Office of the Attorney General
Washington, D.C. 20530

April 2, 1999

MEMORANDUM FOR THE HEADS OF ALL FEDERAL AGENCIES

FROM: THE ATTORNEY GENERAL

SUBJECT: Electronic and Information Technology

We live in a world that is becoming increasingly cognizant of the needs and rights of persons with disabilities. In 1990, Congress passed the Americans with Disabilities Act, which has been described as the most sweeping civil rights legislation since the Civil Rights Act of 1964. This important law expanded upon the Rehabilitation Act of 1973, which protected persons with disabilities from discrimination in federally-assisted and federally-conducted programs.

We also live in a world that is becoming increasingly dependent upon computers and other electronic and information technologies for providing the information that we need in our daily lives. Computer technology can now be found in almost all workplaces and is an integral part of much of the equipment that surrounds us. Adaptive technology, such as computer screen-reading software and braille display units, enable people with disabilities to use this modern technology. Whenever our agencies buy new computer programs or electronic equipment for our workplaces, we run the risk that these new purchases will not work with adaptive technology. In so doing, we would be excluding people with disabilities. Section 508 of the Rehabilitation Act now seeks to address this potential problem.

On August 7, 1998, President Clinton signed the Workforce Investment Act of 1998, Pub. L. No. 105-220, 112 Stat. 936 (1998). Section 408(b) of that law included a revised version of Section 508 of the Rehabilitation Act of 1973. Sec. 408(b), § 508, 112 Stat. at 1203-06. This newly revised Section 508 imposes strict requirements for any electronic and information technology developed, maintained, procured, or used by federal agencies. Electronic and information technology is expansively defined. It includes computers (such as hardware, software, and accessible data such as web pages), facsimile machines, copiers, telephones, and other equipment used for transmitting, receiving, using, or storing information.

Section 508 was effective on the day that it was enacted. Therefore, all federal agencies must now take steps to ensure that the electronic and information technologies used in their programs are accessible.

As the initial step in the implementation process, Section 508 requires all federal agencies to conduct a self-evaluation of their current electronic and information technology and to report the results of these self-evaluations to the Department of Justice. I ask that you submit your agency's self-evaluation to the Department of Justice by June 15, 1999. The Department is then required to report the results of this government-wide survey to the President by February 7, 2000.

To save government resources, we are requesting all agency components to submit their self-evaluations through a web site that we have created for this purpose. Your components can access this page at "www.508.org." The web page is specifically designed to reject entries from anyone who is not using a government computer with an Internet home address identified by the suffix ".gov" or ".mil," in order to lessen the chance of non-federal persons entering false data. Each agency should review each of its components' responses and provide an additional comprehensive agency-wide report.

To assist your agency in complying with Section 508 and in completing your self-evaluation and report, we have enclosed several helpful documents:

- First, we have attached the text of Section 508.
- Second, we have attached a document titled, "Information Regarding Section 508 of the Rehabilitation Act," including a list of resources that you may consult in developing accessible information and electronic technology.
- Third, we have attached a package of information to assist your agency in preparing its self-evaluation. This Section 508 self-evaluation package includes:
  - Agency Directions
  - Form for Identification of Designated Agency Official
  - Directions for Component Contacts
  - Component Questionnaire, including accessibility checklists regarding
    - Software
    - Web Pages
    - ITM's ("Information/Transaction Machines")
    - Other Information Technology Equipment
- Fourth, we have attached a memorandum prepared by the U.S. Department of Education that answers many common questions about Section 508.

Thank you for your attention to this new federal initiative. I know that we can work together to ensure that people with disabilities can have full access to our new information and electronic technologies.

Attachments