



For people with intellectual
and developmental disabilities

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July 22nd, 2024

U.S. Election Assistance Commission

633 3rd Street NW, Suite 200

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The Arc of the United States Re: Request for Comment: Accessible Digital Form Filler Tool for the National Mail Voter Registration Form

The Arc of the United States appreciates the opportunity to submit comments on the new digital form filler tool for the National Mail Voter Registration Form (NMVRF), created by the General Services Administration's Technology Transformation Services (GSA TTS).

We strongly support the development of the form filler tool by GSA TTS. The disability rights and civil rights communities have urged GSA to update its websites (such as Vote.gov) and forms (such as the NMVRF) to ensure accessibility.¹ Without a fully accessible NMVRF, GSA and EAC do not provide full and equal access to their programs to promote voter registration, and thus, as executive agencies they are in violation of Section 504 of the Rehabilitation Act of 1973.² GSA TTS' digital tool is an important first step toward achieving required digital accessibility for people with disabilities.

¹ American Civil Liberties Union and Demos, Comment Letter on Promoting Access to Voting; Request for Information; Barriers to Private and Independent Voting for People with Disabilities; Docket Number 210608-0123 (Jul. 16, 2021), <https://www.nist.gov/system/files/documents/2021/07/26/rfi-pva-166-attachment.pdf>; Letter from American Civil Liberties Union, American Council of the Blind, Demos, Disability Rights Advocates, Fair Elections Center, National Disability Rights Network (NDRN), Paralyzed Veterans of America and The National Council on Independent Living to Robert Carnahan, Administrator, U.S. General Services Administration (Sept. 16, 2021), *available at* <https://www.acb.org/sites/default/files/FInal%20Letter%20to%20GSA.pdf>.

² See 29 U.S.C. § 794 *et seq.*



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However, the form-filler tool does not yet meet all required accessibility standards. GSA TTS should continue to test and improve its form-filler tool to ensure it complies with Sections 504 and 508 of the Rehabilitation Act of 1973.³

The Arc of the United States is the largest national community-based organization advocating for people with intellectual and/or developmental disabilities (IDD) and their families. Some examples of IDD are autism, ADHD, cerebral palsy, and epilepsy. Our nearly 600 state and local chapters across the United States provide a wide range of services for people with IDD, including individual and systems advocacy, family support, support coordination services, employment, housing, and recreation.

The Arc has been a longstanding advocate for ensuring people with disabilities have access to their right to vote. We have advocated for voting reforms for decades that include increasing accessibility, addressing barriers to voting, incentivizing automatic voter registration, accessible ballot formats, ability to vote by mail and utilize early voting, and allowing individuals with disabilities to have assistance while at the polling place.

1 in 4 people have a disability. People with disabilities are one of the largest voting blocs in the country. However, they are less likely than nondisabled people to turn out to vote in elections because of the multitude of barriers to casting their votes. Examples of barriers are voter suppression laws, inaccessible voter information, lack of wheelchair access at polling locations, and more.

³ GSA TTS should review the Revised 508 ICT Testing Standards to ensure its tool is compliant. *Section 508 ICT Testing Baseline*, Access Board, <https://section508coordinators.github.io/ICTTestingBaseline/> (last visited Jul. 1, 2024).



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Our comments address the need for a fully electronic submission method, browser compatibility, and the form's general accessibility and useability.

Comment One: We appreciate the form-filler tool's increased readability and availability in English and Spanish. We encourage GSA TTS to improve upon these features. We recommend that GSA TTS ensure the form filler's text can be magnified by a screen reader and rendered in a larger font size. We recommend that GSA TTS revise the form filler and its instructions into plain language.

The PDF version of the NMVRF was twenty-seven pages long and included instructions for all fifty states.⁴ This made the form cumbersome to navigate and difficult to use for many people with disabilities, including people using screen readers and people with cognitive disabilities. The new form-filler tool uses instructions from the person's home state only, walks the user through each step, and is only five pages long when printed.

For individuals with IDD having things in plain language and large print important to ensure the reader understands. Only essential things should be written, and it should be written on an eighth-grade reading level. Complex and long forms can lead to people not completing the registration form due to feeling overwhelmed or misunderstanding what the form is asking. If people with disabilities cannot complete the form, it continues to be a barrier in their access to vote.

⁴ *National Mail Voter Registration Form*, U.S. Election Assistance Comm'n, <https://www.eac.gov/voters/national-mail-voter-registration-form> (last visited Jul. 1, 2024).



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We also appreciate that the form filler tool is available in English and Spanish. We recommend and expect that the form filler will be translated into all languages required for jurisdictions covered by Section 203 of the Voting Rights Act.⁵ Wherever possible, we additionally recommend that GSA TTS conduct outreach by advertising its new form-filler tool in languages other than English.

We recommend that GSA TTS (if it does not do so already) use form-filler text that can be made larger and screen magnifier compatibility because both increase accessibility for many users with vision disabilities.⁶ WCAG 1.4.4 also requires that users be able to resize webpage text to up to double its original size without the use of a screen magnifier.⁷ The Revised Section 508 Standards incorporate and require the use of the WCAG 2.0 at Level AA.⁸

We recommend that the form-filler and its instructions be tested by users with cognitive disabilities and intellectual and developmental disabilities (IDD) and revised into plain language where necessary. The NMVRF must be accessible to people with cognitive disabilities and people with IDD.

⁵ Although Section 203 of the Voting Rights Act has requirements that differ depending upon jurisdiction, Vote.gov and the NMVRF form-filler tool are public resources that must be translated whenever a jurisdiction makes the form available to its constituents. See *Language Minority Citizens*, U.S. Dep't Justice Civ. Rts. Division, <https://www.justice.gov/crt/language-minority-citizens> (last updated Nov. 22, 2023).

⁶ See *Screen Magnifiers: Who and How They Help*, Bureau of Internet Accessibility (Jul. 24, 2017), <https://www.boia.org/blog/screen-magnifiers-who-and-how-they-help>; Web Accessibility Initiative (WAI), Understanding SC 1.4.4: Resize Text (Level AA), WCAG 2.1 Understanding Docs, <https://www.w3.org/WAI/WCAG21/Understanding/resize-text> (last updated Jun. 20, 2023).

⁷ Web Accessibility Initiative (WAI), *Understanding Success Criterion 1.4.4: Resize Text (Level AA)*, WCAG 2.0 Understanding Docs, <https://www.w3.org/WAI/WCAG20/Understanding/resize-text> (last updated Jun. 7, 2023).

⁸ *Design & Develop: Applicability & Conformance Requirements*, Section 508.gov, <https://www.section508.gov/develop/applicability-conformance/> (last updated May 2018).



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Comment Two: We appreciate that the NMVRF form-filler tool is more accessible than the PDF. However, the tool still does not meet all accessibility standards required by law. We recommend that GSA TTS conduct extensive accessibility testing to ensure its tool is accessible under all circumstances and to all users with disabilities.

The original PDF was highly inaccessible. According to the ACLU and Demos in their July 2021 comments, use of an accessibility tool created by the SSA revealed 33 separate accessibility issues across many different features of the PDF.⁹

Several members of the disability rights community tested the form-filler for themselves. Unlike the PDF, it can be completed without accessibility issues by some screen readers under some circumstances. However, the form is not yet accessible under all circumstances.

One tester, Kolby Garrison at the American Council for the Blind (ACB), found violations of WCAG 2.0's "On Focus" requirement when attempting to select her state. GSA must comply with WCAG 2.0 at Level AA.¹⁰ Two testers - Stephanie Flynt McEben at the National Disability Rights Network and Doug Towne of AccessReady- were able to complete the form but detected unusual text characters not visible to users who were not using screen readers. Unusual text characters reduce the form-filler tool's useability and

⁹ American Civil Liberties Union and Demos, Comment Letter on Promoting Access to Voting; Request for Information; Barriers to Private and Independent Voting for People with Disabilities; Docket Number 210608-0123 (Jul. 16, 2021), <https://www.nist.gov/system/files/documents/2021/07/26/rfi-pva-166-attachment.pdf>.

¹⁰ *Design & Develop: Applicability & Conformance Requirements*, Section 508.gov, <https://www.section508.gov/develop/applicability-conformance/> (last updated May 2018).



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confuse users with disabilities. It is not enough for the form to be completable using a screen reader; It must also be easy to understand and use.

Doug Towne of AccessReady used a Selvas-brand Polaris Note-Taker and Stephanie Flynt McEben used the Google Chrome browser with the Job Access with Speech (JAWS) screen reader. Kolby Garrison also used a JAWS screen reader and Google Chrome. One group of testers, who used the form-filler without difficulty, tested both mobile and desktop versions of the form-filler. We do not know which browser software and screen-readers they used. Kolby Garrison and Stephanie Flynt McEben had different results despite using the same screen reader program and browser (JAWS and Google Chrome).

I used the form and noticed additional accessibility issues. Mailing is required for this form. Some people with disabilities do not have access to printers. Some individuals have print disabilities, so having this form submitted electronically is important. It would be great to have a plain language glossary (i.e., choice of party page). Having large font available or shown would also increase accessibility.

The cause of the different degrees of accessibility testers encountered is not known. However, we are concerned that the form-filler was released to the Federal Register without accessibility testing using a range of software, computers, cell phones, screen readers, and assistive technology. At the very least the form-filler should pass the Revised 508 ICT Testing Baseline regardless of the software or hardware used to access it.¹¹ We therefore urge

¹¹ See Section 508 ICT Testing Baseline: 2. Focus, U.S. Access Board, <https://ictbaseline.access-board.gov/02FocusVisible/> (last visited Jul. 5, 2024).



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GSA TTS to submit the form to comprehensive accessibility testing, similar to the testing for the GSA's modernization of Vote.gov in accordance with the President's Executive Order on Promoting Access to Voting.¹² We also recommend testing using different combinations of browsers, hardware, and software (such as Google Chrome on an Apple OS or iOS using JAWS, or Mozilla Firefox on a Windows OS using JAWS).

Comment Three: We recommend that the GSA create an electronic alternative to printing and mailing the NMVRF.

While the creation of a form-filler tool is a key step toward greater accessibility, it does not serve all voters. Voters with print disabilities¹³ are unable to sign and mail in any printed form. As of July 22nd, 2024, printing and mailing the form is the only way to submit it.

We recommend that GSA create an online submission method for the NMVRF. Options could include an online portal on Vote.gov (similar to the online portals used by individual states)¹⁴ or an email system. Including such a system would expand the number of voters served by the NMVRF and would benefit all voters by reducing the number of steps needed to submit the form.

¹² See *Modernizing Vote.gov*, Vote.gov, <https://vote.gov/promoting-access-to-voting/> (last visited Jul. 5, 2024).

¹³ Nat'l Disability Rts. Network and Am. Assoc. People with Disabilities, *Making Voting Accessible to Voters with Print Disabilities 2* (Jul. 24, 2021), <https://www.aapd.com/wp-content/uploads/2023/06/Making-Voting-Accessible-to-Voters-with-Print-Disabilities-1.pdf>.

¹⁴ Md. State Bd. Elections, *Voter Registration and Mail-in Ballot Request*, <https://voterservices.elections.maryland.gov/OnlineVoterRegistration/InstructionsStep1> (last visited Jul. 1, 2024); Conn. Secretary of State, *Register Online to Vote*, <https://portal.ct.gov/dss/common-elements/register-online-to-vote> (last visited Jul. 1, 2024).



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Comment Four. We recommend that the GSA create a method for reporting accessibility barriers in the form-filler.

We recommend a method similar to the “Accessibility” link at the bottom of Vote.gov, which directs voters to a page with a statement and an email where they can contact GSA with questions or accessibility concerns.¹⁵ GSA could include the link at the bottom of each page of the form-filler.

We again thank the U.S. Election Assistance Commission and GSA TTS for the opportunity to comment and improve the form-filler tool’s accessibility. With most voter registration deadlines for the November 2024 general election less than three months away, it has never been more important to have an easy-to-use, accessible form of voter registration available. For more information contact Brittany Owens at The Arc of the United States at owens@thearc.org.

¹⁵ *Accessibility Statement*, Vote.gov, <https://vote.gov/accessibility/> (last updated July 2023).