenly announced that it was withdrawing

the website ANPRM entirely on December 26, 2017; and

WHEREAS, thirty-two years after the ADA was originally signed into law, and twelve years after the original ANPRM regarding Title II and Title III website

regulations, the Department of Justice announced in the Fall 2022 Unified Agenda that it would issue a notice of proposed rulemaking (NPRM) regarding Title

II website regulations in the spring of 2023, but has so far failed to release Title II website regulations and has failed to announce any plans regarding

Title III website regulations: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

demand the United States Department of Justice immediately release the previously announced ADA Title II website accessibility NPRM; and

BE IT FURTHER RESOLVED that this organization demand the United States Department of Justice immediately begin the process of promulgating the ADA Title

III website accessibility NPRM.

RESOLUTION 2023-02

Regarding the Preservation of the Vocational Rehabilitation Program in the United States through the Liberalization of Policies Governing Federal Expenditures

WHEREAS, a disproportionately high rate of unemployment and under-employment exists among the nation’s blind, causing genuine hardship and suffering; and

WHEREAS, the National Federation of the Blind has long championed and advocated for programs within federal and state government, non-profit organizations,

and elsewhere that will effectively help to minimize and address the multiple economic and social disadvantages stemming from unemployment and under-employment;

and

WHEREAS, the national Vocational Rehabilitation (VR) program, a federal/state partnership charged with supporting disabled people who have an impediment

to securing work within an integrated, competitive environment, has—during its hundred-plus years of existence—received priority attention and resources

of the National Federation of the Blind, calculated to advocating that the VR program in this country adopt policies that positively affect the lives of

blind people by increasing choice provisions, unique nonvisual training, and ultimately employment opportunities; and

WHEREAS, within at least the last decade, Vocational Rehabilitation agencies have started to return substantial portions of their unused federal VR grants

to the Rehabilitation Services Administration (RSA), a part of the United States Department of Education, for either redistribution through the annual

federal re-allotment process or ultimate return to the United States Treasury; and

WHEREAS, members of the United States Congress and other relevant Executive Branch officials have observed that the national VR program has increasingly

been challenged to spend its federal resources, giving the reasonable impression that this valuable federal employment program may not be proving effective

or does not require the level of funding it is currently receiving; and

WHEREAS, federal VR officials and leaders of state VR agencies that manage the day-to-day administration of the VR program propound different institutional

reasons for the existing federal VR expenditure challenge, both perspectives having some merit; and

WHEREAS, many state VR directors and senior fiscal policy staff believe that some of the reasons for state VR agencies needing to return large portions,

or occasionally the entire federal VR grant, back to the federal government include the strict federal fiscal enforcement and interpretation that has deterred

state VR agencies from spending their federal grant dollars and the requirement to reserve and spend 15 percent of the federal VR grant on Pre-Employment

Transition Services (Pre-ETS) services; and

WHEREAS, the alarming pattern of state VR agencies returning federal VR grant resources has caused federal leaders in both the Legislative and Executive

Branches of government to sincerely conclude that this pattern of non-expenditure reflects some type of dysfunction within the national VR program or that

the VR program is simply over-funded; and

WHEREAS, federal officials from RSA have been adopting administrative measures and encouraging state VR agencies to liberalize some of their policies and

practices that falsely attribute the inability to spend federal resources due to an inaccurate interpretation of the federal VR regulations; and

WHEREAS, on October 29, 2019, the Office for Special Education and Rehabilitative Services (OSERS) issued its Frequently Asked Questions (FAQ) document,

which granted prior approval for certain Participant Support Costs and Equipment Purchases, making it markedly easier for VR agencies serving blind consumers

to spend their federal grant dollars with greater practice and speed; and

WHEREAS, during the consecutive fall 2022 conferences of the Council of State Administrators of Vocational Rehabilitation and the National Council of State

Agencies for the Blind, senior RSA officials charged state VR agency directors with being creative in reviewing long-existing state policies that may be

legal, but which may not fully take advantage of latitude that the federal VR Act allows state VR agencies to exercise: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

call upon the Rehabilitation Services Administration, the Council of State Administrators of Vocational Rehabilitation, and the National Council of State

Agencies for the Blind to join together to develop policies that may be relied on to support state VR agencies to spend their federal VR grant resources

responsibly and consistently.

RESOLUTION 2023-03

Regarding the Accessibility of Twitter

WHEREAS, social media has become a significant part of many people’s lives, serving as a vehicle for staying in touch with friends, seeking advice, searching

for jobs, and staying up-to-date on information about local and national news and events; and

WHEREAS, Twitter, a mainstream social media platform, has been a space for the blindness community, having prioritized accessibility by establishing a

dedicated accessibility team, and providing frequent accessibility-related updates and communications; and

WHEREAS, Twitter in the past allowed for third party clients that use its application programming interface (API) to ensure an accessible experience; and

WHEREAS, in the fall of 2022 Twitter laid off its entire accessibility team and made changes to its API that have broken accessible Twitter clients used

by our community; and

WHEREAS, frequent updates to social media platforms and apps like Twitter introduce new features and bring changes to existing features, and without the

accessibility team, accessibility is no longer taken into account with new builds and features: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

condemn and deplore all acts of blatant discrimination and disregard of blind people by Twitter; and

BE IT FURTHER RESOLVED that Twitter shall no longer be a platform this organization supports due to its complete lack of regard for equal access by the

blind; and

BE IT FURTHER RESOLVED that this organization shall not abandon our supporters on Twitter, but shall no longer use it as a primary source of social media

engagement; and

BE IT FURTHER RESOLVED that this organization demand that Twitter build back its commitment to creating more inclusive experiences by prioritizing accessibility.

RESOLUTION 2023-04

Regarding the Opposition of the Brennan Center for Justice, Common Cause, and Free Speech for People to Fully Accessible Vote-By-Mail

WHEREAS, the ability to cast a secret and anonymous ballot is a cornerstone of our democracy that enables citizens to vote their conscience without fear;

and

WHEREAS, Title II of the Americans with Disabilities Act (ADA) requires that voters with print disabilities must be provided an opportunity to mark and

return their by-mail ballot privately and independently at home that is equal to the opportunity provided voters without disabilities; and

WHEREAS, thirty-two states currently permit military and overseas (UOCAVA) voters to return their marked ballot either by email, fax, or web portal; and

WHEREAS, twenty-eight states currently permit blind and low-vision voters to mark their by-mail ballot using a remote accessible vote-by-mail (RAVBM) system,

but only thirteen states (Colorado, Delaware, Hawaii, Indiana, Louisiana, Maine, Massachusetts, Nevada, North Carolina, North Dakota, Rhode Island, Utah,

and West Virginia) have passed state laws or have been ordered by a federal court to permit voters with disabilities to return their marked ballots electronically;

and

WHEREAS, states that do not permit electronic return of ballots require that ballots that are marked using an RAVBM be printed out and returned by regular

mail, or placed in a ballot drop-box, which is a barrier that prevents many voters with print disabilities from exercising their right to vote by mail

privately and independently; and

WHEREAS, organizations such as Common Cause, Brennan Center for Justice, and Free Speech for People oppose fully accessible vote by mail, and therefore

the right of voters with print disabilities to vote by mail privately and independently, solely on the basis of unfounded security concerns; and

WHEREAS, Common Cause, Free Speech for People, and the Brennan Center for Justice claim that their missions are to “ensure that every eligible American

can cast a ballot,” and “to ensure people can participate equally and meaningfully in our democracy”; and

WHEREAS, the most commonly used RAVBM, OmniBallot from Democracy Live, is a web portal hosted in the federally approved Amazon Web Services (AWS) cloud,

which has been approved by the US Department of Defense, Department of Homeland Security, National Security Agency, Central Intelligence Agency, and other

US federal government intelligence agencies to secure nationally sensitive documents and data; and

WHEREAS, Synack Security, the nation’s premiere security testing company, has conducted continuous penetration testing of the OmniBallot portal since 2020,

and a Synack Security report, dated July 27, 2022, indicates that recent testing by over four hundred independent security testers found just one low-risk

security vulnerability, which was later confirmed to be fixed and no longer present in OmniBallot; and

WHEREAS, ballots electronically returned on the OmniBallot portal are encrypted, protected from being changed or overwritten, and securely stored until

the elections office prints out and tabulates the ballot; and

WHEREAS, the Democracy Live OmniBallot RAVBM portal has been deployed in over four thousand elections in ninety-six countries since 2010 with no security

breaches, and is the most deployed RAVBM in the US; and

WHEREAS, the Enhanced Voting System, another RAVBM portal commonly used in the United States, has incorporated Microsoft ElectionGuard, an end-to-end verification

system, that permits the voter to verify their submitted ballot from the time it is submitted to when it is counted: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

demand that Common Cause, Free Speech for People, and the Brennan Center for Justice adhere to their mission that every eligible American be able to cast

a ballot, including a by-mail ballot by blind, low-vision, and voters with other print disabilities, privately, and independently, and to amend their position

on fully accessible vote-by-mail to reflect the actual security status of the state-of-the-art systems currently in use, and to reflect the requirements

of Title II of the ADA.

RESOLUTION 2023-05

Regarding Audio Delays During Live Radio Play-by-Play Broadcasts

WHEREAS, many blind people are sports fans who support their local sports teams; and

WHEREAS, live radio broadcasts of sporting events, where available, are pivotal in helping many blind people to enjoy sporting events, even when they attend

the events in person, because radio broadcasters typically provide thorough nonvisual descriptions of the action on the field of play for listeners; and

WHEREAS, there may be a significant audio delay, ranging from a few seconds to a minute or more, between the action and the description of the play over

the live radio broadcast, which can mean that blind people listening to the broadcast in the stadium or arena do not receive timely information about the

action as it occurs; and

WHEREAS, some sports franchises have worked with their broadcast partners to eliminate such delays, indicating that there is no broadcast requirement that

the delays be present to meet Federal Communications Commission standards: for example, the Baltimore Orioles worked with the Greater Baltimore Chapter

of the National Federation of the Blind to resolve this issue; and

WHEREAS, other franchises have reportedly solved the problem by providing dedicated pre-tuned receivers to blind fans, tuned to a direct feed from the

broadcast booth, allowing fans to hear the play-by-play with no delay; and

WHEREAS, while these solutions have been implemented by some franchises, there are not any league-wide policies, practices, or standards that recognize

and address the negative effects of broadcast delays: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that we urge

all of the professional sports organizations in the United States, including but not limited to Major League Baseball, the National Football League, the

National Basketball Association, and the National Hockey League, to develop policies, standards, and/or best practices in collaboration with the National

Federation of the Blind and with their franchises and broadcast partners to eliminate audio delays during live play-by-play broadcasts.

RESOLUTION 2023-06

Regarding the Enforcement of Section 508 of the Rehabilitation Act of 1973

WHEREAS, the Workforce Investment Act, which significantly expanded and strengthened the technology access requirements for Americans with disabilities

under the original Section 508 of the Rehabilitation Act of 1973, was signed into law in 1998; and

WHEREAS, the strengthened Section 508 went into effect and became enforceable in 2001; and

WHEREAS, Section 508 of the Rehabilitation Act requires federal agencies to give employees with disabilities and members of the public access to information

comparable to the access available to others; and

WHEREAS, Section 508 requires federal agencies to make not only websites and information published on the internet accessible, but all electronic and communication

technology (ECT), including when those agencies develop, procure, maintain, or use ECT; and

WHEREAS, the Department of Justice is required by Section 508 to provide a report to Congress and the President every two years regarding federal technology

accessibility; and

WHEREAS, the publication of these reports has been sporadic, and frankly ignored, with the previous report’s publication in September of 2012; and

WHEREAS, on June 30, 2022, Senators Bob Casey of Pennsylvania and Tim Scott of South Carolina, along with five other senators, sent a letter to the Attorney

General demanding the publication of an updated Section 508 report; and

WHEREAS, in July 2022, the Senate Committee on Aging, led by Senators Casey and Scott, held a hearing on the impact of lack of 508 compliance on blind

and disabled employees, veterans, and members of the public as part of a Senate investigation on Section 508, which resulted in the Committee publishing

a report on December 1, 2022, entitled, “Unlocking the Virtual Front Door: An Examination of Federal Technology’s Accessibility for People with Disabilities,

Older Adults, and Veterans”; and

WHEREAS, the December 1, 2022, report included clear and actionable recommendations for Congress and executive branch federal agencies for improving data

collection, enforcement, accountability, and compliance for Section 508; and

WHEREAS, the effort led by Senators Casey and Scott ultimately resulted in the Department of Justice publishing an updated Section 508 report in January

2023, which showed a significant level of inaccessibility among federal agency websites, including 10 percent of external agency pages being inaccessible,

59 percent of internal agency pages being inaccessible, and 80 percent of PDF documents being inaccessible; and

WHEREAS, given the degree of inaccessibility that the January 2023 Report shows, it can be reasonably assumed that federal agencies are failing at making

other types of ECT accessible in the same way they are failing for web content; and

WHEREAS, the United States Access Board has regulatory authority over Section 508 of the Rehabilitation Act, and the United States Equal Employment Opportunity

Commission (EEOC) has regulatory authority over employment discrimination but no authority over Section 508; and

WHEREAS, neither the Access Board nor EEOC has enforcement authority over Section 508, resulting in little oversight or accountability for employees and

members of the public who encounter non-508 compliant ECT; and

WHEREAS, inaccessibility to this degree after more than twenty years of the law being in effect and enforceable is outrageous, inexcusable, and unacceptable:

Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

demand federal agencies immediately cease the development, purchase, maintenance, or use of inaccessible information and communication technology as well

as the publication of inaccessible website content and PDFs; and

BE IT FURTHER RESOLVED that this organization demand federal agencies develop and publish a roadmap by July 5, 2024, to remediate all Section 508 violations;

and

BE IT FURTHER RESOLVED that this organization demand the United States Department of Justice publish the next required bi-annual accessibility report no

later than January 2025 and every two years thereafter; and

BE IT FURTHER RESOLVED that this organization urge Congress to introduce and adopt legislation that gives the Access Board and EEOC the authority to enforce

Section 508 and hold federal agencies accountable that fail to make their ECT 508 compliant; and

BE IT FURTHER RESOLVED that this organization strongly urge that Congress and executive branch federal agencies adopt the recommendations in the December

1, 2022, Report of the Senate Committee on Aging; and

BE IT FURTHER RESOLVED that this organization commend Senators Bob Casey of Pennsylvania and Tim Scott of South Carolina for leading a bipartisan effort

to demand the Department of Justice publish the Section 508 report and improve Section 508 across the federal government.

RESOLUTION 2023-07

Regarding Text Formatting in Real-Time Refreshable Braille

WHEREAS, italics, boldface, underlining, and other formatting attributes are often used as an integral aspect of much written material to emphasize certain

words, indicate a shift in time or speaker, show insertions, or otherwise convey information that is necessary for comprehension of the full meaning of

the text; and

WHEREAS, such text formatting can be displayed in Braille by the use of specifically defined Braille indicators that clearly identify which attribute is

being used and where it begins and ends; and

WHEREAS, to reduce clutter, when formatting attributes are used for visual appeal but do not add meaning, they are generally not shown in Braille; and

WHEREAS, screen reader technology makes the contents of a digital screen accessible via not only speech output but also by displaying the words in Braille

via real-time translation software and a connected refreshable Braille display; and

WHEREAS, in speech output, most screen readers can, if set to do so, represent italics, boldface, underlining and the like by the use of a different pitch,

tone, or voice when speaking the affected words; and

WHEREAS, in Braille, indication of text attributes by screen readers is inconsistent at best—for example, NVDA is the only screen reader which will, when

set to do so, display the assigned Braille boldface, italic, and underline indicators wherever these formatting attributes occur in the text; and

WHEREAS, a recent software update gave Apple’s VoiceOver screen reader the ability, in very limited circumstances, to render the Braille boldface, italic,

and underline indicators, but the implementation does not extend to many popular applications such as the Kindle; and

WHEREAS, the methods generally used by other screen readers to render this formatting information in their real-time Braille translation are either non-existent

or are very cumbersome and do not use the assigned Braille indicators; and

WHEREAS, lack of access to this formatting information not only denies the Braille reader some needed elements of the full meaning of the text, but also

represents a missed opportunity for the Braille reader to learn about the print formatting customs used in résumés and many other documents they may be

called upon to create as part of employment or educational endeavors: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

call upon developers of screen reader technology to prioritize the implementation of displaying the Braille indicators for boldface, italics, underlining,

and other attributes with assigned Braille indicators, wherever these attributes appear in print, so that the user can show or hide the indicators as preferred.

RESOLUTION 2023-08

Regarding the Transportation Security Administration

WHEREAS, the Transportation Security Administration (TSA) is responsible for screening all passengers and their belongings for safety purposes; and

WHEREAS, blind people traveling through airports every day for work, vacation, or personal reasons interact with TSA agents while navigating through the

screening process; and

WHEREAS, TSA agents frequently request long white cane users to send the cane through the X-Ray machines, but then fail to immediately return it, resulting

in blind travelers feeling inferior and being forced to rely on the agent to help navigate the screening area; and

WHEREAS, for guide dog users, TSA officers frequently attempt to separate users from their animals, require that they be screened in a separate screening

room, or attempt to improperly remove the harness from the dog during the detection process; and

WHEREAS, TSA agents often incorrectly inform these travelers that they are breaking the law, but, when pressed for said law, the agent is unable to provide

further information; and

WHEREAS, blind passengers have been unnecessarily delayed or missed their flights entirely because of aggressive TSA agents not allowing us to quickly

and independently move through the screening process: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

demand that the Transportation Security Administration adopt proper training on dealing with blind passengers, including how to handle long white canes,

guide dogs, and assistive technology products, as well as respectfully asking blind people if they would like assistance, to be consistently used at all

airports while interacting with blind travelers; and

BE IT FURTHER RESOLVED that this organization demand that the training be developed in direct consultation with the National Federation of the Blind, thereby

ensuring the agents understand how to best accommodate blind travelers’ needs.

RESOLUTION 2023-09

Regarding the Accessibility of Training Administered by the American Red Cross

WHEREAS, the American Red Cross is the premier organization providing first aid and CPR training to individuals across this nation; and

WHEREAS, accessibility to these training programs is vital to individuals who are blind and wish to administer life-saving aid to their friends and family

members who may experience medical emergencies and need assistance prior to when emergency medical personnel may arrive; and

WHEREAS, members of the National Federation of the Blind have enrolled in American Red Cross training programs and found that over the last several years

the electronic portion of training, including materials provided after training, have been inaccessible to them; and

WHEREAS, the American Red Cross has recently begun to include videos in their training programs, but these videos are not audio-described and thus do not

provide full access to blind participants; and

WHEREAS, members of the National Federation of the Blind have communicated with the American Red Cross for over three years to offer assistance in making

the American Red Cross electronic materials accessible with limited success to date: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

strongly urge the American Red Cross to take meaningful steps to make all training programs and services accessible to the blind and print-disabled; and

BE IT FURTHER RESOLVED that we call upon the American Red Cross to seek the input and partnership of blind consumers, notably the National Federation of

the Blind, in its efforts to obtain and maintain accessibility.

RESOLUTION 2023-11

Regarding the Nonvisual Accessibility of Hearing Aids

WHEREAS, the mission of the National Federation of the Blind is to improve the lives of blind people by fostering personal empowerment, coordinating nationwide

advocacy, and building a network of collective achievement; and

WHEREAS, in today’s society, blind and deafblind individuals need equal access to a wide variety of information as well as access to computers, smart phones,

and other communication devices; and

WHEREAS, recently at least one hearing aid manufacturer, Sonova, has made the controls for its Phonak hearing aid accessible, demonstrating that blind

and deafblind individuals can use these controls independently and safely; and

WHEREAS, other manufacturers of devices should be able to duplicate accessibility; and

WHEREAS, many hearing-care professionals have the same misunderstandings about the abilities of deafblind individuals that the rest of the public has;

and

WHEREAS, all hearing-care professionals must recognize the capabilities of deafblind individuals to manage their accessible devices; and

WHEREAS, the United States Food and Drug Administration has recently issued a ruling, effective October 17, 2022, allowing the over-the-counter purchase

of hearing aids without a prescription from a hearing health specialist; and

WHEREAS, such a ruling opens the market for hearing aid manufacturers to produce more widely available, affordable, and potentially accessible products:

Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

call upon all hearing-care professionals, marketers, and manufacturers to work with the National Federation of the Blind so that blind and deafblind individuals

can incorporate independent management of their own hearing aid and assistive listening device profiles; and

BE IT FURTHER RESOLVED that this organization urge the Food and Drug Administration to require that all hearing aids be accessible to blind and deafblind

people.

RESOLUTION 2023-12

Regarding Expediting the Plan to Achieve Self-Support Processing

WHEREAS, a Plan for Achieving Self-Support (PASS) is a Supplemental Security Income (SSI) provision to help individuals with disabilities return to work

so that the applicant can find employment that reduces or eliminates SSI or Social Security Disability Insurance (SSDI) benefits; and

WHEREAS, the Social Security Administration (SSA) fact sheet on Plan for Achieving Self-Support states, “PASS is a written plan of action for pursuing

and getting a particular type of job.”; and

WHEREAS, a PASS can include supplies to start a business, school expenses, equipment, transportation, uniforms, and other items or services that an applicant

needs to reach his or her employment goal; and

WHEREAS, an advantage of an approved PASS is that SSA does not count the money set aside to reach a work goal, thus making the participant eligible for

SSI and other public assistance programs such as Medicaid and SNAP; and

WHEREAS, the SSA can take years to make a decision on the approval or denial of this plan, causing hardship to the applicant because its decision is not

retroactive and the client must wait in limbo for other public assistance programs; and

WHEREAS, the SSA does not assist beneficiaries in developing a PASS, but instead directs the applicant to seek help from the state rehabilitation agency;

and

WHEREAS, the applicant is forced to work with two bureaucracies, the state rehabilitation agency and SSA, resulting in duplication and indefinite delays;

and

WHEREAS, the state vocational rehabilitation agency has organizational knowledge and experience evaluating education and training programs and already

has a good working relationship with the applicant; therefore, these agencies should take over the approval of the plan; and

WHEREAS, precedent already exists for SSA to get information from the state rehabilitation agency because it currently uses disability determination from

the state vocational agency: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

urge the Social Security Administration to issue rulemaking procedures that will delegate authority to state vocational rehabilitation agencies to approve

individual plans to receive self-support.

RESOLUTION 2023-13

Regarding Artificial Intelligence Chatbots and their Information on Blindness

WHEREAS, an artificial intelligence chatbot is any computer program that can carry on a natural conversation with a user and provide responses drawn from

a set of existing data; and

WHEREAS, chatbots and other artificial intelligence technologies are becoming increasingly prevalent in society, including in the provision of customer

service and information; and

WHEREAS, the National Federation of the Blind is committed to ensuring that blind and low-vision people have equal access to information and technology;

and

WHEREAS, it has come to the attention of the National Federation of the Blind that some chatbots, including ChatGPT and Bard, may provide users with stereotypical

and inaccurate information about blindness and blind individuals; and

WHEREAS, the provision of such information perpetuates harmful stereotypes and contributes to the marginalization of blind individuals; and

WHEREAS, the National Federation of the Blind believes that creators of chatbots have a responsibility to ensure that their technology does not perpetuate

harmful stereotypes or misinformation about blindness: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that we urge

the creators of ChatGPT, Bard, and any future chatbots that may be developed to work with the National Federation of the Blind to build their chatbots

in a way that ensures the provision of accurate, non-stereotypical information about blindness and blind individuals; and

BE IT FURTHER RESOLVED that we call upon the creators of these chatbots to collaborate with the National Federation of the Blind to develop and implement

best practices for ensuring that their technology is accessible and inclusive for blind and low-vision people and that these best practices should include

the use of blind and low-vision people in the development and testing of these chatbots.

RESOLUTION 2023-14

Regarding the Schedule A Hiring Authority for Individuals with Disabilities

WHEREAS, the United States federal government claims that one of its primary goals is to be the model employer of individuals with disabilities; and

WHEREAS, the federal government hires individuals either competitively into the competitive service or noncompetitively into the excepted service; and

WHEREAS, since the 1930s, Schedule A appointments to the federal government have included a variety of categories of individuals who are hired non-competitively

and into the excepted service; and

WHEREAS, President Jimmy Carter issued Executive Order 12125 on March 15, 1979, which, for the first time, established the Schedule A Hiring Authority

for Individuals with Disabilities as a section within the broader Schedule A Hiring Authority, in order to create a pathway to level the playing field

for applicants with disabilities who are seeking employment with the federal government; and

WHEREAS, the Schedule A Hiring Authority for Individuals with Disabilities is intended to create a vehicle for individuals with severe psychiatric, mental,

and physical disabilities, including blindness, to be excepted from the competitive hiring process in order to increase the number of individuals with

disabilities that are hired to work for the federal government; and

WHEREAS, the Office of Personnel Management promulgated the implementing regulation for the Schedule A Hiring Authority for Individuals with Disabilities

at 5 C.F.R. 213.3102(u) and is responsible for oversight and implementation of this authority; and

WHEREAS, this authority is applicable to both veterans and non-veterans with disabilities; and

WHEREAS, though this regulation has been updated and modernized on multiple occasions in its forty-four year history, most recently in 2013, the federal

government has still struggled to hire and retain employees with disabilities and routinely fails to meet its own targets; and

WHEREAS, the Schedule A Hiring Authority for Individuals with Disabilities requires a two-year trial period for newly hired employees, which is equivalent

to a probationary employment period, while other new employees are only required to serve one year of probationary employment; and

WHEREAS, though existing employees with disabilities may use the Schedule A Hiring Authority for Individuals with Disabilities to non-competitively be

promoted or transferred within the federal government, they must serve a new two-year trial period every time the Schedule A Hiring Authority for Individuals

with Disabilities is used, effectively disincentivizing the process contrary to its intent; and

WHEREAS, the two-year trial period was, in 1979, intended to protect employees with disabilities because it took significant time to procure and implement

reasonable accommodations; and

WHEREAS, technological advancement, commercial availability, and equity principles have significantly reduced the amount of time to procure and implement

reasonable accommodations, rendering the prolonged trial period unnecessary and potentially punitive; and

WHEREAS, on November 6, 2020, the Office of Personnel Management (OPM) revised 5 C.F.R. 302, which governs the general Schedule A Hiring Authority, to

require the use of veterans preference and other significant restrictions for excepted service positions; and

WHEREAS, this change has created tremendous confusion among federal agencies about how to implement the Schedule A Hiring Authority for Individuals with

Disabilities, resulting in multiple federal agencies severely curtailing their use of this authority; and

WHEREAS, some federal agencies have reacted to this amended regulation by outright prohibiting non-competitive hiring using the Schedule A Authority for

Individuals with Disabilities; decommissioning non-competitive résumé databases containing applications and résumés for Schedule A applicants with disabilities;

ranking and rating applicants who seek to use the Schedule A Hiring Authority for Individuals with Disabilities behind all other applicant categories,

even competitive applicants; and other consequences that effectively render the Schedule A Hiring Authority for Individuals with Disabilities meaningless;

and

WHEREAS, OPM has indicated that the revised regulation does not apply to the Schedule A Hiring Authority for Individuals with Disabilities, but this guidance

is not easily available, prominently published, or enforced; and

WHEREAS, on June 25, 2021, President Joe Biden issued Executive Order 14035, Diversity, Equity, Inclusion, and Accessibility in the Federal Workforce,

which directs the federal government to “assess current practices in using Schedule A hiring authority to employ people with disabilities in the Federal

Government, and evaluate opportunities to enhance equity in employment opportunities and financial security for employees with disabilities through different

practices or guidance on the use of Schedule A Hiring Authority”: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

emphatically urge the Office of Personnel Management to provide federal agencies with clear instructions concerning the non-applicability of 5 C.F.R. 302

to the Schedule A Hiring Authority for Individuals with Disabilities and direct agencies to reinstate non-competitive hiring procedures for applicants

with disabilities; and

BE IT FURTHER RESOLVED that this organization urge OPM to update the Schedule A Hiring Authority for Individuals with Disabilities regulations to reduce

the trial period to one year for new hires and eliminate it entirely for promotions and transfers consistent with competitive hiring principles; and

BE IT FURTHER RESOLVED that this organization commend the Biden Administration for elevating accessibility including the Schedule A Hiring Authority for

Individuals with Disabilities; and

BE IT FURTHER RESOLVED that this organization urge OPM to promulgate updated regulations to implement the Schedule A Hiring Authority for Individuals with

Disabilities that update and modernize the authority consistent with the federal government’s goal of being the model employer of individuals with disabilities

and include stakeholders with disabilities, including the National Federation of the Blind, in that effort.

RESOLUTION 2023-15

Regarding the Inaccessibility of C-SPAN's Coverage of Congressional Votes

WHEREAS, C-SPAN provides complete coverage of the United States Senate and the House of Representatives; and

WHEREAS, typically only C-SPAN equipment is permitted to cover Congressional proceedings, including coverage of floor votes in both chambers; and

WHEREAS, as votes are taken on bills, nominations, motions and more, a tally is displayed on the screen listing the current vote; and

WHEREAS, members of the Senate cast their votes orally, however members of the House record their votes by electronic device; and

WHEREAS, despite the Senate using voice votes, at no point is the changing vote tally read out loud for either chamber for those who cannot see the current

vote margin on the screen; and

WHEREAS, numerous pieces of legislation are debated and voted upon that would considerably impact the lives of the nation's blind; and

WHEREAS, C-SPAN sometimes interrupts coverage for a moment to speak important details, such as what is about to be considered, but never to say the current

vote totals; and

WHEREAS, C-SPAN has been contacted about adding a feature to make these votes accessible and has not returned correspondence: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that we urge

C-SPAN to audibly update viewers as votes progress every few minutes; and

BE IT FURTHER RESOLVED that this organization urge other services that offer coverage of state and federal legislatures and government proceedings to add

an accessible mechanism for following vote tallies and other pertinent information that is readily displayed on the screen for viewers at home.

RESOLUTION 2023-16

Regarding Urging the National Council of State Agencies for the Blind and Council of State Administrators of Vocational Rehabilitation to Promote Certifications

Issued by the National Blindness Professional Certification Board

WHEREAS, all blind Americans deserve high-quality vocational rehabilitation (VR) services that empower and inspire them to live the lives they want; and

WHEREAS, there continues to be a shortage of instructors to fill vacancies in positions providing adjustment-to-blindness training to blind consumers of

VR services; and

WHEREAS, the National Council of State Agencies for the Blind (NCSAB) is composed of specialized state agencies providing VR services to the blind; and

WHEREAS, the Council of State Administrators of Vocational Rehabilitation (CSAVR) is composed of the chief administrators of state agencies providing VR

services; and

WHEREAS, the National Blindness Professional Certification Board (NBPCB) was created in 2001 and now offers certifications in access technology, orientation

and mobility, rehabilitation teaching, and Unified English Braille and emphasizes a positive philosophy of blindness and the importance of blind role models;

and

WHEREAS, some state VR agencies and contractors with state VR agencies do not accept certifications issued by the NBPCB, but recognize certifications by

the Academy for Certification of Vision Rehabilitation and Education Professionals (ACVREP) when hiring instructional rehabilitation personnel; and

WHEREAS, the pathway to obtaining certifications issued by ACVREP continues to be problematic for blind applicants, thus marginalizing blind people within

the professional community affiliated with ACVREP; and

WHEREAS, the NBPCB was established to administer certifications for blindness rehabilitation professionals in a way that does not discriminate against

blind instructors and thus treats blind and sighted instructors equally; and

WHEREAS, blind people holding certifications from the NBPCB have been successfully providing VR services to blind adults through VR programs funded by

the United States Department of Education since 2001, demonstrating their capabilities for the last twenty-two years: Now, therefore,

BE IT RESOLVED by the National Federation of the Blind in Convention assembled this fifth day of July, 2023, in the City of Houston, Texas, that this organization

urge the National Council of State Agencies for the Blind and Council of State Administrators of Vocational Rehabilitation to urge their member agencies

and administrators to accept certifications issued by the National Blindness Professional Certification Board (NBPCB) and treat them equally to their counterpart

certifications issued by the Academy for Certification of Vision Rehabilitation and Education Professionals (ACVREP) and to require their contractors to

accept NBPCB certifications wherever they accept ACVREP certifications.