# **AMERICAN COUNCIL OF THE BLIND**

# **1999 RESOLUTIONS**

# **SUMMARY OF 1999 ACB RESOLUTIONS**

**RESOLUTION 99-01 restores future ACB conventions to not less than their former seven-day length. This overturned a decision made regarding the 1999 ACB convention to try a six-day convention format.**

**RESOLUTION 99-02 takes the position that whenever an accessible pedestrian signal is installed at a signalized intersection, such a signal be installed at all legs of the intersection at which a pedestrian signal is provided, except to the extent that doing so would be inconsistent with safety and access.**

**RESOLUTION 99-03 urges the Federal Communications Commission to require satellite and cable companies to make listings of the stations which they receive and the day's programming for each channel fully accessible to their blind and visually impaired subscribers.**

**RESOLUTION 99-04 concerned Blazie Engineering's failure to participate in American Council of the Blind (ACB) conventions. It was withdrawn by its maker because it was determined by that individual that the resolutions which ACB already has on file adequately covered the subject.**

**RESOLUTION 99-05 dealt with encrypted books. It was withdrawn because the maker discovered that the manufacturers addressed do not indeed have plans to produce books in the manner the Resolution described.**

**RESOLUTION 99-06 was withdrawn by its maker because the subject matter it covered was more comprehensively incorporated into Resolution 99-25.**

**RESOLUTION 99-07 urges issuers of credit cards to use best practices in implementing the ADA by providing credit card statements to blind and visually impaired customers in accessible formats, and also urges that braille markings be placed on credit cards when requested by blind and visually impaired users. The resolution puts the American Council of the Blind (ACB) on record as taking the position that any information provided in braille or other accessible formats should be presented so as to represent all official notices, terms, conditions and benefits as well as statements of charges on the credit card; it further offers ACB assistance to credit card providers in implementing the terms of the resolution.**

**RESOLUTION 99-08 dealt with the convention format. After being read on the floor of the convention, it was withdrawn by its maker. Another convention format related resolution, Resolution 99-01, had already been adopted.**

**RESOLUTION 99-09 calls upon the RSA to amend its Randolph-Sheppard Act implementing regulations in order to set forth those limited grounds under which state licensing agencies (SLAs) are permitted to waive the Randolph-Sheppard Act priority with respect to locations on federal property offered to such SLAs by federal property managing agencies, and also takes the position that the amended regulations must require that, when state licensing agencies decide to waive the Randolph-Sheppard Act priority, or to waive particular offers of locations, the SLA must include the elected committee of blind vendors in the decision. The resolution further takes the position that if the SLA ultimately makes a decision to waive a particular offer, the SLA must do so in writing, including copies to the elected committee of blind vendors, setting forth the grounds for waiver recognized by, and permitted under, the newly amended Randolph-Sheppard Act implementing regulations.**

**RESOLUTION 99-10 calls upon Rehabilitation Services Administration (RSA) to exercise its already existing monitoring and oversight authorities under the Randolph-Sheppard Act to obtain full compliance with the Randolph-Sheppard Act requirements by chronically non-complying federal property management agencies such as the Department of Veterans Affairs and the Department of Defense.**

**RESOLUTION 99-11 was defeated by the ACB convention.**

**RESOLUTION 99-12 concerned the need to increase numbers of Randolph-Sheppard Act vending facilities located on federal property. It called for a specific set of actions to be taken by ACB. Its maker withdrew it after consultation with other advocates working in the Randolph-Sheppard field as it was agreed by all parties that the actions called for might not yet be the most appropriate ones to take.**

**RESOLUTION 99-13 supports, approves, and ratifies the "Randolph-Sheppard Program: Call for Action" document recently created by the American Council of the Blind (ACB), the Randolph­ Sheppard Vendors of America (RSVA), and others interested in the Randolph-Sheppard Act.**

**RESOLUTION 99-14 was defeated by the ACB convention.**

**RESOLUTION 99-15 supports the substantive provisions of S. 511, which would amend the Voting Accessibility for the Elderly and Handicapped Act of 1984 (VABRA) in a number of positive and constructive ways, including the provision of a guarantee to individual blind voters that they have the right to vote in federal elections by means of a truly secret ballot; also commends Senator John McCain (R-Ariz.) and Senator John Kerry (D-Mass.) for their introduction of this legislation.**

**RESOLUTION 99-16 urges the National Restaurant Association to adopt policies making it a condition of membership that all member restaurants offer complete braille and large print menus.**

**RESOLUTION 99-17 concerns challenges to the Americans with Disabilities Act and other civil rights laws. It was referred to the ACB Advocacy Committee.**

**RESOLUTION 99-18 takes the position that identifying braille and large print information should be placed on product packaging or labels as a matter of public health and safety, and personal independence; that when such labeling is not practical the product name and a toll-free number where further information such as dosage of non-prescription drugs, lists of food ingredients, and nutritional information can be obtained; and that the requests for these accommodations be conveyed to the appropriate governmental agencies and other organizations associated with consumer products and safety labeling.**

**RESOLUTION 99-19 calls upon the Federal Communications Commission (FCC) to, on July 14, 1999, vote to adopt a final rule implementing Section 255 of the Telecommunications Act Amendments of 1996, and insuring access for people who are blind and visually impaired to telecommunications products and services having the same features and functions, and at comparable prices, as are offered to the general public; and further calling on the FCC to reject any attempts to weaken the intent of Section 255.**

**RESOLUTION 99-20 directs the staff of the American Council of the Blind (ACB) to take all actions necessary in working with the United States Congress, the United States Railroad Retirement Board, and the United States Social Security Administration to insure that blinded railroad workers who are under the age of 65 are provided with a substantial gainful activity level equivalent to the earnings limit provided to blinded workers under the Social Security Act.**

**RESOLUTION 99-21 rescinds the direction of the ACB Board of Directors to not consider convention sites outside of the territorial United States.**

**RESOLUTION 99-22 establishes 13 principles which the American Council of the Blind (ACB) views as essential in order for state agencies for the blind to maintain positive working relationships with consumers and organizations of the blind, and urges ACB affiliates and chapters to work to insure that all state agencies for the blind in the United States adhere to these principles.**

**RESOLUTION 99-23 urges that the Department of State comply with federal law by making available materials used by the public in formats accessible to people who are blind and visually impaired.**

**RESOLUTION 99-24 concerns access to locks. It was received by the Resolutions Committee and was not withdrawn by its maker, so it was read on the 1999 convention floor. Its maker, however, was and unable to visit with the Resolutions Committee about the resolution. At the recommendation of the committee, the resolution was thus tabled time-specific and will be taken up by the 2000 ACB Resolutions Committee. A tabled resolution is not adopted by the ACB convention and is not published as a part of the 1999 ACB Resolutions. A text of this resolution, however, is provided at the end of this report as it is an ongoing part of the ACB Convention**

**record and business.**

**RESOLUTION 99-25 supports the accessible pedestrian signal language approved by the National Committee on Uniform Traffic Control Devices, calls for its usage in all future installations of accessible pedestrian signals, continues the support of the American Council of the Blind (ACB) for the installation of accessible pedestrian signals, and urges completion of the additional research needed to develop the necessary accessible pedestrian signal guidance and standards.**

**RESOLUTION 99-26 was defeated by the ACB convention.**

**RESOLUTION 99-27 was referred to the ACB Board of Directors. It concerns involving ACB members in committee work who have heretofore not been involved in such work. Referred resolutions are not adopted by the ACB convention and are not published as a part of the 1999 ACB Resolutions. The texts of referred are provided at the end of this report as they are an ongoing part of the ACB Convention record and business.**

**RESOLUTION 99-28 requests the American Council of the Blind (ACB) Convention Committee and the ACB Board of Directors to explore the possibility of holding its national convention during dates that do not include a holiday.**

**RESOLUTION 99-30 authorizes and urges the officers, Board of Directors, Exhibit Coordinator and Convention Committee of the American Council of the Blind (ACB) to decline the request to participate in ACB convention exhibits by any exhibitor, seller, and/or promotional entity who requests to be a part of the ACB convention, but who is documented to have engaged in unfair, dishonest, or documented disreputable business practices.**

**RESOLUTION 99-31 concerns affiliate seating signage at American Council of the Blind (ACB) conventions. It was referred to the ACB Convention Committee. Referred resolutions are not adopted by the ACB convention and are not published as a part of the 1999 ACB Resolutions. Text of referred resolutions, however, are provided at the end of this report as they are an ongoing part of the ACB Convention record and business.**

**RESOLUTION 99-32 directs the executive director of the American Council of the Blind (ACB) to renew efforts to establish the lines of communication sought in ACB Resolution 98-38 with Secretary Togo West, United States Department of Veterans Affairs, directs that Secretary West's reluctance to meet with leading advocates in the field of blindness be called to the attention of members of the appropriate Senate and House committees charged with responsibility for the Department of Veterans Affairs, and directs that an invitation be extended to Secretary West to attend the 2000 ACB convention in Louisville in order to report on the progress in addressing the concerns expressed in Resolution 98-38 to VIVA and the general ACB membership.**

**RESOLUTION 99-33 expresses support for H.R. 1601 and S. 285, and urges the sponsors of H.R. 1601 and S. 285 to demonstrate unwavering support for these bills as indicated by bringing any other legislation introduced relating to Social Security earnings limits into consistency with the provisions of H.R. 1601 and S. 285.**

**RESOLUTION 99-34 expresses support for legislation strengthening penalties against hate crimes involving persons who have disabilities, and urges Congress to include language in such legislation clearly articulating Congress' intent to address the rising rate of hate crimes against blind people and guide dog teams. The resolution further urges that Congress should be unmistakably clear that, for the purposes of any hate crime statute, a guide dog is an extension of its blind handler.**

**RESOLUTION 99-35 urges the American Council of the Blind (ACB) Convention Program Committee to incorporate, to the greatest degree possible during each year's national convention workshops, seminars, one-on-one training, "master classes" and other opportunities emphasizing skills development provided by individuals and organizations both from within and outside ACB; urges ACB special interest affiliates' cooperation in bringing skills development training opportunities about; and urges that financial and other incentives be identified to encourage ACB convention exhibitors to offer their services in support of such programming.**

**RESOLUTION 99-36 directs that the American Council of the Blind (ACB) participate in ongoing discussions involving representatives of the Association of American Publishers, Recording for the Blind and Dyslexic, the National Library Service for the Blind and Physically Handicapped, and the National Federation of the Blind, to develop a pilot project demonstrating the feasibility of a national repository of standardized electronic files to facilitate the production of accessible texts and other materials, states ACB's firm position that any national repository system to be established must allow maximal participation by a wide variety of entities producing accessible materials and should not be restricted to a roster of one or two providers, and directs the ACB National Office to contact representatives of the organizations currently in dialogue to communicate ACB's concerns and to secure a place at the table during future negotiations to develop a national repository of electronic files.**

**RESOLUTION 99-37 requests the Information Access Committee of the American Council of the Blind (ACB) to consult with product manufacturers, and such other entities as they deem appropriate concerning the provision of accessible product manuals.**

**RESOLUTION 99-38 commends the limited, but growing, number of utility companies who are offering billing in alternate formats, and strongly urges State Public Utilities Commissions to require all utility companies under their jurisdiction to provide bills in alternative formats, upon request by blind and visually impaired customers.**

**RESOLUTION 99-39 directs the officers and Board of Directors of the American Council of the Blind to amend the ACB convention guidelines to require that the exhibit coordinator participate during all stages of the convention planning process, including site selection.**

**RESOLUTION 99-40 directs that the American Council of the Blind (ACB) join with its affiliate, the Randolph-Sheppard Vendors of America (RSVA), in taking such actions as are necessary to convene a meeting between Commissioner Fred Schroeder, Rehabilitation Services Administration (RSA); the Assistant Secretary of Education for Special Education and Rehabilitative Services, Judy Heumann; ACB officers and staff; and officers and staff of the RSVA in order to raise the issue of the politicization of the RSA, and further directs that, should the above-described meeting be unsuccessful in ameliorating the situation of the politicization of the RSA, the officers, directors and staff of ACB are authorized to take additional steps, such as requesting that the Inspector General of the United States Department of Education investigate the matter, and/or bringing the matter to the attention of the appropriate congressional oversight committees.**

**RESOLUTION 99-41 concerned some inappropriate actions taken against licensed blind vendors by the Texas Commission for the Blind. It was withdrawn by its maker because it was decided that the position taken by the Randolph-Sheppard Vendors of America (RSVA) was sufficiently strong without the need for support from the American Council of the Blind (ACB).**

**RESOLUTION 99-42 concerned involving the Randolph-Sheppard Vendors of America in current and future reviews of currency development. It was withdrawn by its maker because it was decided that the position taken by the Randolph-Sheppard Vendors of America (RSVA) was sufficiently effective without the need for support from the American Council of the Blind (ACB).**

**RESOLUTION 99-43 recommends that the Unified Braille Code (UBC) not be adopted at this time.**

**RESOLUTION 99-44 commends the Los Angeles Department of Transportation for its installation of experimental accessible pedestrian signals at intersections near the site of the 1999 American Council of the Blind National Convention, and urges the city of Los Angeles to continue its efforts to improve access for people who are blind through additional installations, research, and standard development with regard to accessible crossing signals.**

**RESOLUTION 99-45 expresses thanks to convention volunteers, to the coordinator of volunteer services for her training and coordination of volunteers, and to members and friends who volunteered their time during convention week to work in such areas as press room, convention office, information desk, and other areas where essential convention functions were provided.**

**RESOLUTION 99-46 expresses thanks to the 1999 American Council of the Blind convention hotels.**

**RESOLUTION 99-47 expresses great appreciation to the host committee of the American Council of the Blind (ACB) 1999 National Convention for all of the committee's efforts with regard to the convention; and commends each and every member of the energetic and exemplary California affiliate to ACB and commends the California Council of the Blind, for their excellent work in the holding of the convention.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-01**

**Restores future ACB conventions to not less than their former seven-day length. This overturned a decision made regarding the 1999 ACB convention to try a six-day convention format.**

**WHEREAS, the convention of the American Council of the Blind (ACB) is the single most important event on its annual calendar; and**

**WHEREAS, its conventions not only set organizational policy for the coming year, but are the supreme authority of the organization; and**

**WHEREAS, the number of convention activities continues to increase; and**

**WHEREAS, it has already been difficult for ACB members to attend all of the meetings or seminars they wish to attend without conflicts; and**

**WHEREAS, the shortening of the convention to 6 days in length will make this even more challenging, and seriously impede not only the decision-making process but the ability of both the Council's affiliates and the general organization to present interesting program items, and to have enough time to conduct its business properly;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 8th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that ACB herewith establishes that all future conventions be restored to not less than their former 7-day length; and**

**BE IT FURTHER RESOLVED that such restoration take place as soon as is feasible consistent with convention agreements which may have already been made.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-02**

**Takes the position that whenever an accessible pedestrian signal is installed at a signalized intersection, such a signal be installed at all legs of the intersection at which a pedestrian signal is provided, except to the extent that doing so would be inconsistent with safety and access.**

**WHEREAS, the American Council of the Blind has long advocated for the fulfillment of the goal of insuring that people who are blind or visually impaired have full access to information provided by pedestrian signals; and**

**WHEREAS, it is not uncommon for public entities, for reasons which have nothing to do with safety or access concerns, to install accessible pedestrian signals at some, but not all, of the legs of an intersection at which pedestrian crossings are provided; and**

**WHEREAS, this practice can lead to confusion among blind and visually impaired pedestrians as to when and where to make a safe crossing; and**

**WHEREAS, this practice also has the potential for increasing public entity liability;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 8th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that it is the position of this organization that whenever an accessible pedestrian signal is installed at a signalized intersection, such a signal be installed at all legs of the intersection at which a pedestrian signal is provided, except to the extent that doing so would be inconsistent with safety and access.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-03**

**Urges the Federal Communications Commission to require satellite and cable companies to make listings of the stations which they receive, and the day's programming for each channel fully accessible to their blind and visually impaired subscribers.**

**WHEREAS, sighted viewers of programming provided by satellite and cable television companies are able to visually access a listing of the stations which they receive and the day's programming for each channel; and**

**WHEREAS, this information is extremely helpful in enabling customers to most effectively use television services; and**

**WHEREAS, the technology exists to make this information accessible to blind and visually impaired subscribers; and**

**WHEREAS, an increasing array of interactive services are fast becoming an industry standard with regard to cable and satellite providers; and**

**WHEREAS, the technical potential exists to also make these additional interactive services accessible to persons who cannot see the television screen;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 7th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization strongly urge the Federal Communications Commission to require satellite and cable companies to make such services fully accessible to their blind and visually impaired subscribers.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-04**

**This resolution concerned Blazie Engineering's failure to participate in American Council of the Blind (ACB) conventions. It was withdrawn by its maker because it was determined by that individual that the resolutions which ACB already has on file adequately covered the subject.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-05**

**This resolution dealt with encrypted books. It was withdrawn because the maker discovered that the manufacturers addressed do not indeed have plans to produce books in the manner the resolution described.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-06**

**This resolution was withdrawn by its maker because the subject matter it covered was more comprehensively incorporated into resolution 99-25.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-07**

**Urges issuers of credit cards to use best practices in implementing the ADA by providing credit card statements to blind and visually impaired customers in accessible formats, and also urges that braille markings be placed on credit cards when requested by blind and visually impaired users. The resolution puts the American Council of the Blind (ACB) on record as taking the position that any information provided in braille or other accessible formats should be presented so as to represent all official notices, terms, conditions and benefits as well as statements of charges on the credit card. It further offers ACB assistance to credit card providers in implementing the terms of the resolution.**

**WHEREAS, as a matter of standard business practice, issuers of credit cards in the United States automatically provide their sighted customers with statements in print; and**

**WHEREAS, customer service representatives of many of the credit card issuers, including MBNA America, the second largest credit card company in the United States, will, upon request, read over the telephone credit card statements to blind and visually impaired customers; and**

**WHEREAS, some other credit card providers offer electronic versions of statements; and**

**WHEREAS, Citibank, the country's largest credit card issuer, offers braille statements to its customers who are blind and visually impaired; and**

**WHEREAS, credit card issuers, one of which is MBNA America, are, however, unwilling to provide their customers who are blind and visually impaired with credit card statements in accessible formats, stating that the Americans with Disabilities Act (ADA) does not require them to do so; and**

**WHEREAS, despite any other accommodations which credit card companies may provide, failure to offer formats such as braille and large print thwarts customers who are blind or visually impaired from enjoying the same degree of dignity and privacy in handling their financial affairs as is afforded to sighted customers; and**

**WHEREAS, statements in accessible formats for credit cards expedites independence, and confidentiality of information on statements is protected;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization urge MBNA America and all other issuers of credit cards to follow the laudable example of Citibank and use best practices in implementing the ADA by providing credit card statements to blind and visually impaired customers in accessible formats which shall include the availability of braille, electronic and large print; and**

**BE IT FURTHER RESOLVED that this organization also strongly urge that braille markings be placed on credit cards when requested by blind and visually impaired users; and**

**BE IT FURTHER RESOLVED that this organization takes the position that any information provided in braille or other accessible formats should be presented so as to represent all official notices, terms, conditions and benefits as well as statements of charges on the credit card; and**

**BE IT FURTHER RESOLVED that this organization offer to consult with MBNA America, and other credit card issuers, to provide assistance in this matter.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-08**

**This resolution dealt with the convention format. After being read on the floor of the convention, it was withdrawn by its maker. Another convention format-related resolution, 99-01, had already been adopted.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-09**

**Calls upon the RSA to amend its Randolph-Sheppard Act implementing regulations in order to set forth those limited grounds under which state licensing agencies (SLAs) are permitted to waive the Randolph-Sheppard Act priority with respect to locations on federal property offered to such SLAs by federal property managing agencies, and also takes the position that the amended regulations must require that, when state licensing agencies decide to waive the Randolph-Sheppard Act priority, or to waive particular offers of locations, the SLA must include the elected committee of blind vendors in the decision. The resolution further takes the position that if the SLA ultimately makes a decision to waive a particular offer, the SLA must do so in writing, including copies to the elected committee of blind vendors, setting forth the grounds for waiver recognized by, and permitted under, the newly amended Randolph­ Sheppard Act implementing regulations.**

**WHEREAS, numerous potentially lucrative vending locations are lost to licensed blind vendors under the Randolph-Sheppard Act each program year due to circumstances where federal property managing agencies act in accordance with the Randolph-Sheppard Act by offering vending locations in federal facilities, to state licensing agencies (SLAs), but then the SLAs decline the offered location and waive the Randolph-Sheppard Act priority; and**

**WHEREAS, such unexplained waivers by SLAs of the Randolph-Sheppard Act priority undermine the faith and confidence of people who are blind in the SLAs proper administration of the business enterprise program; and**

**WHEREAS, there is not currently any level of accountability to said blind vendors; and**

**WHEREAS, in many states, blind vendors, as primary beneficiaries of the Randolph-Sheppard program, and the elected committee of blind vendors, are not privy to the wavers granted by the SLA; and**

**WHEREAS, the Rehabilitation Services Administration (RSA) of the U.S. Department of Education could remedy the problem of such unexplained Randolph-Sheppard Act waivers by amending and tightening its Randolph-Sheppard implementing regulations;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization join with its affiliate, the Randolph-Sheppard Vendors of America, to call upon the RSA to amend its Randolph-Sheppard Act implementing regulations in order to set forth, with specificity, those limited grounds under which state licensing agencies are permitted to waive the Randolph-Sheppard Act priority with respect to locations on federal property offered to such SLAs by federal property managing agencies; and**

**BE IT FURTHER RESOLVED that this organization strongly take the position that the amended regulations must require that, when state licensing agencies decide to waive the Randolph-Sheppard Act priority, or to waive particular offers of locations, the SLA must include the elected committee of blind vendors, under the auspices of "active participation," in making the decision to wave the priority or to waive particular offers; and**

**BE IT FURTHER RESOLVED that if the SLA ultimately makes a decision to waive a particular offer, the SLA must do so in writing, including copies to the elected committee of blind vendors, setting forth the grounds for waiver recognized by, and permitted under, the newly amended Randolph-Sheppard Act implementing regulations.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-10**

**Calls upon Rehabilitation Services Administration (RSA) to exercise its already existing monitoring and oversight authorities under the Randolph-Sheppard Act to obtain full compliance with the Randolph-Sheppard Act requirements, by chronically non-complying federal property management agencies such as the Department of Veterans Affairs and the Department of Defense.**

**WHEREAS, the Rehabilitation Services Administration (RSA) within the United States Department of Education is the agency which has been assigned by Congress monitoring and oversight authority over federal property management agencies under the provisions of the Randolph-Sheppard Act; and**

**WHEREAS, even though RSA has been aware for many years of the non-compliance with the Randolph-Sheppard Act by federal property management agencies such as the Department of Veterans Affairs and the Department of Defense, RSA has not made it a priority to bring such recalcitrant federal property management agencies into compliance with the Randolph-Sheppard Act's priority in favor of licensed blind vendors; and**

**WHEREAS, literally thousands of additional high-paying opportunities for licensed blind vendors under the Randolph­Sheppard Act could be created if RSA could gain full compliance with the Randolph-Sheppard Act by those chronically non­compliant federal property management agencies;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization join with its affiliate, the Randolph Sheppard Vendors of America, to call upon RSA to exercise its already existing monitoring and oversight authorities under the Randolph-Sheppard Act to obtain full compliance with the Randolph-Sheppard Act requirements by chronically non-complying federal property management agencies such as the Department of Veterans Affairs and the Department of Defense.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-11**

**Was defeated by the ACB convention.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-12**

**This resolution concerned the need to increase numbers of Randolph-Sheppard Act vending facilities located on federal property, and managed by blind operators. It called for a specific set of actions to be taken by ACB. Its maker withdrew it after consultation with other advocates working in the Randolph-Sheppard field as it was agreed by all parties that the actions called for might not yet be the most appropriate ones to take.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-13**

**Supports, approves, and ratifies the "Randolph-Sheppard Program: Call for Action" document recently created by the American Council of the Blind (ACB), the Randolph-Sheppard Vendors of America (RSVA) and others interested in the Randolph-Sheppard Act.**

**WHEREAS, over recent years, the American Council of the Blind (ACB), and its special interest affiliate, the Randolph-Sheppard Vendors of America (RSVA), have become all too painfully aware of several chronic and continuing problems in the administration of the blind vending program by the Rehabilitation Services Administration (RSA) of the U.S. Department of Education and the respective recognized state licensing agencies; and**

**WHEREAS, during the spring of 1999, a document entitled "Randolph-Sheppard Program, Call For Action," which constructively and positively addresses many of the current problems in the administration of the Randolph-Sheppard blind vending program, was developed through the hard work of the ACB, and other cooperating organizations; and**

**WHEREAS, it is vitally important that a consensus favoring constructive and positive change in the Randolph-Sheppard program be built within and outside of the blindness community through cooperative partnershipping efforts;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled on this 9th day of July, 1999 at the Westin Hotel in Los Angeles, California, that this organization applaud the efforts made by the ACB officers and executive director, RSVA, and other cooperating organizations, in creating the "Randolph-Sheppard Program; Call For Action"; and**

**BE IT FURTHER RESOLVED that this organization ratify, endorse and approve the "Randolph-Sheppard Program: Call for Action" document as setting forth positive and constructive goals and principles for the future direction of the Randolph-Sheppard blind vending program.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-14**

**Was defeated by the ACB convention.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-15**

**Supports the substantive provisions of S. 511, which would amend the Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA) in a number of positive and constructive ways, including the provision of a guarantee to individual blind voters that they have the right to vote in federal elections by means of a truly secret ballot; also commends Senator John McCain (R-Ariz.) and Senator John Kerry (D-Mass.) for their introduction of this legislation.**

**WHEREAS, in two recently decided federal appellate court cases, two separate courts of appeal have ruled against the asserted right of individual blind persons to execute their voting franchise by means of a genuinely secret ballot; and**

**WHEREAS, these decisions establish a weakening precedent to equal treatment, and equally effective communications- related statutes under Title II of the Americans with Disabilities Act of 1990 (ADA) and under Section 504 of the Rehabilitation Act of 1973 as amended (RA); and**

**WHEREAS, voting by means of genuinely secret ballot is one of our country's most precious, cherished and highly valued rights of citizenship; and**

**WHEREAS, a bill, S. 511, has been introduced in the United States Senate of this current 106th Congress by Senator John McCain (R­ Ariz.) and Senator John Kerry (D-Mass.), which would amend the Voting Accessibility for the Elderly and Handicapped Act of 1984 (VAEHA) in a number of positive and constructive ways, including the provision of a guarantee to individual blind voters that they have the right to vote in federal elections by means of a truly secret ballot;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled on this 9th day of July, 1999 at the Westin Hotel in Los Angeles, California, that this organization commend Senators McCain and Kerry for their hard work and their sensitivity shown through their efforts to remedy problems encountered by individual blind voters; and**

**BE IT FURTHER RESOLVED that this organization endorse and support the substantive provisions contained in S. 511 and endorse and support efforts to have S. 511 passed by both houses in the 106th Congress and signed into enacted law by the President of the United States; and**

**BE IT FURTHER RESOLVED that this organization call upon its members and friends, as well as all of its affiliated organizations, to actively support and work toward enactment into law of S. 511.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-16**

**Urges the National Restaurant Association to adopt policies making it a condition of membership, that all member restaurants offer complete braille and large print menus.**

**WHEREAS, Title III of the Americans with Disabilities Act (ADA) requires, where readily achievable, public accommodations shall provide equally effective communication to customers and members of the general public who have disabilities; and**

**WHEREAS, restaurants qualify under the "public accommodations" definitions applicable to Title III of the ADA; and**

**WHEREAS, for many blind and low vision restaurant patrons, braille and large print menus are the preferred, and most efficient, means of providing equally effective communications; and**

**WHEREAS, the availability of braille and large print menus frees up servers to perform their usual duties while also giving blind and low vision customers the dignity of making menu choices in a manner comparable with other patrons; and**

**WHEREAS, given the increasing availability of computer assisted braille and large print conversion hardware and software, the acquisition of braille and large print menus is readily achievable for most restaurants from both a standpoint of cost and availability of such services; and**

**WHEREAS, the same braille and large print conversion hardware and software also makes it possible to keep Braille and large print menus current and up to date; and**

**WHEREAS, it is both achievable and advisable for restaurants to have members of the blindness community proof and insure the accuracy of braille menus provided;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 6th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization urge the National Restaurant Association to adopt policies making it a condition of membership that all member restaurants offer complete braille and large print menus.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-17**

**This resolution concerns challenges to the Americans with Disabilities Act and other civil rights laws. It was referred to the ACB Advocacy Committee. Referred resolutions are not adopted by the ACB convention and are not published as a part of the 1999 ACB Resolutions. Texts of referred resolutions, however, are provided at the end of this report as they are an ongoing part of the ACB Convention record and business.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-18**

**Takes the position that identifying braille and large print information should be placed on product packaging or labels as a matter of public health and safety, and personal independence; that when such labeling is not practical, the product name and a toll-free number where further information such as dosage of non-prescription drugs, lists of food ingredients, and nutritional information can be obtained, and that the requests for these accommodations be conveyed to the appropriate governmental agencies and other organizations associated with consumer products and safety labeling.**

**WHEREAS, important product information is not currently available on consumer product labels in braille, or in easy-to-read large bold print; and**

**WHEREAS, today's manufacturing technology can produce durable, readable braille as a part of the package manufacturing process; and**

**WHEREAS, use of braille labeling would allow important product information to be included, whenever possible, directly on the packaging, or as an additional label that is either packaged with the product or available at the point of purchase, and applied by the consumer; and**

**WHEREAS, the inclusion on the product packaging or label of the product, of name and a manufacturer's toll-free number in grade one braille and easy to read large bold print would allow blind and visually impaired consumers to identify the product, and then acquire health and safety related instructions, such as ingredients and nutritional information, directly from the manufacturer;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 6th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization takes the position that identifying braille and large print information should be placed on product packaging or labels as a matter of public health and safety and personal independence; and**

**BE IT FURTHER RESOLVED that this labeling consist of the product name and a toll-free number where further information such as dosage of non-prescription drugs, lists of food ingredients, and nutritional information can be obtained from the manufactures; and**

**BE IT FURTHER RESOLVED that this request be formally conveyed to the appropriate governmental agencies and other organizations associated with consumer products and safety labeling, such as the Consumer Products Safety Commission, the federal Food and Drug Administration, and the Federal Trade Commission.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-19**

**Calls upon the Federal Communications Commission (FCC) to, on July 14, 1999, vote to adopt a final rule implementing Section 255 of the Telecommunications Act Amendments of 1996, and insuring access for people who are blind and visually impaired to telecommunications products and services having the same features and functions, and at comparable prices, as are offered to the general public; and further calling on the FCC to reject any attempts to weaken the intent of Section 255.**

**WHEREAS, the final rule implementing the disability access requirements of Section 255 of the Telecommunications Act Amendments of 1996 will be considered and voted on by the five Commissioners of the United States Federal Communications Commission (FCC) on July 14, 1999; and**

**WHEREAS Section 255 of the Telecommunications Act Amendments of 1996 holds promise of vastly increased access to emerging telecommunications products and services for people who are blind, visually impaired, or who have other disabilities; and**

**WHEREAS, lack of access to emerging telecommunications products and services, such as new wireless technology, paging systems, and integrated office telephone and information systems places people who are blind and visually impaired at a tremendous disadvantage in terms of access to information; and**

**WHEREAS, this lack of access contributes to the current high unemployment rate among working aged people who are blind and legally blind, which is estimated by the United States Census Bureau as standing at 74% while the overall unemployment rate in America is 4.2%; and**

**WHEREAS, indeed, in the America of the 21st century, lack of access to telecommunications products and services will continue to place Americans who are blind or visually impaired at exponentially greater risk of not being able to live and function independently in society, let alone be employed; and**

**WHEREAS, Section 255 will bring about significant improvements in access to new telecommunications products and services only if it is implemented with a strong and rigorous body of regulatory language placed in the United States Code of Federal Regulations; and**

**WHEREAS, the telecommunications industry will have significant protection through the legal requirement to implement and enforce Section 255 at the "readily achievable" level;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 5th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization urge the five FCC commissioners: Chairman William E. Kennard, Commissioner Harold W. Furchtgott-Roth, Commissioner Susan Ness, Commissioner Michael K. Powell, and Commissioner Gloria Tristani, on July 14, 1999, vote to adopt a final rule insuring access for people who are blind and visually impaired to telecommunications products and services having the same features and functions, and at comparable prices, as are offered to the general public;**

**BE IT FURTHER RESOLVED that this organization urge the FCC to reject any and all attempts by the telecommunications industry to weaken the intent of Section 255;**

**BE IT FURTHER RESOLVED that the staff and resolutions chair of the American Council of the Blind are directed to convey this resolution to the five FCC Commissioners noted above by no later than the morning hours of July 7, 1999.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-20**

**Directs the staff of the American Council of the Blind (ACB) to take all actions necessary in working with the United States Congress, the United States Railroad Retirement Board, and the United States Social Security Administration to insure that blinded railroad workers who are under the age of 65 are provided with a substantial gainful activity level equivalent to the earnings limit provided to blinded workers under the Social Security Act.**

**WHEREAS earnings limits provisions available to blind Social Security recipients who are under the age of 65 are not available to blind persons under the age of 65 who are recipients of Railroad Disability benefits; and**

**WHEREAS, instead, the earnings limit for a blinded worker under the age of 65 who receives Railroad Disability benefits is locked in at only $400.00 per month; and**

**WHEREAS, railroad workers who have become blind should be entitled to the same earnings limit as is allowed to blind Social Security disability insurance beneficiaries; and**

**WHEREAS, the extremely low earnings limit provided to blinded workers who receive Railroad Disability benefits constitutes a disincentive for those individuals in attempting to return to any type of gainful employment;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind, in convention assembled this 8th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization direct its staff to take all actions necessary in working with the United States Congress, the United States Railroad Retirement Board, and the United States Social Security Administration to insure that blinded railroad workers who are under the age of 65 are provided with a substantial gainful activity level equivalent to the earnings limit provided to blinded workers under the Social Security Act.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-21**

**Rescinds the direction of the ACB Board of Directors to not consider convention sites outside of the territorial United States.**

**RESOLVED by the American Council of the Blind (ACB) in convention assembled this 9th day of July, 1999 at the Westin Hotel, Los Angeles, California, that the direction of the ACB Board of Directors to not consider convention sites outside of the territorial United States is rescinded, thereby enabling the Convention Coordinator and Board of Directors to consider sites outside of the territorial United States.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-22**

**Establishes 13 principles which the American Council of the Blind (ACB) views as essential in order for state agencies for the blind to maintain positive working relationships with consumers and organizations of the blind, and urges ACB affiliates and chapters to work to insure that all state agencies for the blind in United States adhere to these principles.**

**RESOLVED by the American Council of the Blind in convention assembled this 7th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization adopts the following 13 Principles which it establishes as essential in order for state agencies for the blind to maintain positive working relationships with consumers and consumer organizations of the blind:**

1. **The state agency must make its information available to consumers in a medium which can be read and used. Preferably the information should be made available in the media of choice for each consumer.**
2. **The agency must hire people who are blind and provide equal opportunity for upward mobility.**
3. **All agency computer and other information systems and materials must be accessible to and usable by blind employees and consumers as appropriate to their business needs.**
4. **The offices of the state agency must be accessible to consumers both in terms of transportation and the built environment.**
5. **The state agency must require its counselors and administrators to engage in good faith negotiations with consumers as to mutual expectations within the context of consumer choice and responsibilities.**
6. **The state agency must insure that information about consumer organizations is available in a balanced and non-prejudicial environment. These materials must be made available in accessible media and with sufficient frequency without favoring one organization over others so as to allow consumers to know about and make their own choices as to what to do with the information.**
7. **The state agency must share information on important topics such as budget and program development in sufficient time to allow consumers to properly assess and productively react to it.**
8. **The state agency must avoid any actions which would have the effect of chilling the personal decision of employees to join any consumer organizations of their choice and to conduct themselves accordingly outside the framework of agency business.**
9. **The agency must conduct its training and its business with other entities involving the views of a balanced spectrum of consumer organizations.**
10. **The state agency director and appropriate staff must attend and participate in state meetings of consumer organizations.**
11. **The state agency director and appropriate staff must meet with the leadership of consumer organizations on a sufficiently frequent basis to maintain productive dialog and input.**
12. **The state agency must support consumer initiatives where it is lawful and without conflict of interest for it to do so.**
13. **The state agency must make appropriate changes as a result of consumer input.**

**BE IT FURTHER RESOLVED that this organization urge its affiliates and chapters to work to insure that all state agencies for the blind in the United States adhere to these principles.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF BLIND**

# **RESOLUTION 99-23**

**Urges that the Department of State comply with federal law by malting available materials used by the public in formats accessible to people who are blind and visually impaired.**

**WHEREAS, materials utilized by the public that are produced by the United States Department of State are not in formats accessible to people who are blind and visually impaired; and**

**WHEREAS, included among these inaccessible materials are passport information and applications; and**

**WHEREAS, the failure of the Department of State to provide materials in accessible formats is violative of the federally conducted provisions of Section 504 of the Rehabilitation Act of 1973; and**

**WHEREAS, the lack of accessible materials imposes severe barriers upon blind and visually impaired individuals compelled to comply with requirements under the jurisdiction of the Department of State;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 8th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization urge that the Department of State comply with federal law by making available materials used by the public in formats accessible to people who are blind and visually impaired.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-24**

**This resolution concerns access to locks. It was received by the Resolutions Committee and was not withdrawn by its maker, so it was read on the 1999 convention floor. Its maker, however, was ill and unable to visit with the Resolutions Committee about the resolution. At the recommendation of the Resolutions Committee, this resolution was tabled time specific and will be taken up by the 2000 ACB Resolutions Committee. A tabled resolution is not adopted by the ACB convention and is not published as a part of the 1999 ACB Resolutions. A text of this resolution, however, is provided at the end of this report as it is an ongoing part of the ACB convention record and business.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-25**

**Supports the accessible pedestrian signal language approved by the National Committee on Uniform Traffic Control Devices, calls for its usage in all future installations of accessible pedestrian signals, continues the support of the American Council of the Blind (ACB) for the installation of accessible pedestrian signals, and urges completion of the additional research needed to develop the necessary accessible pedestrian signal guidance and standards.**

**WHEREAS, the Americans with Disabilities Act guarantees the right of access to information to persons with disabilities; and**

**WHEREAS, the American Council of the Blind has at least 25,000 members who are blind or visually impaired; and**

**WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) provides that "Transportation plans and projects ... shall include the installation, where appropriate, and maintenance of audible traffic signals and audible signs at street crossings"; and**

**WHEREAS, many signalized intersections provide information to pedestrians with sight that is not provided to pedestrians with visual impairments; and**

**WHEREAS, accessible pedestrian signals have been widely used for more than 15 years in countries including Austria, Australia, Canada, Czech Republic, Finland, Ireland, Japan, Sweden, and the United Kingdom and are considered by traffic engineers to be widely effective, not only in providing information to blind and visually impaired pedestrians, but also in decreasing general pedestrian delay and facilitating vehicular flow at signalized intersections; and**

**WHEREAS, increasing numbers of quiet, alternatively fueled vehicles, including electric vehicles, and increasing numbers of quieter internal combustion engines make acoustic information from traffic inconsistent, resulting in the inability of pedestrians who are blind to reliably detect the onset of the WALK. interval by listening for a surge of traffic; and**

**WHEREAS, inexpensive technologies exist to make accessible pedestrian signals which are automatically responsive to ambient sound, being very quiet at night and in low traffic situations, while still loud enough to be heard above vehicular sound in high traffic situations; and**

**WHEREAS, the American Council of the Blind (ACB) has been actively involved with efforts to develop national guidance and standards for accessible pedestrian signals, streets and intersections, working with the U.S. Department of Transportation (U.S. DOT), U.S. Architectural and Transportation Barriers Compliance Board (Access Board), National Committee on Uniform Traffic Control Devices, Institute of Transportation Engineers, American Association of State Highway and Transportation Officials, Transportation Research Board, and Association for Education and Rehabilitation of the Blind and Visually Impaired, Blinded Veterans Association and accessible pedestrian signal manufacturers; and**

**WHEREAS, these efforts have resulted in the development of resources, such as the Access Board's Publication A-37 on Accessible Pedestrian Signals, the draft United States Department of Transportation/Access Board's "Accessible Rights of Way: A Design Manual," ACB's Pedestrian Handbook, ACB's "Recommended Street Design Guidelines for People Who Are Blind or Visually Impaired" and the National Committee on Uniform Traffic Control Devices Accessible Pedestrian Signal language (4E.6 - 4E.8); and**

**WHEREAS, these publications represent a laudable first step toward developing standards which will advance access of persons who are blind and visually impaired to traffic signal information, and thereby also increase the awareness of traffic engineers of the needs of blind and visually impaired pedestrians; and**

**WHEREAS, these efforts have identified specific areas where further research is needed prior to the development of additional guidance and standards; and**

**WHEREAS, the National Cooperative Highway Research Program is charged with assisting the U.S. DOT and other transportation organizations in meeting these research needs;**

**NOW, THEREFORE BE IT RESOLVED by the American Council of the Blind, in convention assembled this 7th day of July, 1999 at the Westin Hotel, Los Angeles, California that ACB support the accessible pedestrian signal language approved by the National Committee on Uniform Traffic Control Devices in Orlando, Florida in June, 1999 and call for its usage in all future installations of accessible pedestrian signals; and**

**BE IT FURTHER RESOLVED that ACB continue to actively support the installation of accessible pedestrian signals and urges the U.S. Department of Transportation, National Cooperative Highway Research Program and other transportation organizations to support the additional research needed to develop the necessary accessible pedestrian signal guidance and standards.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-26**

**Was defeated by the ACB convention.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-27**

**This resolution concerns involving ACB members in committee work who have heretofore not been involved in such work. It was referred to the ACB Board of Directors. Referred resolutions are not adopted by the ACB convention and are not published as a part of the 1999 ACB Resolutions. Texts of referred resolutions, however, are provided at the end of this report as they are an ongoing part of the ACB Convention record and business.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-28**

**Requests the American Council of the Blind (ACB) Convention Committee and the ACB Board of Directors to explore the possibility of holding its national convention during dates that do not include a holiday.**

**WHEREAS, holding the ACB convention during the July 4th holiday makes it difficult to attract diverse speakers, particularly for career-related special interest affiliates; and**

**WHEREAS, family holiday obligations preclude convention attendance by many who might otherwise participate in convention activities;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind (ACB) in convention assembled this 9th day of July, 1999 at the Westin Hotel, Los Angeles, California, the ACB Convention Committee and its Board of Directors is requested to explore the possibility of holding its national convention during dates that do not include a holiday.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-29**

**Was defeated by the ACB convention.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-30**

**Authorizes and urges the officers, Board of Directors, Exhibit Coordinator and Convention Committee of the American Council of the Blind (ACB) to decline the request to participate in ACB convention exhibits by any exhibitor, seller, and/or promotional entity who requests to be a part of the ACB convention, but who is documented to have engaged in unfair, dishonest , or documented disreputable business practices.**

**WHEREAS, during its annual convention, the American Council of the Blind (ACB) provides an opportunity for members to see the newest products available to blind and visually impaired people; and**

**WHEREAS, it is undesirable for exhibitors who engage in unfair, dishonest, or documented disreputable business practices to participate in exhibits at the ACB convention;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Westin Hotel, Los Angeles, California, that this organization authorize and urge its officers, board, exhibit coordinator and Convention Committee to decline the request to participate in ACB convention exhibits by any exhibitor, seller, and/or promotional entity who requests to be a part of the ACB convention, but who is documented to have engaged in unfair, dishonest, or documented disreputable business practices.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-31**

**This resolution concerns affiliate seating signage at American Council of the Blind (ACB) conventions. It was referred to the ACB Convention Committee. Referred resolutions are not adopted by the ACB convention and are not published as a part of the 1999 ACB Resolutions. Texts of referred resolutions, however, are provided at the end of this report as they are an ongoing part of the ACB Convention record and business.**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-32**

**Directs the executive director of the American Council of the Blind (ACB) to renew efforts to establish the lines of communication sought in ACB Resolution 98-38 with Secretary Togo West, United States Department of Veterans Affairs, directs that Secretary West's reluctance to meet with leading advocates in the field of blindness be called to the attention of members of the appropriate Senate and House committees charged with responsibility for the Department of Veterans Affairs, and directs that an invitation be extended to Secretary West to attend the 2000 ACB convention in Louisville in order to report on the progress in addressing the concerns expressed in Resolution 98-38 to VIVA and the general ACB membership.**

**WHEREAS the Visually Impaired Veterans of America (VIVA) sponsored resolution 98-38 in the hopes of opening a needed dialogue between the American Council of the Blind (ACB) and Mr. Togo West, Secretary of the United States Department of Veterans Affairs (VA) regarding concerns of how several VA actions and programs have negatively impacted on the general blind and visually impaired population; and**

**WHEREAS, 98-38 and the accompanying letter by Charles Crawford, Executive Director of ACB, failed to enjoy the anticipated results; and**

**WHEREAS, several of the issues that were raised in the original letter of concern have intensified in magnitude; and**

**WHEREAS, these issues include:**

1. **A severely adverse impact on the Randolph-Sheppard program through the illegal exclusion of blind vendors from Department of Veterans Affairs facilities; and**
2. **The adoption of Commission on Accreditation of Rehabilitation Facilities (CARP) standards for the VA Blind Rehabilitation centers when in fact CARP is not qualified to set standards addressing specialized programs for the blind; and**

**WHEREAS, additional cuts in facility funding and reductions in staff during the past year have magnified the concerns that Veterans Administration actions will have a negative impact on blind veterans; and**

**WHEREAS, these concerns also hold potential of creating adverse conditions for blind and visually impaired persons who are not veterans because of the potential migration of the deplorably inadequate CARP standards to blindness specific programming outside of the VA;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind, in convention assembled this 7th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that the executive director of ACB be directed to renew efforts to establish the lines of communication sought in 98-38 with Secretary West;**

**BE IT FURTHER RESOLVED that Secretary West's reluctance to meet with leading advocates in the field of blindness be called to the attention of members of the appropriate Senate and House committees charged with responsibility for the Department of Veterans Affairs;**

**BE IT FURTHER RESOLVED that an invitation be extended to Secretary West to attend the 2000 ACB convention in Louisville in order to report on the progress in addressing the concerns expressed in 98-38 to VIVA and the general ACB membership.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-33**

**Expresses support for H.R. 1601 and S. 285, and urges the sponsors of H.R. 1601 and S. 285 to demonstrate unwavering support for these bills as indicated by bringing any other legislation introduced relating to Social Security earnings limits into consistency with the provisions of H.R. 1601 and S. 285.**

**WHEREAS, from 1977 through 1996, the earnings limit for a blind person while receiving Social Security Disability benefits, was linked with the earnings limit for a person age 65-69; and**

**WHEREAS, in 1996 Congress broke the linkage through passage of legislation which raised the earnings limit for persons who are over age 65, but which did not change the earnings limit formula for persons who are blind; and**

**WHEREAS, the result of these legislative changes is that by the year 2002, workers age 65 and older will be able to earn $30,000.00 per year without losing their Social Security benefits while, by 2002, blind workers will be able to earn less than half of that amount while retaining benefits; and**

**WHEREAS these changes result in the illogical practice of increasing work incentives for the elderly while not increasing them for persons who are blind; and**

**WHEREAS, legislation, H.R. 1601 and S. 285, has been introduced and would serve to restore the Social Security linkage for people who are blind; and**

**WHEREAS, the proponents of these bills have simultaneously introduced other legislation to eliminate the earnings test for Social Security beneficiaries over age 65, while specifically perpetuating existing earnings limits for people who are blind;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization urge support for H.R. 1601 and S. 285;**

**BE IT FURTHER RESOLVED that this organization urge the sponsors of H.R. 1601 and S. 285 to demonstrate unwavering support for these bills as indicated by bringing any other legislation introduced relating to Social Security earnings limits into consistency with the provisions of H.R. 1601 and S. 285.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-34**

**Expresses support for legislation strengthening penalties against hate crimes involving persons who have disabilities, and urges Congress to include language in such legislation clearly articulating Congress' intent to address the rising rate of hate crimes against blind people and guide dog teams. The resolution further urges that Congress should be unmistakably clear that, for the purposes of any hate crime statute, a guide dog is an extension of its blind handler.**

**WHEREAS, people who are blind, including those working with guide dogs, experience hate crimes based on their disability of blindness and/or their use of guide dogs; and**

**WHEREAS, such hate crimes have increased significantly nationwide as blind people have achieved greater visibility and community participation; and**

**WHEREAS, positive visual identification of the perpetrators of random violence against people who are blind and guide dog teams is often extremely problematic because sighted witnesses fail to make themselves known; and**

**WHEREAS, recurrent targeted harassment is often deliberately perpetrated in environments devoid of sighted witnesses; and**

**WHEREAS, both random and recurrent harassment have an unquestionably detrimental effect on guide dogs and often result in the premature retirement of dogs victimized by such hate crimes; and**

**WHEREAS, state guide dog-related laws universally fail to provide adequate remedies for the permanent stress-related damage to guide dogs caused by such hate crimes; and**

**WHEREAS, the average estimated cost, and thus value, of a fully and properly trained guide dog is often as high as $30,000; and**

**WHEREAS, local law enforcement agencies rarely understand or acknowledge the profound impact of random and recurrent harassment of guide dog teams and often fail to complete, or even initiate, investigations of such hate crimes on the grounds that "no credible visual evidence" is available;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization express its support for hate crimes prevention legislation, which would firmly establish and expand the current scope of federal penalties for hate crimes against people with disabilities; and**

**BE IT FURTHER RESOLVED that this organization urge Congress to include language in all current and forthcoming hate crimes related legislation clearly articulating Congress's intent to address the rising rate of hate crimes against blind people and guide dog teams. Congress should be unmistakably clear that, for the purposes of any hate crime statute, a guide dog is an extension of its blind handler. Congress should adopt evidentiary criteria that acknowledges the validity of visual evidence but endorses alternate means of identification.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-35**

**Urges the American Council of the Blind (ACB) Convention Program Committee to incorporate, to the greatest degree possible during each year's national convention, workshops, seminars, one-on-one training, "master classes" and other opportunities emphasizing skills development provided by individuals and organizations both from within and outside ACB; urges ACB special interest affiliates' cooperation in bringing skills development training opportunities about; and urges that financial and other incentives be identified to encourage ACB convention exhibitors to offer their services in support of such programming.**

**WHEREAS, convention programming involving skills development (such as computer training, rights and benefits advocacy, and effective communication skills) has been very favorably received by conventioneers; and**

**WHEREAS, special interest affiliates and individuals with subject matter expertise are qualified to provide additional training opportunities in many areas of interest to the American Council of the Blind (ACB) membership, including but not limited to small business management, self-employment, job seeking skills, use of specific software/hardware applications and access technology, and advocacy training regarding federal programs such as the Individuals with Disabilities Education Act and the Social Security Act;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization urge the Convention Program Committee to incorporate, to the greatest degree possible during each year's national convention, workshops, seminars, one-on-one training, "master classes" and other opportunities emphasizing skills development provided by individuals and organizations both from within and outside ACB; and**

**BE IT FURTHER RESOLVED that ACB'S special interest affiliates are encouraged to develop such programming, to open and promote such programming to the general membership, and to work with the national program committee to arrange mutually agreeable scheduling and logistics (such as room size and location) to permit as much participation as possible; and**

**BE IT FURTHER RESOLVED that financial and other incentives be identified to encourage ACB convention exhibitors to offer their services in support of such programming.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-36**

**Directs that the American Council of the Blind (ACB) participate in ongoing discussions involving representatives of the Association of American Publishers, Recording for the Blind & Dyslexic, the National Library Service for the Blind and Physically Handicapped, and the National Federation of the Blind, to develop a pilot project demonstrating the feasibility of a national repository of standardized electronic files to facilitate the production of accessible texts and other materials, states ACB's firm position that any national repository system to be established must allow maximal participation by a wide variety of entities producing accessible materials and should not be restricted to a roster of one or two providers, and directs the ACB national office to contact representatives of the organizations currently in dialogue to communicate ACB concerns and to secure a place at the table during future negotiations to develop a national repository of electronic files.**

**WHEREAS, the American Council of the Blind (ACB) has long been a leader in the struggle to obtain greater access to information; and**

**WHEREAS, discussions have begun between representatives of the publishing industry and certain entities within the field of blindness to identify means by which greater access to the printed word can be achieved; and**

**WHEREAS, these discussions have been conducted quietly and without notice, and the principal organizations involved have failed to seek the inclusion and active involvement of all major consumer and provider stakeholders within the blindness field, particularly, the ACB; and**

**WHEREAS, these discussions are expected to address the possible need for changes in existing copyright law and other statutes to require publishers to make standardized electronic copies of their copyrighted works available for inclusion in a national repository of files; and**

**WHEREAS, the broadest possible array of accessible materials producers must be allowed to participate in any national repository structure to ensure maximal availability of texts and other materials, as well as to ensure competition among such providers to control costs; and**

**WHEREAS, publishing industry representatives have expressed a willingness to participate in a pilot project as a first step toward implementation of the national repository concept;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization participate in the ongoing discussions involving representatives of the Association of American Publishers, Recording for the Blind & Dyslexic, the National Library Service for the Blind and Physically Handicapped, and the National Federation of the Blind, to develop a pilot project demonstrating the feasibility of a national repository of standardized electronic files to facilitate the production of accessible texts and other materials; and**

**BE IT FURTHER RESOLVED that any national repository system to be established must allow maximal participation by a wide variety of entities producing accessible materials and should not be restricted to a roster of one or two providers; and**

**BE IT FURTHER RESOLVED that the ACB national office contact representatives of the organizations currently in dialogue to communicate ACB concerns and to secure a place at the table during future negotiations to develop a national repository of electronic files.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-37**

**Requests the Information Access Committee of the American Council of the Blind (ACB) to consult with product manufacturers and such other entities as they deem appropriate concerning the provision of accessible product manuals.**

**WHEREAS, today's electronic appliances, computers, audio equipment, and other high-tech devices are sold complete with print manuals and other documentation detailing their operation, features, and other important information; and**

**WHEREAS, this information is of great value to any consumer who purchases such devices; and**

**WHEREAS, such information is most likely, produced on a computer, and thus can be made available in accessible formats by the manufacturers; and**

**WHEREAS, many blind consumers have tried to obtain copies of product information in electronic format only to be told that there is no way this can be provided;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9 day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that the information access committee of this organization is requested to consult with product manufacturers, and such other entities as they deem appropriate concerning the provision of accessible product manuals.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-38**

**Commends the limited, but growing, number of utility companies who are offering billing in alternate formats, and strongly urges State Public Utilities Commissions to require all utility companies under their jurisdiction to provide bills in alternative formats, upon request by blind and visually impaired customers.**

**WHEREAS, public utilities serve both blind and sighted customers; and**

**WHEREAS, millions of blind and visually impaired customers pay gas, electric, water and telephone bills; and**

**WHEREAS, the Americans with Disabilities Act of 1990 (ADA) requires businesses to provide equally effective communications for blind and visually impaired customers; and**

**WHEREAS, many utility companies refuse to provide bills in alternative formats, such as braille, large print or computer disk, contending that these formats are too costly to produce;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization commend the limited, but growing, number of utility companies who are offering billing in alternate formats; and**

**BE IT FURTHER RESOLVED that this organization strongly urge State Public Utilities Commissions to require all utility companies under their jurisdiction to provide bills in alternative formats, upon request by blind and visually impaired customers.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL BLIND**

# **RESOLUTION 99-39**

**Directs the officers and Board of Directors of the American Council of the Blind to amend the ACB convention guidelines to require that the exhibit coordinator participate during all stages of the convention planning process, including site selection.**

**WHEREAS, it is essential that exhibits associated with an American Council of the Blind convention (ACB) be in close proximity to other convention activities; and**

**WHEREAS, during conventions when this has not been the case, delegates have found that they must miss important meetings in order to benefit from exhibits, or miss the exhibits in order to participate in the business of the ACB convention; and**

**WHEREAS, quite often, over the past several years, it has been necessary to make changes in arrangements concerning the location of exhibits, causing them to be at considerable distance from other convention activities; and**

**WHEREAS, last-minute relocation of exhibits causes not only inconvenience to conventioneers and exhibitors, but also proves to be a financial hardship for ACB; and**

**WHEREAS, ACB convention guidelines state that at least 10,000 square feet of space is required to adequately accommodate exhibits; and**

**WHEREAS, last-minute changes in exhibit locations have often resulted in considerably less than this amount of space being available, and has thus caused crowd flow and mobility to be impeded; and**

**WHEREAS, the exhibit coordinator's participation in more of the convention planning activities, and at an earlier point in the convention planning process, would offer an opportunity to alleviate many of the above noted difficulties;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, direct its officers and Board of Directors to amend the ACB convention guidelines to require that the exhibit coordinator participate during all stages of the convention planning process, including site selection.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-40**

**Directs that the American Council of the Blind (ACB) join with its affiliate, the Randolph-Sheppard Vendors of America (RSVA) in taking such actions as are necessary to convene a meeting between Commissioner Fredric K. Schroeder, Ph.D., Rehabilitation Services Administration (RSA); Judith E. Heumann, Assistant Secretary for the Office Special Education and Rehabilitative Services; ACB officers and staff; and officers and staff of the RSVA; in order to raise the issue of the politicization of the RSA, and further directs that, should the above described meeting be unsuccessful in ameliorating the situation of the politicization of the RSA, the officers, directors and staff of ACB are authorized to take additional steps, such as requesting that the Inspector General of United States Department of Education, investigate the matter, and/or bringing the matter to the attention of the appropriate congressional oversight committees.**

**WHEREAS, the Rehabilitation Services Administration (RSA) is the federal agency charged with administering the vocational rehabilitation program throughout the United States, and, therefore, the Randolph-Sheppard Program for the Blind; and**

**WHEREAS, the RSA has responsibility for the oversight of services for all blind and disabled individuals, without regard to their political or philosophical positions; and**

**WHEREAS, Dr. Frederic K. Schroeder, Commissioner, RSA, has, since his appointment in 1994, given an appearance of favoritism toward the National Federation of the Blind (NFB); and**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization join with its affiliate, the Randolph-Sheppard Vendors of America in taking such actions as are necessary to convene a meeting between Commissioner Schroeder, Judith E. Heumann, Assistant Secretary for the Office of Special Education and Rehabilitative Services, ACB officers and staff; and officers and staff of the Randolph­Sheppard Vendors of America, in order to raise the issue of the politicization of the RSA; and**

**BE IT FURTHER RESOLVED that, should the above described meeting be unsuccessful in ameliorating the situation of the politicization of the RSA, the officers, directors and staff of ACB are authorized to take additional steps, such as requesting that the Inspector General of United States Department of Education, investigate the matter, and/or bringing the matter to the attention of the appropriate congressional oversight committees.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-41**

**This resolution concerned some inappropriate actions taken against licensed blind vendors by the Texas Commission for the Blind. It was withdrawn by its maker because it was decided that the position taken by the Randolph-Sheppard Vendors of America (RSVA) was sufficiently strong without the need for support from the American Council of the Blind (ACB).**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-42**

**This resolution concerned involving the Randolph-Sheppard Vendors of America in current and future reviews of currency development. It was withdrawn by its maker because it was decided that the position taken by the Randolph-Sheppard Vendors of America (RSVA) was sufficiently effective without the need for support from the American Council of the Blind (ACB).**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-43**

**Recommends that the Unified Braille Code (UBC) not be adopted at this time.**

**WHEREAS, the International Council on English Braille (ICEB) is scheduled to meet in early November of 1999 at the National Federation of the Blind National Center for the Blind in Baltimore, Md., for the purpose of adopting the proposed Unified Braille Code (UBC); and**

**WHEREAS, the American Council of the Blind (ACB) is on record as taking the position that the Unified Braille Code should not be adopted until or unless it has been widely and thoroughly tested by a broad cross section of braille readers in the United States; and**

**WHEREAS, the ACB has also gone on record as taking the position that it cannot accept the UBC approach to mathematics without substantial opportunities to evaluate simple and complex mathematical examples; and**

**WHEREAS, there has been virtually no independent, scientifically based consumer testing in the evaluation of the UBC, in North America, and, despite past ACB resolutions requesting examples of mathematics, none have been produced;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that the ACB join its affiliate, the Braille Revival League, in recommending that the UBC not be adopted at this time.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-44**

**Commends the Los Angeles Department of Transportation for its installation of experimental accessible pedestrian signals at intersections near the site of the 1999 American Council of the Blind national convention, and urges the City of Los Angeles to continue its efforts to improve access or people who are blind through additional installations, research, and standard development with regard to accessible crossing signals.**

**WHEREAS, the City of Los Angeles installed an experimental accessible pedestrian signal at the intersection of West Century Boulevard and Concourse Way, and another such signal at the intersection of West Century Boulevard and Aviation Way to accommodate those attending the 1999 American Council of the Blind (ACB) national convention; and**

**WHEREAS, these accommodations allow for much safer travel in the immediate area of the Airport Westin Hotel and the Marriott; and**

**WHEREAS, the state of California is a leading state among these United States in its development of standards for accessible crossing signals;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization commend the Los Angeles Department of Transportation for its sensitivity and accommodation to the ACB National Convention; and**

**BE IT FURTHER RESOLVED that this organization specifically thanks Brian Gallagher, Senior Traffic Engineer, Glenn Ogura, Los Angeles Department of Transportation, as well as Mitch Pomerantz, Los Angeles Americans With Disabilities Act coordinator, for their efforts in getting the experimental accessible crossing signals installed; and**

**BE IT FURTHER RESOLYED that this organization urge the City of Los Angeles to continue its efforts to improve access for people who are blind through additional installations, research, and standard development with regard to accessible crossing signals.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-45**

**Expresses thanks to convention volunteers, to the coordinator of volunteer services for her training and coordination of volunteers, and to members and friends who volunteered their time during convention week to work in such areas as press room, convention office, information desk, and other areas where essential convention functions were provided.**

**WHEREAS, volunteer assistance is an essential element of a successful convention of the American Council of the Blind (ACB); and**

**WHEREAS, the coordination of volunteer services, and the training of volunteers, are crucial in order to insure that conventions run smoothly;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled on this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization express its sincere appreciation to those persons who so graciously gave of their time during the convention week, and also to the coordinator of volunteer services for her training and coordination of volunteers; and**

**BE IT FURTHER RESOLVED that this resolution be conveyed to the coordinator of volunteers for this convention, Margarine Beaman, with the request that she convey this organization's most sincere thanks to all of the many volunteers who assisted us; and**

**BE IT FURTHER RESOLVED that this organization also express sincere thanks to all of its members and friends who volunteered their time during convention week to work in such areas as the press room, convention office, information desk, and other areas where essential convention functions were provided.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-46**

**Expresses thanks to the 1999 American Council of the Blind convention hotels.**

**WHEREAS, the Airport Westin Hotel, Los Angeles, and the Airport Marriott Hotel, Los Angeles, have provided essential services and important accommodations for members of the American Council of the Blind (ACB) attending its 1999 convention; and**

**WHEREAS, the staffs of the two hotels noted above have been friendly and helpful; and**

**WHEREAS, the success of a convention is often dependent on the quality of the services delivered by hosting hotels;**

**NOW, THEREFORE, BE IT RESOLVED by the America Council Blind, in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization extends to the Airport Westin and Airport Marriott Hotels, Los Angeles, our thanks and appreciation for the services and accommodations provided to our members.**

**Adopted.**

**Cynthia Towers, Secretary**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-47**

**Expresses great appreciation to the host committee of the American Council of the Blind (ACB) 1999 national convention for all of the committee's efforts with regard to the convention; and commends each and every member of the energetic and exemplary California affiliate to ACB. The California Council of the Blind, for their excellent work in the holding of the convention.**

**WHEREAS, the host committee for the 1999 American Council of the Blind (ACB) convention in Los Angeles, California has had many responsibilities in the planning of the convention; and**

**WHEREAS, efforts put forth by the members and friends of the California Council of the Blind and the host committee represents countless expenditures of volunteer hours and planning labor; and**

**WHEREAS, the success of this great convention was due in significant part to the working of host committee members and those who supported this committee work;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this 9th day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization express its great appreciation to the host committee for all of its efforts with regard to the 1999 convention; and**

**BE IT FURTHER RESOLVED that this organization commend each and every member of the energetic and exemplary California affiliate to ACB, the California Council of the Blind, for their excellent work in the holding of this convention.**

**Adopted.**

**Cynthia Towers, Secretary**

# **TEXT OF RESOLUTIONS WHICH WERE REFERRED OR TABLED**

**Referred Resolution**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-17**

**WHEREAS, a Supreme Court decision issued during the spring of 1999 has challenged the validity of lawsuits brought by private parties against entities of state and local government, thereby finding as current and relevant law, an interpretation of European views of sovereignty prevalent approximately 250 years ago; and**

**WHEREAS, this decision appears to be a part of a trend in Supreme Court decisions, suggesting that it is only a matter of time until the constitutionality of laws such as the Americans with Disabilities Act, the Fair Housing Act, the Voting Rights Act, and other pillars of federal civil rights law will be reviewed before the Supreme Court; and**

**WHEREAS, the efficacy and constitutionality of such civil rights laws must be established beyond question, and beyond any potential weakening, through Supreme Court Case law, in order for blind and visually impaired Americans to fully and equally participate in the productivity, commerce, and governance of our country;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this --- day of July, 1999, at the Airport Westin Hotel, Los Angeles, California, that this organization direct its officers, directors, and staff to take all actions feasible and necessary, up to and including the retaining of expert legal counsel, in order to submit to the courts, amicus curiae (friend of the court) briefs oriented to the purposes of upholding the efficacy and constitutionality of any United States civil rights, or disability rights laws, which impact the lives of Americans who are blind or visually impaired.**

**Referred to American Council of the Blind Advocacy Committee.**

**Tabled Resolution**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-24**

**WHEREAS, all visually handicapped people need to open locked doors and padlocks at home and at sites of employment; and**

**WHEREAS, door locks and padlocks do not have indicators to guide the user as to how to insert the key into the lock cylinder; and**

**WHEREAS, an indicator, sensitive to the touch, is needed to give the visually handicapped proper orientation as to how to insert a key into a lock cylinder; and**

**WHEREAS, presently locks do not indicate whether to insert keys with the notches to the top, bottom, left or right; and**

**WHEREAS, such an indicator, formed as part of the face of the lock housing would add an insignificant cost to the manufacturer;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this --- day of July, 1999 at the Airport Westin Hotel, Los Angeles, California, that this organization encourage lock manufacturers to give this problem, and solution most sincere consideration.**

**Tabled specific to consideration of the resolutions committee of the 2000 ACB Convention.**

**Referred Resolution**

# **AMERICAN COUNCIL BLIND**

# **RESOLUTION 99-27**

**WHEREAS, improvement is always an ongoing process; and**

**WHEREAS, many individuals in the grass roots membership feel that they do not have a voice that is heard or responded to; and**

**WHEREAS, the American Council of the Blind (ACB) strives for excellence in all areas affecting its members;**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this --- day of July, 1999 at the Airport Westin Hotel in Los Angeles, California, that the ACB shall create an ongoing committee to consider and prioritize ideas of individuals and affiliates, to make recommendations for change, and to oversee implementation of these changes; and**

**BE IT FURTHER RESOLVED that this committee's members shall serve only one term of not more than three years, and shall not be able to serve on this committee for at least five years thereafter; and**

**BE IT FURTHER RESOLVED, that members of this committee shall be individuals who are serving on no other ACB committees during their service to this committee.**

**Referred to the American Council of the Blind Board of Directors.**

**Referred Resolution**

# **AMERICAN COUNCIL OF THE BLIND**

# **RESOLUTION 99-31**

**WHEREAS, the American Council of the Blind (ACB) is an organization designed to promote and celebrate the independence of blind and visually impaired people; and**

**WHEREAS, the annual convention is a major activity in the ACB calendar that must be designed to showcase this independence; and**

**WHEREAS, the convention floor seating arrangements and microphone locations are two critical elements in the design of a successful convention; and**

**WHEREAS, the state and special interest affiliate seating was reorganized on the third day of the 1999 convention, resulting in a situation in which state signs were moved from aisle positions to mid-row locations, making them difficult or impossible to locate by blind individuals; and**

**WHEREAS, there were fewer floor microphones available at the 1999 convention than in past years, and**

**NOW, THEREFORE, BE IT RESOLVED by the American Council of the Blind in convention assembled this --- day of July, 1999, at the Airport Westin Hotel, Los Angeles California, that the Convention Committee be directed to take steps ensuring that state and special interest group delegation signs appear at the end of rows, making them easy to locate for blind delegates even if this configuration results in unused seats; and**

**BE IT FURTHER RESOLVED that adequate floor microphones be made available, ensuring ease of access from all parts of the convention floor.**

**Referred to the American Council of the Blind Convention Committee.**

# **ADDITIONAL INFORMATION CONCERNING CERTAIN RESOLUTIONS**

**1. Regarding Resolution 99-16**

**The makers of this resolution, Marcella Wiseman, Rose Cain, and Louis Cane, provided the following contact information with the draft of the resolution. The Executive Vice President and General Counsel for the National Restaurant Association is Peter Kilgore, National Restaurant Association, 1200 17th Street N.W., Washington, D.C. 20036 (800) 424-5156.**

**2. Regarding Resolution 99-24**

**The maker of this resolution was:**

**Henry P. Nava**

**443 Potrero Grande Dr.**

**Monterey Park, CA 91755**

**Phone: 323-721-4929**

**He asks that this resolution be sent to:**

**L.W. Roffee, Executive Director**

**Access Board, U.S. Architectural & Transportation Barriers Compliance Board.**

**This of course cannot and will not be done as the resolution was tabled, but this information should be provided to the 2000 Resolutions Committee.**

**The resolution will be considered in 2000 and an attempt will be made by the Resolutions Committee to reach Mr. Nava prior to this time.**