

## PROVISIONS REGARDING COMMUNICATION BARRIERS

### IN CURRENT DRAFT OF BILL

Sec. 5(a)(2) (p. 8) provides that it is a form of discrimination to establish or fail to remove communication barriers that prevent or limit access or participation.

Sec. 7(a)(1) (p. 11) provides that communication barriers may not have to be removed if to do so would constitute a fundamental alteration or threaten the existence of a particular program, activity, business, or facility.

Section 7(a)(2) (p. 11) provides that even where 7(a)(1) applies there is still a duty to provide program access.

Sec. 7(b)(1) and (2) (p. 11) establish 2 years in the absence of regulations and up to 5 years where allowed by regulations as the timeframe for the removal of communication barriers.

Sec. 7(c)(1) (p. 12) allows up to 10 years where allowed by regulations as the timeframe for removing communication barriers in connection with existing stations and platforms of mass transportation systems.

Sec. 7(c)(2) (p. 12) provides that 7(c)(1) does not affect requirements for the removal of communication barriers in all other types of facilities and programs.

Sec. 8(a) (p. 12) directs the Architectural and Transportation Barriers Compliance Board to issue minimum guidelines establishing standards for communication accessibility of buildings, facilities, vehicles, and rolling stock.

Sec. 2(a)(4) (p. 2) recites a Congressional finding that "every day people with disabilities encounter various forms of discrimination, including ... communication barriers."

Communication barriers are also required to be dealt with on an individualized basis as a "reasonable accommodation."

Reasonable accommodations are required in Sec. 5(a)(3) (p. 8) (as a form of discrimination) and in Sec. 6(b)(2) (p. 10) (in housing). The term "reasonable accommodation" is defined in Sec. 3(5) (p. 5).