

OFFICE OF ACCESSIBLE SYSTEMS AND TECHNOLOGY

I. Purpose

Title 29 of the United States Code (U.S.C.), Section 794d, “Electronic and Information Technology” (commonly referred to as “Section 508 of the Rehabilitation Act”) requires that the Federal government make electronic and information technology (EIT) accessible to all people regardless of their disabilities. The Department of Homeland Security (DHS) considers accessibility to EIT for all employees and external customers, including those with disabilities, a priority.

II. Scope

- A. This Directive applies throughout DHS.
- B. This cancels and supersedes the Management Directive (MD) 4010.2, “Section 508 Program Management Office and Electronic and Information Technology Accessibility.”

III. Authorities

- A. Public Law 104-106, “Clinger-Cohen Act of 1996”
- B. Public Law 107-347, “The E-Government Act of 2002,” Section 202(d), “Accessibility to Persons with Disabilities”
- C. Public Law 113-291, “Carl Levin and Howard P. McKeon National Defense Authorization Act for Fiscal Year 2015,” Title VII, “Acquisition Policy, Acquisition Management, and Related Matters,” Subtitle D, “Federal Information Technology Acquisition Reform”
- D. Title 44, U.S.C., Chapter 35, “Coordination of Federal Information Policy”
- E. Title 29, U.S.C., Section 794d, “Electronic and Information Technology”
- F. Title 6, Code of Federal Regulations (CFR), Part 15, “Enforcement of Nondiscrimination on the Basis of Disability in Programs or Activities Conducted by the Department of Homeland Security”

- G. Title 36, CFR, Part 1194, "Electronic and Information Technology Accessibility Standards"
- H. Title 48, CFR, Subpart 39.2, "Electronic and Information Technology," Section 39.204, "Exceptions"
- I. Office of Management and Budget (OMB) Circular A-130, "Management of Federal Information Resources"
- J. DHS Delegation 04000, "Delegation for Information Technology"
- K. DHS Directive 142-02, "Information Technology Integration and Management"
- L. DHS Management Directive 3500, "Operational Roles and Responsibilities of the Officer for Civil Rights and Civil Liberties and the Office of Chief Counsel"

IV. Responsibilities

- A. The **DHS Chief Information Officer (CIO)**:
 - 1. Directs the Executive Director of the Office of Accessible Systems and Technology (OAST) regarding implementation of the Department's Accessible Systems and Technology Program.
 - 2. Ensures that the Accessible Systems and Technology Programs are integrated fully into the DHS Enterprise Architecture and Capital Planning and Investment Control Processes.
- B. The **Executive Director, OAST**:
 - 1. Provides the DHS vision and leadership for ensuring that EIT procured, developed, maintained, or used by DHS is accessible.
 - 2. Establishes and implements DHS policies, procedures, and practices to ensure that EIT procured, developed, maintained, or used is accessible.
 - 3. Establishes performance measures for each Component's Section 508 Program and reports to the DHS CIO to track maturity of Section 508 Programs and document compliance-related activities over time.

- C. The **Component heads**:
1. Establish a Section 508 Program within their Component.
 2. Comply with established complaint or compliant processes for EIT accessibility.
 3. Implement and adhere to the Department's review and authorization procedures for EIT purchase requests; and ensure that all non-information technology organizations within the Component adhere to Section 508 EIT Technical and Functional Standards.
- D. The **Component Chief Information Officers**:
1. Ensure adherence to DHS EIT accessibility policies, procedures, standards, and guidance.
 2. Designate a Federal Component Section 508 Coordinator who reports directly to the Component CIO.
- E. The **DHS Component Section 508 Coordinators** manage Component-level Section 508 programs and ensure compliance with DHS EIT accessibility policies, and procedures.
- F. The **General Counsel, Office of the General Counsel (OGC)** provides legal counsel regarding Section 508 compliance.
- G. The **Officer, Office of Civil Rights and Civil Liberties (CRCL)**:
1. Ensures compliance with Sections 508 complaint processes and reporting and tracking requirements within DHS Components (See Management Directive 3500.)
 2. Evaluates the effectiveness of the Section 508 complaint process and provides reports to the Executive Directive OAST and appropriate Government oversight organizations.
 3. Advocates for compliance with Section 508 and its inclusion in the DHS budget and strategic planning activities.
- H. The **DHS Chief Human Capital Officer** works with the Executive Director OAST, ensuring DHS produced or procured training and multi-media products conform to applicable technical standards from the Section 508 EIT Accessibility Standards.

I. The **DHS Chief Procurement Officer** provides guidance across DHS to ensure compliance with Section 508 related policies and procedures as related to new acquisitions.

J. The **DHS Chief Financial Officer** implements the financial policies to ensure compliance with Section 508 related policies and procedures.

K. **Requiring Officials (including Contracting Officers Representatives (COR) and purchase card users)** identify applicable technical standards based upon the EIT Accessibility Standards, ensure applicable exceptions are authorized, perform market research, select the most compliant product that best meets the Section 508 standards and business needs, and conduct appropriate acceptance activities.

L. **Contracting Officers:**

1. Ensure relevant Section 508 compliance language is included in all contractual actions.
2. Ensure all Section 508 documentation provided with the purchase request is retained for tracking purposes.

M. **Web Content Managers, including Web site owners (or Equivalent)** working with respective Chief Information Officers:

1. Ensure that Intranet and Internet Web content, including links to Web applications and non-HTML files, fully conforms to the Section 508 EIT Accessibility Standards.
2. Ensure that OAST has access to Websites for evaluation by authorized DHS Section 508 compliance tools.
3. Ensure that when social media is used for official agency communications, fully Section 508 compliant alternatives are provided when social media resources are not fully accessible.


V. Policy and Requirements

It is the Department's policy to make its EIT accessible to all people, including people with disabilities, in accordance with Federal laws.

- A. Ensure that employees and customers with disabilities have access to and use of electronic information and data that is comparable to the access available to people without disabilities unless a valid Section 508 exception applies, in which event, the information and data will be provided by an alternate method or format.
- B. When procuring EIT, ensure that the most compliant product that best meets business needs is selected and that all DHS Section 508 compliance acquisition and EIT accessibility policies and procedures are followed.
- C. All EIT that is developed, maintained, or modified is in compliance with DHS Section 508 policies and procedures.
- D. All claims for National Security or Undue Burden exceptions for Section 508 purposes are reviewed and authorized by the Executive Director, OAST.
- E. For each EIT project that exceeds 2.5 million dollars in lifecycle costs, a Section 508 compliance plan that includes applicable requirements and acceptance testing/quality assurance plans are included in the projects' standard planning package.
- F. When deploying or accepting EIT systems that are less than fully compliant to applicable Section 508 EIT accessibility standards, including any recognized exception, an accommodation plan is prepared to address the needs of employees or the public with disabilities.
- G. Ensure that Section 508 review criteria and associated subject matter expertise is included in all checkpoints within all IT Systems Engineering Life Cycle checkpoints and other IT governance processes.

VI. Questions

Address any questions or concerns regarding this Directive to the Office of the Chief Information Officer, Office of Accessible Systems and Technology (OAST).



Russell C. Deyo
Under Secretary for Management



Date