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Directive No: CIO 2130.4

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*Issued by the EPA Chief Information Officer,  
Pursuant to Delegation 1-19*

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## Section 508 Policy

### 1. PURPOSE

This Information Directive establishes the U.S. Environmental Protection Agency's (EPA) policy for ensuring access to the agency's Information and Communication Technology (ICT) and complying with Section 508 of the Rehabilitation Act, as amended ([29 U.S.C. § 794d](#)) (hereinafter Section 508).

Section 508 mandates the development, procurement, maintenance, and use of ICT that is accessible to people with disabilities. Each federal agency must ensure that its ICT allows individuals with disabilities, both federal employees and members of the public, to gain access to and use information and data comparable to that available to people without disabilities. All federal ICT must comply with Section 508 when distributed or deployed unless it meets a Section 508 exception or exemption. At EPA, the Section 508 Program, under the Chief Information Officer, in the Office of Information Technology/Information Management, provides support to the agency for implementing Section 508.

The U.S. Access Board (Access Board) issues the *Information and Communication Technology Accessibility Standards (36 C.F.R. Part 1194) for Section 508* and defines "accessibility" for ICT. On January 18, 2017, the Access Board published a [Final Rule for ICT Standards and Guidelines](#) (commonly known as the Section 508 Refresh). The Section 508 Refresh updates and reorganizes the Section 508 standards in response to market trends and innovations and harmonizes requirements with other guidelines and standards in the United States and abroad.

Related provisions of the Rehabilitation Act include Section 501 (29 U.S.C. § 791), which prohibits employment discrimination against individuals with disabilities in the federal sector; and Section 504 (29 U.S.C. § 794), which prohibits federal executive agencies and programs and activities that receive federal financial assistance (for example, grants) from discriminating based on a disability.

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### 2. SCOPE

This policy applies to all ICT that EPA employees and contractors develop, procure, maintain, or use and which meets one of the following conditions:

- Used by the public.

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- Used by employees and contractors within the agency (such as all or most employees within a specific region or program office; all EPA managers and supervisors).
- New or upgraded by the agency.
- Content disseminated electronically as [official agency communications \(Section E205.3 of the Revised 508 Standards\)](#).
- Required when performing essential job duties (such as a application interface that employees working within a specific program or job classification must use to complete essential job duties).
- Acquired by the agency with traditional contracting mechanisms (contracts, interagency agreements, and blanket purchase agreements) or through a shared service agreement.
- Acquired through government purchase card.

EPA will identify the needs of users with disabilities when it procures, develops, maintains, or uses ICT. EPA employees will consider how users with disabilities will perform the functions supported by the ICT and develop, install, configure, and maintain the ICT to support users with disabilities.

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### **3. AUDIENCE**

The audience for this policy includes the Senior Executive Service (SES); Senior Resource Officials (SROs); senior management in all program and regional offices; Senior Information Officials (SIOs); Senior IT Leaders (SITLs); Information Management Officers (IMOs); approving officials for ICT; purchase cardholders and approving officials; and any EPA employee or contractor who develops, procures, maintains or uses ICT.

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### **4. AUTHORITY**

- [Information and Communication Technology \(ICT\) Final Standards and Guidelines](#), 36 CFR Part 1194 (2017; amended 2018).
- [Section 255 of the Communications Act of 1934, also known as the Telecommunications Act Section 255 Guidelines](#), as amended, [47 U.S.C. §255](#) (1996).
  - a. [Section 508 of the Rehabilitation Act of 1973](#), as amended, 29 U.S.C. §794d, (1998).

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- b. Federal Acquisition Regulation (FAR): Section 508-Based Standards in Information and Communication Technology ([48 CFR Parts 2, 7, 10, 11, 12, and 39](#)).
  - c. The [Clinger-Cohen Act of 1996 \(40 U.S.C. 1401\(3\)\)](#), also known as the Information Technology Management Reform Act.
  - d. [EPA Delegation of Authority 1-84](#), Information Resources Management, December 18, 2001.
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## 5. POLICY

- A. EPA will ensure that all employees and members of the public with disabilities have access to and use of ICT consistent with the Section 508 requirements.
- B. The Chief Information Officer (CIO) is responsible for ensuring and reporting agencywide Section 508 compliance as well as administering and implementing the Section 508 program.
- C. The Deputy Administrator, General Counsel, Assistant Administrators, Inspector General, Chief Acquisition Officer, Chief Financial Officer, Chief Technology Officer, Chief Operations Officer, Chief of Staff, Associate Administrators, Mission Support Division Directors, and SIOs and their designees who are responsible for ICT, including but not limited to the development, testing, verification, documentation, procurement, maintenance or use, are ultimately responsible for Section 508 compliance. Approving officials involved in the process of developing, procuring, or maintaining ICT are responsible for Section 508 compliance of the particular ICT. Refer to EPA's Section 508 Acquisition Procedure, EPA's Section 508 Testing Procedure, and EPA's Section 508 Exceptions Procedure for additional information.
- D. All EPA offices shall ensure that activities to develop, maintain, procure, and use ICT enterprise wide or under separate requirements meet the applicable Section 508 standards. The responsibilities apply to but are not limited to, systems and applications, external and internal websites, computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; videos; and electronic content. As of January 22, 2018, all public-facing electronic content and specified internal communications ([official agency communications](#)) **must** conform to the revised Section 508 standards. Adherence to Section 508 standards also requires providing documentation of Section 508 compliance.
- E. All EPA offices shall ensure that their ICT is interoperable with assistive technologies, including but not limited to software and operating systems. Refer to EPA's Section

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- 508 Acquisition Procedure, EPA's Section 508 Testing Procedure, and EPA's Section 508 Exceptions Procedure for additional information.
- F. All EPA programs, regional offices, and organizations having primary or shared responsibility for a particular ICT (for example, system owners) shall work together to ensure they meet all applicable Section 508 standards.
  - G. EPA employees shall follow all applicable Section 508 procedures when using developing, procuring, or maintaining ICT. Refer to EPA's Section 508 Acquisition Procedure, EPA's Section 508 Testing Procedure, and EPA's Section 508 Exceptions Procedure for additional information.
  - H. All ICT provided to EPA employees shall be Section 508 compliant when distributed or deployed unless it meets a Section 508 exception or exemption. As needed, ICT system owners are responsible for providing accessible training to accommodate users with disabilities at the time of deployment and system updates. This training must be provided if a system or application is used by all employees.
  - I. All EPA offices shall be prepared to conduct Section 508 testing; to evaluate or verify the compliance of new or updated ICT, particularly ICT that is enterprise wide or required (for example, a mandatory training); and to remediate any identified Section 508 deficiencies or provide general equivalent facilitation before deploying the ICT or at any time after that if incompatibilities or deficiencies arise. If compliance cannot be achieved (partially or fully), the office responsible for the ICT will provide equivalent facilitation or a reasonable accommodation to employees with disabilities in a fair amount of time.
  - J. Documentation for the acquisition of EPA's ICT will include relevant Section 508 requirements throughout the procurement process. The EPA Section 508 Program is responsible for reporting to the Office of Management and Budget (OMB) and other federal agencies on EPA's compliance with the current standards. The Section 508 Program will collect acquisition documentation and data to use for reporting to OMB and on other governmentwide Section 508 initiatives or requirements. Refer to EPA's Section 508 Acquisition Procedure for additional information.
  - K. The EPA Section 508 Program in consultation with the Office of Acquisition Solutions (OAS) will develop and make available training on Section 508 policies and procedures, as related to acquisition processes for use by EPA's acquisition workforce (Contracting Officers (COs), Contracting Officers' Representatives (CORs), and Purchase Card Holders).
  - L. EPA requires grantees and other recipients of federal financial assistance to incorporate Section 508 Standards into their ICT products for people with disabilities to satisfy the relevant obligations of Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) (hereinafter Section 504). While Section 508 does not apply to grantees and other recipients of federal financial assistance, Section 504 does apply. Under Section 504, grantees and other recipients of federal financial assistance or federal

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programs and activities are prohibited from discriminating based on disability. This means that any service, ICT, or content provided by the federal government **must not** discriminate against persons with disabilities or they must provide a reasonable accommodation. If EPA would like to use materials produced by grantees and other recipients of federal financial assistance for agency purposes, EPA is responsible for determining whether the ICT materials are Section 508 compliant and shall modify the materials to meet Section 508 standards for all users (including users of assistive technology).

- M. Per the Safe Harbor Provision, legacy ICT (existing ICT) that conforms to the original Section 508 standards is not required to be modified to comply with the revised Section 508 standards. This provision only applies to the component(s) or function(s) of the ICT determined to be compliant with the original Section 508 standards, and only to the extent that such components of the ICT are not altered. The effective date of this revision to the Section 508 Refresh is January 22, 2018.<sup>1</sup>
- N. Conformance to the standards is not required in limited cases for ICT. ICT can qualify either for an exception or exemption in accordance with the Federal Acquisitions Regulations (FAR) [39.203](#), [39.204](#) and [39.205](#) for Section 508.

Exceptions include:

1. **Legacy ICT.** Any component or portion of existing ICT that complies with an earlier Section 508 standard and that has not been altered on or after January 22, 2018.
2. **National security systems.** A national security system, as defined by 40 U.S.C. 11103(a).
3. **Incidental contract items.** ICT acquired by a contractor incidental to a contract.
4. **Maintenance or monitoring spaces.** ICT functions located in maintenance or monitoring spaces that are frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment.

Exemptions include:

1. **Undue burden and fundamental alteration.** When EPA determines that conformance to the revised Section 508 standards would impose an undue burden or would result in a fundamental alteration to the nature of the ICT.

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*1 The Safe Harbor provision of the revised Section 508 standards applies to any component or portion of legacy ICT that meets the original Section 508 standards and has not been altered on or after the compliance date (January 22, 2018). Therefore, compliant unaltered legacy (existing ICT) is not required to be modified to conform to the revised Section 508 standards.*

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- i. Where the agency anticipates recurring instances of undue burdens (either technical or cost) for certain types of technology (for example, cartographic, geographic information systems (GIS)-based systems), then a class undue burden or class fundamental alteration exemption may be requested on a program, regional or agencywide basis. The purpose of class undue burden or fundamental alteration exemptions is to be efficient and effective by reducing the need to document a recurring undue burden or fundamental alteration repeatedly.
    - ii. Exemptions and class exemptions require that an alternative means of access be provided.
  2. **Best meets.** Where ICT that conforms to one or more requirements in the revised Section 508 standards is not commercially available, the agency shall procure the ICT that best meets the revised Section 508 standards consistent with the agency's business needs.

EPA shall provide individuals with disabilities access to and use of information and data by an alternative means to meet the identified needs when an exemption applies. Refer to EPA's Section 508 Exceptions Procedure for additional information on how to determine, document, and request approval of an exception or exemption.
- O. Section 508 is part of Title V of the Rehabilitation Act of 1973, as amended, with other provisions that relate to the civil rights of people with disabilities. Section 501 requires affirmative action and nondiscrimination in employment (that is, reasonable accommodation for employees). Section 503 prohibits employment discrimination based on disability by federal contractors or subcontractors. Section 504 ensures that programs, activities, products, or services using federal funds will not exclude or discriminate against qualified individuals with a disability. Compliance with one section of Title V does not ensure compliance with the other sections.

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## 6. ROLES AND RESPONSIBILITIES ROLES AND RESPONSIBILITIES

### EPA's CIO:

- Provides leadership for EPA's information management (IM) and information technology (IT) programs and policies, including the Section 508 Program.
- Ensures that EPA employees identify the needs of users with disabilities when EPA procures, develops, maintains, or uses ICT. This includes determining how users with disabilities will perform the functions supported by the ICT and how

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EPA will develop, install, configure, and maintain the ICT to support users with disabilities.

- Establishes the agency's Section 508 Program, provides leadership for the program and ensures the agency is resourced with a Section 508 Program Manager and Assistant Section 508 Program Manager.
- Issues and circulates Section 508 policies, procedures and plans to include the Compliance Assessment & Remediation Plan (CARP).
- Ensures the agency incorporates Section 508 accessibility considerations into the planning, operation and management processes of ICT that it develops, procures, maintains or uses, in collaboration with the Chief Acquisition Officer (CAO), Chief Technology Officer (CTO), Chief Operating Officer (COO), SROs, SIOs, SITLs, IMOs and program, and regional offices.
- Ensures that annual planning documents include Section 508 compliance and accessibility for people with disabilities.
- Provides senior level guidance and support in addressing any overarching Section 508 issues or challenges.
- Provides a Working Capital Fund (WCF) service that EPA programs and regions can purchase to conduct Section 508 manual and automated testing, remediation support, Assistive Technology (AT) support, and commercial research consultation.
- Reviews and grants new class undue burden or class fundamental alteration claim requests received from EPA program or regional offices. Review and approve these requests at least once every three years. Responds to OMB and other governmentwide Section 508 initiatives or requirements.

**EPA's Chief Acquisition Officer (CAO):**

- Leads EPA acquisition activities and acquisition programs, including the development and training of the agency's acquisition workforce.
- Ensures that Section 508 Compliance for ICT is stipulated in all EPA procurements and that procurements include a remedy clause for the agency when vendor and/or their deliverables do not comply.
- Ensures that the planning, operation and management processes of ICT that are developed, maintained, or used by the agency through procurement are, in collaboration with the CIO, CTO, COO, SRO, SIOs, IMOs and program, and regional offices for all users (including users of AT) are Section 508 compliant.

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- Assists and supports the procurement elements of the EPA's Section 508 policy and works with the EPA program and regional offices to ensure ICT procurements address Section 508 requirements.
- Develops guidance and other supporting materials to assist EPA program and regional offices in effectively addressing Section 508 requirements in their procurement efforts.
- Provides information to assist the Section 508 Program Office in performing periodic reviews of agency ICT procurements to verify compliance.

**EPA's Chief Technology Officer and Chief Operations Officer:**

- Maintains EPA's IT architecture and enterprise-wide IT services catalog and ensures that they are Section 508 compliant and interoperable with assistive technology.
- Guides the agency on any IT infrastructure limitations or requirements that may affect EPA's ability to deliver ICT that complies with Section 508. Such guidance shall be communicated through the Section 508 Program Managers, designated Section 508 Liaisons, and through mechanisms such as the CIO Strategic Advisory Committee (CIO-SAC), Senior IT Leader (SITL) meetings and other means.
- Works collaboratively with EPA offices and ensure requirements address the needs of all users (including users of AT) when developing or acquiring ICT to ensure Section 508 technical IT-related issues are addressed and that reasonable accommodations are provided, when and if needed.

**Office Director, Office of Information Technology Operations (OITO) in the Office of Mission Support (OMS):**

- Works with the Section 508 Program to develop procedures for testing and evaluating EPA systems and applications to ensure they meet the Access Board's accessibility standards and are in compliance with legislative requirements of Section 508.
- Assists the Section 508 Program in providing technical support and assistance to employees with disabilities (and applicable assistive technology they use) and their managers through service desk personnel for desktop applications or through the Assistive Technology Center or the Working Capital Fund
- Maintains the Assistive Technology Center (ATC). EPA programs and regions can purchase this eBusiness service to conduct Section 508 manual and automated



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testing, remediation support, Assistive Technology (AT) support, and commercial research consultation.

- Assistive Technology Center: Provides Section 508 testing services to program and regional offices and serves as a Headquarters resource on assistive technology. Employees can try different types of assistive technology to meet disability needs.

**Agency Section 508 Program Manager and Assistant Program Manager:**

- Serves as the agency's points of contact for Section 508 information.
- Implements the EPA Section 508 Program on behalf of the CIO, including agency policies, procedures, and best practices.
- Provides Section 508 technical expertise, guidance, and training to the Section 508 Liaisons, program and regional offices.
- Participates in agency ICT investment decision-making processes to ensure that EPA considers Section 508 when developing, procuring, maintaining, or using ICT.
- Provides recommendations on how to fully integrate Section 508 accessibility requirements into EPA's strategic planning, Capital Planning and Investment Control (CPIC) and acquisition processes.
- Provides a process for program and regional offices to submit Section 508 program assurance information.
- Works with OITO to manage the EPA WCF services that EPA programs and regions can purchase to conduct Section 508 manual and automated testing, remediation support, Assistive Technology (AT) training and interoperability support, and commercial research consultation on behalf of the CIO.
- Performs program management, evaluation and enforcement oversight functions as related to Section 508 assurance documentation.
- Reviews class undue burden or class fundamental alteration claims before submitting them to the CIO for review at least once every three years.
- Represents EPA at General Services Administration (GSA) Section 508 Program Manager meetings and related conferences and forums on Section 508 accessibility.

**Assistant Administrators/Regional Administrators (AAs/RAs):**

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- Ensures that all their respective offices' ICT (including components residing on systems, networks, websites, and facilities) complies with Section 508 and this policy.
- Serves as either a content owner or system owner of agency ICT, including ICT or ICT components residing on systems, networks, websites, and facilities.
- Reviews, approves, and maintains records of undue burden justifications unless delegated to their respective SIOs.
- Includes funds in their respective offices' IT budget to support the development, procurement, maintenance, and use of ICT that complies with Section 508 requirements.
- Ensures that all systems and applications developed, procured, maintained, or used by their respective offices as the content owners or system owners are Section 508 compliant and fit for use for all users (including users of AT) or provides the appropriate alternative means when Section 508 requirements are an undue burden, fundamental alteration, class undue burden or class fundamental alteration exemption.
- Adheres to established agencywide Section 508 policies and procedures.

**Senior Resource Officials (SROs):**

- Oversees and guides the resource management activities within their respective organizations, including Section 508 issues.
- Ensures that there are sufficient funds and staffing to achieve Section 508 compliance for all users (including users of AT) when approving ICT budget requests.

**Senior Information Officials (SIOs):**

- When delegated by the AA or RA, reviews and approves ICT procurements for their respective offices and, as appropriate, for re-delegating approval authority to the IMOs, division directors, and branch chiefs.
- Reports on organizational-level Section 508 initiatives to the Section 508 Program.
- Collaborates with the Section 508 Program to ensure that EPA employees who use assistive technology as a form of reasonable accommodation receive appropriate guidance from the ICT content or system owner.

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- Designates the Section 508 Liaison for their respective offices.
- Works with the IMO, the Section 508 Liaison and EPA's Section 508 Program Manager, as needed, to address any overarching Section 508 issues or challenges identified during the year.
- Provides senior-level support and leadership in enhancing and ensuring the accessibility of ICT for all users (including users of AT).
- Reviews and approves all exception or exemption claims or delegates to the IMO (excluding class undue burden or class fundamental alteration).

**Information Management Officers (IMOs):**

- Provides consultation to their office, in coordination with the designated Section 508 Liaison, before the office embarks on procuring, developing or upgrading its ICT.
- Reviews and approves the ICT Accessibility Certification Form and solicitation packages for new systems and system enhancements.
- When delegated by the AA or RA, reviews and approves all exceptions or exemptions to Section 508 except class undue burden or class fundamental alteration exemptions, which cannot be delegated below the SIO level.
- Coordinates responses for EPA program assurance. OMB and other governmentwide Section 508 initiatives or requirements for their respective offices.

**Contracting Officers (COs):**

- Verifies that CORs have included user (including users of AT) and accessibility requirements and documentation as defined by the Section 508 standards in procurement documents and deliverables.
- Signs the ICT Accessibility Certification Form to indicate they have completed this verification.
- Submits the ICT Accessibility Certification Form to the IMO, IRM BC, or the next approving official, per the office's internal approval chain.

**Contracting Officer's Representatives (CORs):**

- Includes appropriate Section 508 standards in requirements documents, performance work statements, and statements of work for all users (including users of AT).

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- Ensures that Section 508 requirements and language, specific to the ICT, are included in the solicitation package, contract documentation, and deliverables.
- Reviews and complies with the acquisition regulations, policies, and procedures by working with the CO to ensure the inclusion of Section 508 standards in procurement requirements and deliverables.
- Verifies that accessibility standards outlined in contracts are met before accepting deliverables.

**Office Director, Office of Grants, and Debarment (OGD) within OMS:**

- Ensures that grant recipients incorporate Section 508 standards in grant awards that have an ICT component. The ICT component must be fit for use for all users (including users of AT).

**Grants Management Officers (GMOs):**

- Incorporates Section 508 standards in EPA grant awards that have an ICT component.
- Educates grantees on including 508 requirements when using federal funds in EPA grant awards that have an ICT component.
- Requests Accessibility Conformance Report (ACR) documentation to support the validation of ICT from EPA grantees and grantee vendors.

**Section 508 Liaisons:**

- Serves as the primary Section 508 points of contact for their respective offices, as designated by their respective SIO.
- Assists the SRO, SIO, IMO, and other personnel to identify opportunities for improvement, evaluate ICT, and document the accessibility of ICT (the office is developing, procuring, maintaining, or using for all users (including users of AT)).
- Assists EPA's Section 508 Program in enhancing awareness of Section 508 by providing Section 508 training materials and resources to their respective office employees.

**Office Director, Office of Civil Rights (OCR) in the Office of the Administrator:**

- Provides guidance and civil rights expertise as requested by program and regional offices.
- Administers the EPA Section 508 complaint process. Any individual with a disability may file a complaint alleging that EPA has failed to comply with Section

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508 for **ICT purchased on or after June 21, 2001**. For Section 508 complaints, EPA uses the same complaint process used for complaints alleging discrimination based on disability against qualified individuals (Section 501), contractors and subcontractors (Section 503), and federally funded programs or activities, and federal employees (Section 504).

**National and Local Reasonable Accommodation Coordinators (NRACs and LORACs):**

- Serves as the primary point of contact for reasonable accommodation for employees with disabilities falling under the purview of Section 504 of the Rehabilitation Act of 1973. The NRACs Program resides in OCR. It serves Headquarters and supports the LORACs, who serve as the primary contact for the regional offices.
- Provides solutions to address workplace barriers so that individuals with disabilities can perform their responsibilities and enjoy equal employment opportunities.
- Serves as a resource on disability and accessibility issues for the agency and in their respective offices, including but not limited to supporting efforts of the Section 508 Program.

**EPA Web Council and Web Coordinators:**

- Ensures that Section 508 standards are incorporated into external and internal Web policies, procedures, guidance, templates, and websites.

**Acquiring Officials, who may include, but are not limited to, System Sponsors, Project Managers, Project Officers, Purchase Card Holders, ICT Developers:**

- Works collaboratively with OMS to address any IT-related issues affecting the development, acquisition, delivery, or user needs of Section 508-compliant ICT.
- Ensures Section 508 standards are incorporated and addressed throughout all phases of System Life Cycle Management (SLCM), Enterprise Architecture Policy, Application Deployment Checklist Policy, and Guidance.
- Ensures vendors comply with the Section 508 standards throughout the life cycle of the ICT.
- Ensures adequate funding is available to conduct and document Section 508 testing for all users (including users of AT), remediate identified shortcomings, and provide alternative means of access when needed.

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- Completes and submits the ICT Accessibility Certification Form to the CO, along with all relevant documentation.

**EPA Employees and Contractors**

- Conduct accessibility validation on any electronic documents, websites and specified internal communications ([official agency communications](#)).
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**7. RELATED INFORMATION**

- a. Building a 21st Century Platform to Better Serve the American People, [Digital Government Strategy](#), 2012
  - b. Improve the digital experience for government customers for federal public websites, [21<sup>st</sup> Century Integrated Digital Experience Act \(IDEA\)](#), 2018
  - c. Increase the access of persons with disabilities to modern communications, [21st Century Communications and Video Accessibility Act \(CVAA\)](#), 2010
  - d. [EPA Acquisition Regulation, Compliance with EPA Policies for Information Resources Management \(PDF\)](#) (2 pp, 150 KB), 48 C.F.R. § 1552.211-79
  - e. [EPA Information Management and Information Technology Directives](#)
  - f. [EPA Procedures for Providing Reasonable Accommodation for EPA Employees and Applicants with Disabilities](#) (28 pp, 364 KB), October 2020
  - g. [EPA Procurement Policies](#)
  - h. [EPA Section 508 Accessibility Internet website](#)
  - i. [EPA Accessibility Intranet website](#)
  - j. EPA's Section 508 Acquisition Procedure
  - k. EPA's Section 508 Exceptions Procedure
  - l. EPA's Section 508 Testing Procedure
  - m. [Federal Sector Equal Employment Opportunity](#), 29 C.F.R. Part 1614
  - n. [M-17-06 - Policies for Federal Agency Public Websites and Digital Services 2016](#)
  - o. [Nondiscrimination in Programs or Activities Receiving Federal Assistance from the Environmental Protection Agency](#), 40 C.F.R. Part 7
  - p. OMB Memorandum, Joseph G. Jordan, Administrator for Federal Procurement Policy and Steven Van Roekel, Federal Chief Information Officer, "[Strategic Plan for Improving Management of Section 508 of the Rehabilitation Act \(PDF\)](#)," (13 pp, 207 KB), January 24, 2013
  - q. [Section 501 of the Rehabilitation Act of 1973](#) (29 U.S.C. § 791), as amended
  - r. [Section 503 of the Rehabilitation Act of 1973](#) (29 U.S.C § 793), as amended
  - s. [Section 504 of the Rehabilitation Act of 1973](#) (29 U.S.C. § 794), as amended
  - t. [United States Access Board Section 508 Standards website](#)
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- u. [United States Department of Homeland Security \(DHS\), Section 508 Compliance Testing Tool: Trusted Tester](#), test processes to validate Section 508 conformance claims

[United States Digital Service - Digital Services Playbook](#) - Best practices to help agencies successfully deliver digital services.

- v. [United States Digital Service - TechFAR](#) - Flexibilities in the Federal Acquisition Regulation (FAR) that can help agencies implement "plays" in the Digital Services Playbook.
- w. [United States General Services Administration Section508.gov website](#)
- x. [United States Web Design System](#) - To build accessible, mobile-friendly government websites for the American public.
- y. [W3C How to Meet WCAG 2.0 requirements \(success criteria\) and techniques](#)
- z. [W3C Authoring Tool Accessibility Guidelines \(ATAG\)](#)
- aa. [W3C User Agent Accessibility Guidelines \(UAAG\)](#)
- bb. [W3C WAI-ARIA, the Accessible Rich Internet Applications Suite](#) - defines a way to make Web content and Web applications more accessible to people with disabilities. It especially helps with dynamic content, and advanced user interface controls developed with Ajax, HTML, JavaScript, and related technologies.
- cc. World Wide Web Consortium (W3C) [Web Content Accessibility Guidelines \(WCAG\) 2.0](#)

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## 8. DEFINITIONS

**Accessibility Conformance Report (ACR).** An ACR provides a summary of accessibility evaluations of ICT. It should be based on the [Voluntary Product Accessibility \(VPAT\) Template Version 2.4 or higher](#). Please follow all instructions contained in the template.

**Accessibility Support Documentation and Services.** Documentation or services for the ICT that supports accessibility (for example, an accessibility support desk).

**Alternative Access or Alternative Means of Access.** Alternative access refers to another way of ensuring that data and information are made available to people with disabilities when an agency would face a significant difficulty or expense (for example, undue burden) in meeting applicable Section 508 standards.

**Agile.** Agile pertains to the [Agile Manifesto](#) or Agile Principles. Agile is a set of values and principles that describe a way of working that promotes continuous learning and

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user-focused value delivery.

**Assistive Technology.** Any item, piece of equipment, or system, whether acquired commercially, modified, or customized that is commonly used to increase, maintain, or improve the functional capabilities of individuals with disabilities.

**Assistive Technology Center (ATC).** The ATC is a resource located at EPA Headquarters for using adaptive and assistive technology. People with disabilities use adaptive and assistive technology (AT) in a way that best meets their individual needs. AT can include a variety of tools such as hardware and software, braille displays and note-takers, larger monitors, volume handsets for phones, and ergonomic keyboards. EPA employees and system developers can test products, software applications, agency applications, websites, and hardware with current versions of accessibility testing tools and assistive technology in the ATC to help ensure compliance with the Section 508 standards.

**Best Meets.** Where ICT conforming to one or more requirements in the Revised 508 Standards is not commercially available, the agency shall procure the ICT that best meets the Revised 508 Standards consistent with the agency's business needs.

**Class Exemption for Undue Burden or Fundamental Alteration.** Where the agency anticipates recurring instances of undue burden or fundamental alteration for certain types of technology (for example, cartographic, geographic information systems (GIS)-based systems), a class undue burden or class fundamental alteration may be requested on a program, regional or agencywide basis. The purpose of granting a class exemption for undue burden or fundamental alteration is to be efficient and effective by reducing the need to document a recurring undue burden or fundamental alteration repeatedly. The agency CIO reviews and makes a determination on all undue burden or fundamental alteration requests. Please refer to undue burden and fundamental alteration definitions for additional information. Class exemption designations still require that an alternative means of access be provided.

**Commercial Off-the-Shelf (COTS).** A commercial product or information system available to the public. COTS products contain pre-established functionality, although some degree of customization is possible.

**Commercial Non-availability.** Commercial non-availability is used to describe those ICT procurements where the marketplace has no commercial products or information systems that meet any of the technical or functional standards.



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**Electronic Content.** Electronic information and data, as well as the encoding that defines its structure, presentation, and interactions.

**Equivalent Facilitation.** The use of an alternative design or technology that results in substantially equivalent or greater accessibility and usability by individuals with disabilities than would be provided by conformance to one or more of the requirements of the revised Section 508 standards.

**Exceptions and Exemptions.** Those exceptions or exemptions when ICT does not need to comply with the Revised 508 Standards to the extent specified in [Section 508 Chapter 2: Scoping Requirements E202 General Exceptions of ICT Final Standards and Guidelines](#).

**Fundamental Alteration.** A modification to ICT that would change the basic nature or purpose for which the product or its components were designed. Fundamental alteration exemptions require that an alternative means of access be provided.

**Formal Complaints.** Formal complaints alleging the agency's failure to comply with Section 508 requirements may be filed through OCR by EPA employees, former employees, or applicants for employment who believe they have been discriminated against due to a disability. When a formal complaint is filed, an EEO Counselor is assigned to facilitate resolution of the issue. The EPA Section 508 Program Office will work with the EEO Officers in OCR to obtain a list with the number of formal complaints received during the reporting period and identify which complaints resulted in a change to the ICT or other accommodation.

**Government Off-the-Shelf (GOTS).** A product developed by or for a government agency that can be used by another agency with the product's pre-established functionality and little or no customization.

**Government Product/Service Accessibility Template (GPAT).** A form that a government agency may include with government solicitations, which is then completed by solicitation respondents as a part of their proposal to indicate how their proposed products/services address applicable Section 508 requirements.

**Hardware.** A tangible device, equipment, or physical components of ICT, such as telephones, computers, multifunction copy machines, and keyboards.

**Informal Complaints.** Informal Section 508 and accessibility-related complaints are handled on a case-by-case basis by the agency Designated Section 508 Coordinator and

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the EPA Information Technology (IT) Help Desk. As part of the effort to mature the program by evaluating informal complaints, the EPA Section 508 Program has defined requirements for tracking AT-related requests and 508 compliance issues in the help desk systems. Once tracking processes are implemented, EPA will use the data to analyze accessibility issues, and expects to provide reporting information on informal complaints to OMB in future reports.

**ICT Accessibility Certification Form.** Acquiring offices must complete the ICT Accessibility Certification Form for ICT to be newly developed, procured, updated, or upgraded by the agency. The Acquiring Office or Official submits the form to the IMO or IRM BC for review and approval or the next approving official, per the office's internal approval chain.

**Incidental ICT.** ICT acquired by a contractor incidental to a contract. This includes ICT that is not a deliverable under the contract but may or may not be used to perform work under that contract.

**Information and Communication Technology.** Includes information technology and any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, or duplication of data or information. The term information and communication technology includes, but is not limited to, telecommunications products (such as telephones, interconnected Voice over Internet Protocol (VoIP) products and Customer Premises Equipment), information kiosks and transaction machines, websites, multimedia presentations, and office equipment such as copiers and fax machines. The term does not include any equipment that contains embedded information technology that is used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. For example, HVAC (heating, ventilation and air conditioning) equipment such as thermostats or temperature control devices, and medical equipment where information technology is integral to its operation, are not information technology.

**Information Technology.** 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. The term information technology includes computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related resources.

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**Legacy ICT.** ICT that has been procured, maintained, or used on or before January 18, 2018.

**Maintenance or Monitoring Spaces.** Where status indicators and operable parts for ICT functions are located in spaces that are frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment.

**National Security Systems.** Any ICT operated by agencies as part of a national security system, as defined by 40 U.S.C. 11103(a).

**Official Agency Communications.** Internal agency electronic content that is not public-facing that constitutes official business and is communicated by an agency through one or more of the following:

1. Emergency notification;
2. Initial or final decision adjudicating an administrative claim or proceeding;
3. Internal or external program or policy announcement;
4. Notice of benefits, program eligibility, employment opportunity, or personnel action;
5. Formal acknowledgment of receipt;
6. Survey questionnaire;
7. Template or form;
8. Educational or training materials; or
9. Intranet content designed as a webpage (Microsoft SharePoint, Office 365 Group, or Teams site).

**Reasonable Accommodation.** In general, a reasonable accommodation is any change in the work environment or in the way things are customarily done that enables an individual with a disability (employee or applicant) to enjoy equal employment opportunities, benefits, and privileges.

**Safe Harbor Clause.** Existing ICT that meets the [original Section 508 Standards](#) does not have to be remediated to conform to the revised standards if no changes were made to the legacy ICT affecting interoperability, the user interface, or access to information or data after January 18, 2018. This is referred to as the "[Safe Harbor](#)" clause. ICT that is altered after January 18, 2018, must conform to the [revised Section 508 Standards](#).

**Shared Service.** A shared service is a business or mission function that is provided for consumption by multiple organizations within or between federal agencies.

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**Shared Services Agreement.** A shared services agreement is a model for delivering corporate support. It works by consolidating and combining services between business units and headquarters into one separate entity that is based on principles similar to the market.

**Software.** Programs, procedures, rules, and related data and documentation that direct the use and operation of ICT and instruct it to perform a given task or function. Software includes, but is not limited to, applications, non-Web software, and platform software.

**Supplemental Accessibility Report (SAR).** A Supplemental Accessibility Report is a description of any evaluation methods used to produce the ACR. The SAR include:

- Accessibility test results based on the required test methods.
- Documentation of features provided to help achieve accessibility and usability for people with disabilities.
- Documentation of core functions that cannot be accessed by persons with disabilities.
- Documentation on how to configure and install the ICT item to support accessibility.
- When an ICT item is an authoring tool that generates content (including documents, reports, videos, multimedia productions, and web content), provide information on how the ICT item enables the creation of accessible electronic content that conforms to the Revised 508 Standards, including the range of accessible user interface elements the tool can create.

**Undue Burden.** Undue burden means significant difficulty or expense. In determining whether an action would result in an undue burden, an agency shall consider all its resources. Undue burden exemptions require that a alternative means of access be provided. (Recurring instances of undue burdens are Class Undue Burden.)

**Universal Design.** Universal design is a concept in which products and environments are designed to be usable by all people, to the greatest extent possible, without the need for adaption or specialized design.

**Upgrade.** A change or [alteration](#) to existing ICT that affects interoperability with assistive technology (AT), the user interface, or access to information or data.

**Voluntary Product Accessibility Template (VPAT).** A form that a vendor may wish to provide that indicates or describes how its product or service addresses applicable Section 508 requirements.

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**Working Capital Fund (WCF).** In FY 1997, the agency established a WCF through appropriation language and in conjunction with the authority of the Government Management Reform Act (GMRA) of 1994. The role of the WCF is to provide a centralized source of administrative and support services for EPA.

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**9. WAIVERS**

There are legal exceptions and exemptions (not waivers) to Section 508 requirements. ICT developed, maintained, procured, and used by the agency that qualifies for exceptions to the revised Section 508 standards are exempt from this policy and associated procedures.

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**10. DIRECTIVE(S) SUPERSEDED**

This policy supersedes CIO Policy 2130.3, Section 508 Policy.

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**11. CONTACTS**

Please email EPA's Section 508 Program at [Section508@epa.gov](mailto:Section508@epa.gov) with any questions about this document.

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***Vaughn Noga, Chief Information Officer and Deputy Assistant Administrator for  
Information Technology and Information Management***