



U.S. Department of Justice

Civil Rights Division

*Disability Rights Section
P.O. Box 66738
Washington, DC 20035-6738*

Section 508 Self-Evaluation Agency Directions¹

Q1. Why does my agency have to conduct a self-evaluation?

A: On August 7, 1998, Congress amended section 508 of the Rehabilitation Act. Under the new law, all Federal agencies and departments must conduct self-evaluations and report to the Attorney General by February 7, 2000, the current extent to which their electronic and information technology is accessible to and usable by persons with disabilities, including Federal employees and members of the public who seek or are provided information or services from those agencies.

Q2: What is the best process for ensuring that my agency has met its self-evaluation responsibilities under section 508?

A: Staff at the Department of Justice have developed the Component Questionnaire because it provides an easy, time-efficient, step-by-step method for evaluating the extent to which your technology is accessible to persons with disabilities. Use of the Questionnaire is one way, but not the only way, to comply with the legal duty of self-evaluation.

¹For persons with disabilities, additional copies of this document are available on computer disk and in alternate formats including large print, Braille, and audio cassette, by calling the following numbers at the Department of Justice, Civil Rights Division:

Section 508 Coordinators: **1-202-305-8304** (voice)
1-202-353-8944 (TTY)

ADA Information Line: **1-800-514-0301** (voice)
1-800-514-0383 (TTY)

Alternate format copies for persons with disabilities may also be requested via e-mail to:
sec508.questions@usdoj.gov

This document is available on the Section 508 Home Page of the Civil Rights Division, U.S. Department of Justice:

<http://www.usdoj.gov/crt/508>

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Whether or not your agency chooses to use this method, you should:

- (1) Designate a single individual or office ("Designated Agency Official"), such as the Office of the CIO, as responsible for your agency's self-evaluation responsibilities; and
- (2) immediately report to the Acting Assistant Attorney General for Civil Rights, the name, telephone number, fax number, and e-mail address for your Designated Agency Official, by faxing the attached form, "Identification of Designated Agency Official" to the Disability Rights Section, Civil Rights Division of the U.S. Department of Justice. Contact information appears on the form.

Please note that although this package may appear overwhelmingly large at first glance, much of the bulk is due to its user-friendly design. There is a lot of duplication so that each part of the package can be used as a stand-alone document. This way, you do not have to make a lot of decisions about what information should be conveyed to each of your components or how to handle a particular issue: appropriate distribution and use instructions are repeated throughout the package.

Q3: What are the duties of the Designated Agency Official?

A: The Designated Agency Official should do the following:

- (1) Designate a contact person for all components within your agency ("Component Contacts");
- (2) distribute hard copies and electronic versions of the following documents to all Component Contacts:
 - Directions for Component Contacts;²
 - Component Questionnaires with associated Checklists; and
 - Resource Guide
- (3) ensure that all components, in a timely manner, enter the data requested in the Component Questionnaires on the special Internet page established for this purpose, "www.508.org";³

²You should fill in the blanks on pages one and two of the "Directions to Component Contacts" to: (1) assign a due date for your agency's components to return copies of their Internet submissions to you, and (2) provide them with your contact information.

³This method of data-gathering will put the relevant information into a searchable database, greatly facilitating the preparation of the Attorney General's report to the President.

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- (4) collect and review copies of your components' Internet submissions; and
- (5) by June 15, 1999, provide to the Attorney General a comprehensive self-evaluation of the extent to which your agency's electronic and information technology is accessible to and usable by people with disabilities. This report should include, at a minimum, the following:
 - (a) an organizational chart showing the hierarchy and relationship of all components in your agency, so that we may fully understand the context of your agency's components' Internet submissions;
 - (b) a comprehensive evaluation of the accessibility of your agency's electronic and information technology, based on your components' Internet submissions;
 - (c) a description of any steps your agency intends to take to improve accessibility;
 - (d) any recommendations you may have about how to improve the overall accessibility of the Federal government's electronic and information technology; and
 - (e) any other information you would like us to consider when preparing the Attorney General's report to the President.

Q4: Where should our agency's evaluation be sent?

A: Your components should submit their information on the Internet page established for this purpose, "www.508.org," as described above. Your comprehensive agency evaluation — **in an electronic format**, and, if desired, on paper — should be sent to:

Bill Lann Lee, Acting Assistant Attorney General for Civil Rights
c/o: Section 508 Coordinator
Disability Rights Section
Civil Rights Division
U.S. Department of Justice
P.O. Box 66738
Washington, DC 20035-6738

If you prefer to submit your comprehensive agency evaluation electronically, please e-mail it to:

sec508.questions@usdoj.gov

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Q5: Should each person who receives the attached Component Questionnaire answer all questions based on his or her knowledge of the agency as a whole?

A: No. Each such person should complete the Component Questionnaire -- and submit the information on the Internet -- only as it pertains to the limits of his or her authority or control within the agency or its component, to ensure that overlapping responses are not generated. The Designated Agency Official should determine which person(s) or office(s) in the agency will be responsible for evaluating agency-wide applications, such as agency-wide pages on the World Wide Web.

Q6: Should our agency provide separate responses for each component?

A: Each component should submit its information to the Department of Justice through the Internet and should provide a copy of its Internet submission to the Designated Agency Official. The Designated Agency Official should review all of the components' responses and submit a comprehensive, agency-wide self-evaluation to the Attorney General. It is not necessary to provide the Attorney General with the Component Questionnaires, as this information will already have been provided through the Internet.

Q7: How will our information be used by the Attorney General?

A: The Attorney General will report to the President the extent to which electronic and information technology used by the Federal government is accessible to and usable by persons with disabilities. Your agency's answers will assist the Attorney General in preparing a thorough and accurate "snapshot" evaluation of the extent to which persons with disabilities have equal access to and use of information as persons who do not have disabilities, as well as helping her make appropriate follow-up recommendations.

Q8: What is "electronic and information technology?"

A: Section 508 requires the Access Board, by February 7, 2000, to define "electronic and information technology" in a manner that is consistent with the definition of "information technology" used in the Clinger-Cohen Act, 40 U.S.C. § 1401(3). The Clinger-Cohen definition of information technology includes "any equipment or interconnected system or subsystem of equipment, that is used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information." 40 U.S.C. § 1401(3)(A). It includes, but is not limited to, "computers, ancillary equipment, software, firmware, and similar procedures, services (including support services) and related resources." § 1401(3)(B).

Section 508 specifically exempts from coverage *national security systems*, as that term is used in section 5142 of the Clinger-Cohen Act, 40 U.S.C. § 1452.

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Because the Access Board will not issue its definition of "electronic and information technology" until February 7, 2000, you should not infer that a specific example of technology covered by the Component Questionnaire or any of the associated Checklists is "electronic and information technology" for which the Access Board will be publishing standards.

Q9: Are there any published standards that will guide my agency in determining the extent to which its electronic and information technology is currently accessible to and usable by persons with disabilities?

A: No. The Access Board is charged with developing such standards by February 7, 2000. In the interim, however, there are many private and governmental resources upon which you can draw. Many of these resources are listed in the Resource Guide that is distributed with this document.

Q10: I don't understand why it is important for my agency to determine whether its mainstream electronic and information technologies are accessible. Can't people with disabilities use separate assistive technologies specifically designed for them instead?

A: Not necessarily. The increasing complexity and interaction of electronic and information technologies often makes it impossible to "layer" assistive technologies for use on top of mainstream applications unless those applications were designed with accessibility in mind. For example, someone who is blind may use a word processing program in conjunction with a screen reader, which is designed to "voice" the information portrayed on the screen to the user. If an agency's word processing program uses icons without text labels, the screen reader cannot work properly and the person who is blind would be unable to use the word processor. While non-disabled employees would be able to access file libraries and shared files, the inaccessible word processor would lock out the user with a disability from many aspects of information sharing.

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Q11: Some of the questions in the Component Questionnaire ask whether a specific example of technology used by my agency is accessible to people with certain types of disabilities. Does this mean that there is always a technological solution that will provide access to people with all kinds of disabilities?

A: No. There are some types of technology for which there are currently no ways to make them accessible to persons with disabilities. If accessible technology does not exist, then an agency may rely on the "undue burden" defense of section 508 and may procure inaccessible technology. Even if it is an undue burden to provide accessible technology, Federal agencies must ensure that access to information is provided through some other accessible means.

Q12: In what other instances is the "undue burden" defense applicable?

A: An agency may legitimately claim that procurement of accessible technology is an "undue burden" -- and thus not required by section 508 -- when it would pose a "significant difficulty or expense," such as when accessible technology is generally unavailable in the mass market or when it is significantly too expensive to be obtained given the scope of the procurement at issue. Even if it is an undue burden to provide accessible technology, Federal agencies must ensure that access to information is provided through some other accessible means.

Q13: Can our agency by-pass the self-evaluation process and provide the Attorney General with information about our agency's reasonable accommodation policies and procedures?

A: No. This self-evaluation process focuses on your technology rather than looking at how your agency provides reasonable accommodations to specific individuals with known disabilities. **It is important that you conduct this self-evaluation without regard to whether your agency or its components have employees with disabilities or communicate with members of the public who have disabilities.**

Q14: What topics are covered by the Component Questionnaire?

A: The Component Questionnaire covers the following topics:

- Procurement Policies and Procedures
- Telecommunications
- Computer and Network Based Applications and Services
- Information Transaction Machines
- Other IT Equipment