Contact: Mary Arnold
Jovita Wenner
202-312-3509

In Support of Harmonized Global Accessibility Standards

Testimony by
Joseph Duffy, Vice President, SAP Public Services, Inc.

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Mr. Chairman, Senator Biden, and Members of the Subcommittee, thank you for the invitation to be with you today for this important discussion. I know I speak for many in our industry when I say we appreciate the role that Congress has played in creating a favorable policy environment for accessible information technologies (IT). We applaud you again today for seeking to encourage greater harmony on this issue between the United States and Europe, because only harmonized international accessibility standards will produce the best results for consumers, businesses and the economy.

Mr. Chairman, my company, SAP, is the world's leading provider of business application software. Our products and services are relied upon by more than 12 million users at 26,000 companies and public sector agencies to manage such crucial functions as financials, operations, supply chains, and human resources. We are a global company with a strong presence in the United States, employing more than 5,500 people in 18 U.S. offices and labs. We are also an active partner of many Federal and state agencies, which

use our software to improve efficiency and accountability in agencies like the departments of Defense, Homeland Security, Treasury, Interior and Energy, and GSA.

SAP also donates more than $60 million a year to help improve math, science and engineering curriculum in U.S. secondary and post-secondary educational institutions. Over the last few years, we have provided almost half a million dollars to schools and programs in the U.S. that serve thousands of disabled adults and children.

Mr. Chairman, our commitment to serving our customers and communities includes making our products accessible to users with physical disabilities. We are doing this not only because it's the right thing to do, but also because there is a strong and growing market for it. According to the U.S. Census Bureau, the United States is home to about 30 million working-age people with disabilities[1], while the European Commission estimates an additional 17 to 24 million live in the European Union.[2] The World Health Organization estimates about 600 million people of all ages live with disabilities worldwide.[3] Obviously, there are large markets to be addressed and many social and economic benefits to be gained by working together to make IT products more accessible.

Making IT more accessible to people with disabilities is not an easy task. First, there are many kinds of physical disabilities, and each type poses unique challenges to IT product

[1] U.S. Census Bureau, fact sheet dated 12 July 2002 and posted at http://www.census.gov/Press-Release/www/2002/cb02ff11.html.
[2] European Commission Directorate-General for Employment and Social Affairs, report entitled "Active Labour Market Programmes for People with Disabilities," dated August 2002 and posted at http://europa.eu.int/comm/employment_social/index/active_labour_market_progs_en.pdf.
[3] World Health Organization, fact sheet dated 3 December 2003 and posted at http://www.who.int/ncd/disability/index.htm.

developers. Second, the degree of IT accessibility depends on the complex interaction of multiple technologies produced by multiple vendors: operating systems, keyboards, terminal screens, mouse pointers, business applications, and so forth. On top of this, people with disabilities usually use a combination of assistive technologies such as screen readers, Braille display, and mouse alternatives. As you can imagine, designing and producing accessible products is an ongoing and complex challenge for all IT providers, and the very definition of accessibility is a moving target.

At SAP, through our Accessibility Competence Center and our industry-leading research and development, we are working to make *our* software solutions more accessible. Accessibility requirements are incorporated into our product design, development, and quality control processes. We are taking additional steps to add accessibility features into existing products. For example, one of our products, mySAP ERP, contains more than 150,000 screen views, and updating them is a serious undertaking. In addition, our partners and customers can also take advantage of our technology advancement to enhance the accessibility of *their* software applications. Indeed, we are implementing a very detailed program with specific goals and milestones to meet the needs of the disabled community. Our plan is designed to address sensory and motor skill disabilities and to focus on the needs of end users first, making accessible software available to the largest number of users as rapidly as possible.

As we pursue this mission, we strongly support efforts to achieve harmonized global accessibility standards.

Simply put, accessibility standards are specifications that product manufacturers must meet to serve the needs of disabled users. International standards development organizations are one source of such standards, but government entities in the U.S. and Europe also provide such specifications. If we get into a situation where there are multiple standards for a given technology, then IT developers must either choose one set of standards and forgo certain markets, or go to the trouble of implementing multiple standards and hope they do not come into conflict with each other. As you can imagine, the difficulty of avoiding such conflicts increases as more and more standards are created.

Before moving on to solutions, let's take a moment to examine how fragmented accessibility standards can negatively impact people with disabilities.

To cite the most obvious effect, fragmented standards impose extra costs and delays on technology providers, which then have spillover impacts on consumers. In the best-case scenario, divergent standards do not create irreconcilable conflicts but merely require extra time and expense to design, development, test, and deploy. This extra effort delays the introduction of new technologies. Even worse, it raises the prices of such products for consumers, imposing additional burdens on the very people we are trying to help, many of whom are financially disadvantaged.

Another impact of fragmented standards is to re-create the geographic barriers that IT otherwise does so much to remove. Overcoming such barriers is particularly relevant to

those with physical disabilities because they have greater difficulties in traveling. Imagine the frustration of a disabled consumer who might be unable to access an important Web site because the site designer lived in another country and followed a different standard. In short, the needs of disabled consumers are essentially identical whether they live in United States or Europe, and we shouldn't impose new barriers based on fragmented standards.

Lastly, it must be noted that fragmented information technology accessibility standards also creates trade barriers and discourage global competition. The negative impact is particular damaging to small companies, which can ill-afford the extra development cost of complying with divergent standards.

For all of the forgoing reasons, SAP strongly supports efforts to achieve harmonized global IT accessibility standards. Harmonized standards offer the greatest opportunities for consumers, business, and society by reducing costs, improving time to market, widening the availability of accessible products, and increasing the quality of life of people with disabilities. So how can we achieve harmonized standards?

Global standards development organizations (SDOs) are in the best position to maintain global standards and resolve conflicts among competing standards. Let's face it: the pace of technological innovation is so fast that even SDOs have a hard time keeping up. But writing technical standards into law or regulation makes the problem even worse.

Typical lawmaking processes cannot keep up with the speed of information technology advancements.

We encourage legislators and regulators in the United States and abroad to reference the work of international SDOs in domestic regulations instead of trying to fine-tune those standards and set them in law in their own countries. If specific requirements must be written into law, we encourage the lawmakers to specify the requirements based on outcome and performance instead of technical methods. Methods often change due to technological advances.

With regard to ongoing work to establish accessibility standards in Europe, the IT industry encourages policy makers there to consider the flexible, market-oriented approach taken in the United States under Section 508 of the federal Rehabilitation Act. Section 508 requires the U.S. Government to purchase the most accessible products on the market. Because the U.S. Government is the leading purchaser of IT in the world, Section 508 has spurred extraordinary cooperation among public sector buyers, industry and consumers to meet that demand, which in turn has led to rapid progress in the development of accessible products.

The applicable requirements of Section 508 have already been incorporated into the product-development process at SAP and many other companies. As a result, Section 508 has already generated significant innovation and benefits for all disabled users in the public and private sectors all over the world.

Depending on how the rules are implemented by the European Commission and Member States, addressing accessibility through global SDOs and a public procurement approach could provide many advantages for European consumers. For example, if European requirements are harmonized with those of the United States, it would more than double the market for conforming IT products and create an even greater incentive for manufacturers to develop accessible products. Consumers will reap the ultimate benefits in the form of lower costs, greater choices, and better quality of life – and it will all occur sooner rather than later.

As the U.S. Access Board is now considering an update of Section 508, we see this as a great opportunity for trans-Atlantic cooperation. Ideally, we would like to see a single set of rules governing the accessibility requirements in both regions. We would also prefer to see that specific requirements refer to designated SDOs' work or that the requirements be performance and outcome-oriented.

This does not mean ignoring difference of language and culture; these are important and must be addressed in standards-setting processes. As global standards are adopted, they must be published and promoted in multiple languages to facilitate adoption by local authorities and to avoid misinterpretations. But language and cultural differences affect all people regardless of disabilities. Thus, there is no need to create additional international trade barriers for the alleged benefit of accessibility. Instead, global SDOs should obtain inputs from regional experts and create standards that are applicable in all

geographic locations. This is of particular importance when we examine the complexity involved in Asian languages.

Mr. Chairman, I am pleased to report that early efforts to harmonize global accessibility standards are promising. The Special Working Group on Accessibility of the Joint Technical Committee 1 (JTC 1) of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC) have already begun the work of gathering user requirements, taking inventory of existing standards, and tracking laws and policy. Section 508 will be influential in that process. SAP, IBM, many of our peer companies, and the U.S. Access Board are supporting the working group's efforts. We are eagerly anticipating the positive results that it promises to deliver.

Within Europe, the European Commission has issued a Communication on "e-Accessibility" that recognizes the risk of a fragmented disability market and cites as its "main" objective "to promote harmonization on a voluntary basis and to help self-regulation." Industry applauds this emphasis and urges deference to the international, consensus-based standards development process, which will be the most efficient and effective way to advance IT accessibility.

Mr. Chairman, to summarize, developing harmonized global standards through SDOs and cooperative inter-governmental initiatives will enable IT vendors to focus on innovating and competing in the global market, rather than on responding to a patchwork quilt of redundant and contradictory requirements. Close cooperation between the United State

and Europe is essential to making progress on this topic. Failure to achieve cooperation would cause significant harm to the IT industry, the economy, and, most importantly, people with disabilities.

Thank you for the opportunity to submit these comments. We look forward to further discussion and would be happy to answer any questions.

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