



## DoD MANUAL 8400.01

# ACCESSIBILITY OF INFORMATION AND COMMUNICATIONS TECHNOLOGY (ICT)

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<b>Approved by:</b>	John A Zangardi, Acting Department of Defense Chief Information Officer

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**Purpose:** This issuance, in accordance with the authority in DoD Directive (DoDD) 5144.02:

- Implements Section 794d of Title 29, United States Code (U.S.C.), also known as "Section 508 of the Rehabilitation Act of 1973;" Part 1194 of Title 36, Code of Federal Regulations (CFR); and Subpart 39.2 of the Federal Acquisition Regulation (FAR). Collectively, these authorities are referred to in this issuance as "Section 508."
- Assigns responsibilities and provides procedures to ensure:
  - Individuals with disabilities have access to and use of ICT that the DoD develops, acquires, maintains, or uses.
  - Such access and use of ICT are comparable to what individuals without disabilities are provided.

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## **SECTION 1: GENERAL ISSUANCE INFORMATION**

**1.1. APPLICABILITY.** This issuance applies to OSD, the Military Departments, the Office of the Chairman of the Joint Chiefs of Staff and the Joint Staff, the Combatant Commands, the Office of the Inspector General of the Department of Defense, the Defense Agencies, the DoD Field Activities, and all other organizational entities within the DoD (referred to collectively in this issuance as the “DoD Components”).

**1.2. POLICY.** Pursuant to DoDD 8000.01, DoD policy states that:

a. DoD personnel with disabilities have the same (or comparable) access to and use of information and data as DoD personnel who do not have disabilities, unless an undue burden or other exception is noted.

b. Members of the public with disabilities seeking information or services from a DoD Component have the same (or comparable) access to and use of that information and services as members of the public who do not have disabilities, unless an undue burden or other exception is noted.

**1.3. INFORMATION COLLECTIONS.** The complaints referred to in Paragraphs 2.3.b. and 4.7. of this issuance do not require licensing with a report control symbol in accordance with Paragraph 1.b.(8) of Enclosure 3 of Volume 1 of DoD Manual 8910.01.

## SECTION 2: RESPONSIBILITIES

**2.1. DOD CHIEF INFORMATION OFFICER (DOD CIO).** Pursuant to the January 24, 2013 Office of Management and Budget (OMB) Memorandum, referred to in this issuance as the “OMB Strategic Plan,” the DoD CIO:

- a. Ensures comprehensive Section 508 management, implementation, and governance infrastructure so that DoD Components will effect ICT accessibility in compliance with Section 508 policies, procedures, and performance measures.
- b. Coordinates with the Under Secretary of Defense for Acquisition, Technology, and Logistics (USD(AT&L)) to ensure that compliance with Section 508 is appropriately considered in ICT procured by DoD.
- c. Collaborates and exchanges information with the Director, Office of Diversity Management and Equal Opportunity (ODMEO) under the authority, direction, and control of the Under Secretary of Defense for Personnel and Readiness (USD(P&R)), regarding compliance with Section 508.
- d. Designates a DoD Section 508 Coordinator, referred to in this issuance as the “DoD Coordinator,” with responsibilities defined in Paragraph 3.1., to serve as the DoD manager for ensuring implementation and DoD Component compliance with Section 508.

**2.2. USD(AT&L).** Pursuant to the OMB Strategic Plan, the USD(AT&L):

- a. Ensures uniform adoption and implementation of Section 508 and the FAR in DoD Components with respect to accessible ICT acquisition activities and programs, including development and education of the DoD acquisition workforce at the Defense Acquisition University.
- b. Establishes a verification and testing program related to the procurement of new Section 508 compliant ICT.
- c. Collaborates with the DoD CIO and the USD(P&R) to achieve compliance with Section 508 and the provisions of the FAR pertaining to accessible ICT procured by DoD Components.

**2.3. USD(P&R).** In accordance with DoDD 1020.02E, the USD(P&R):

- a. Collaborates and exchanges information with the DoD CIO and the DoD Coordinator regarding compliance with Section 508, such as OMB required metrics reporting.
- b. Reviews and resolves complaints regarding inaccessible ICT that were not resolved informally at the Component level.

**2.4. DOD COMPONENT HEADS.** The DoD Component heads:

- a. Establish necessary management and implementation plans for their respective Components that include products and services for content, hardware, software, and supporting documentation. A Section 508 ICT accessibility team will ensure that access to ICT is provided in compliance with Section 508. The Section 508 ICT accessibility team is described in Paragraph 3.7.
- b. Designate a Component Section 508 coordinator, referred to in this issuance as the “Component coordinator,” and inform DoD CIO upon appointment.
- c. Confirm that ICT developed, procured, maintained, and used by the Component is:
  - (1) Included in acquisition planning and requirements generation, pursuant to the Subparts 11.002(f) and 39.2 of the FAR.
  - (2) Cited appropriately in contract documents, including solicitations.
  - (3) Fully operable with assistive technology.
  - (4) Considered throughout the acquisition and information technology (IT) life cycles, in accordance with the Public Law 101-510, also known as the “Defense Acquisition Workforce Improvement Act.”
- d. Allow DoD personnel to attend Section 508 related training at available venues.
- e. Review, approve, track, and retain claims of exception as stated in Section 508 and further described in Paragraph 1.1.b. of this issuance.
- f. Review, approve, track, and retain claims of commercial product nonavailability, as described in Section 508 and further described in Paragraph 4.2.b of this issuance.
- g. Support efforts to resolve issues regarding inaccessible ICT as described in Paragraph 4.7. of this issuance.
- h. Verify that Component information, training services, websites, and portals are Section 508 compliant, pursuant to DoD Instruction (DoDI) 8550.01. Verification will include website and portal compliance by manual and automated means, as described in Paragraph 5.7. of this issuance.

## SECTION 3: COORDINATORS AND ICT IMPLEMENTING OFFICIALS

### 3.1. DOD COORDINATOR. The DoD Coordinator will:

- a. Manage the DoD Section 508 Program on behalf of the DoD CIO, including developing and maintaining Section 508 issuances, compliance, and best practices.
- b. Partner and share information with Component coordinators and other Section 508 specialists in DoD and throughout the U.S. Government to help meet Section 508 goals and objectives and understand complaints.
- c. Routinely monitor the Section 508 website of the U.S. Access Board and the General Services Administration (GSA), as described in Section 5 of this issuance, for new guidance and training opportunities.
- d. Inform the Component coordinators of Section 508 training, information, and activities.
- e. Consolidate DoD Section 508 metrics provided by DoD Components and the USD(P&R). Submit the metrics semiannually to OMB in accordance with the OMB Strategic Plan, as described in Paragraph 4.6. of this issuance.
- f. Coordinate the DoD response to biennial Department of Justice Section 508 surveys.

### 3.2. COMPONENT COORDINATORS. The Component coordinators:

- a. Establish the respective Components' Section 508 management and implementation plans on behalf of the DoD Component head, including developing and maintaining Section 508 program policy along with distributing best practices.
- b. Submit semiannual DoD Component Section 508 reporting metrics to the DoD Coordinator, described in Paragraph 4.6. of this issuance.
- c. Notify the DoD Component Chief Information Officer (CIO) and the DoD Coordinator concerning inaccessible ICT and coordinate resolution with DoD officials, as described in Paragraph 4.7. of this issuance.
- d. Provide guidance to DoD personnel involved in capital planning, business case development, and IT governance to ensure ICT appropriately includes Section 508 across IT and acquisition life cycles.
- e. Ensure that the prescribed Section 508 accessibility statement described in Paragraph 5.1. of this issuance is prominently located on websites and portals.
- f. Promote Section 508 awareness and training in DoD Component instructional programs, conferences, and ad hoc meetings.

g. Routinely monitor the Section 508 websites of the U.S. Access Board and the GSA, as described in Section 5 of this issuance, for updated guidance, training opportunities, and best practices.

h. Develop and implement methods for monitoring DoD Component adherence to Section 508 policies and procedures.

i. Attend working group meetings and forums sponsored by DoD, GSA, or other U.S. Government entities to develop a thorough understanding of Section 508 requirements and standards.

j. Establish a Section 508 ICT accessibility team, as described in Paragraph 3.7.

**3.3. DOD REQUIRING OFFICIALS.** The DoD requiring officials, purchasers, and requestors must ensure that the acquisition of ICT products and services meets Section 508 requirements (unless an exception applies as described in Paragraph 1.1.b of this issuance).

a. Requiring officials will conduct market research to find products or services that meet Section 508 requirements, unless there is a properly documented exception. Market research should determine whether ICT will be available in time to meet the specified requirement, and whether providing compliant ICT would be an undue burden, as described in Paragraph 4.3 of this issuance. Results of market research will be conveyed with the purchase request or, in the case of a contract for services, the statement of work.

b. Market research must be in accordance with Subpart 10.001 of the FAR. Additional information on market research and requiring official procedures is available in Section 5 of this issuance.

c. Requirements and solicitation documentation produced by requiring officials will be fully accessible as directed by Section 508. The purchase request or statement of work will include:

(1) Market research results.

(2) The products or services identified as Section 508 compliant.

(3) Specific standardized language generated by the GSA “Buy Accessible Wizard” tool, described in Section 5 of this issuance.

(4) Documentation of any products or services determined to be exempt from Section 508 compliance, as described in Paragraph 1.1.b of this issuance.

**3.4. CONTRACTING OFFICERS OR PROCUREMENT OFFICIALS.** The contracting officer or procurement official will:

a. Ensure applicable documents provided by the requiring office are included in the contract file, in accordance with Subparts 39.2 and 10.001 of the FAR.



b. Use contract language that addresses the accessibility needs of individuals with disabilities, as provided in Section 7.7. of the Defense Acquisition Guidebook and pursuant to Section 508. A compliant contract will state that:

(1) ICT acquisitions must be Section 508 compliant, if applicable, as defined in Paragraph 1.1. of this issuance.

(2) ICT deliverables will be evaluated based on Section 508 compliance along with other contract-specified requirements.

**3.5. CONTRACTING OFFICER REPRESENTATIVE.** A contracting officer representative will verify Section 508 compliance of ICT products or services before purchase and before acceptance of delivery.

### **3.6. WEB AND SOFTWARE DEVELOPERS.**

a. DoD web and software application developers must ensure their applications are planned and developed in conformance with U.S. Access Board standards, described in Paragraph 5.2., for Section 508.

b. Web developers should use readily available automated accessibility tools to assess whether web pages and applications conform to Section 508.

c. Developers will test for usability and accessibility if an ICT application requires the use of assistive technologies to meet Section 508 standards.

d. Developers will consider testing with individuals with disabilities.

e. Developers will include the prescribed DoD Section 508 accessibility statement, as described in Section 5 of this issuance, in a prominent location on websites and portals.

### **3.7. DOD COMPONENT SECTION 508 ACCESSIBILITY TEAM.**

a. To ensure ICT is Section 508 compliant, the Component coordinators will establish a Section 508 ICT accessibility team to monitor compliance, verify accessibility of products and services, resolve accessibility issues, and distribute information regarding Section 508.

b. The Section 508 accessibility team will include members with expertise in each of the following disciplines: accessible ICT, procurement, human resources, equal employment opportunity, Section 508 policy and planning, resource planning, cybersecurity, IT technical support (including help desk), and disability program management. DoD personnel with disabilities will be included as team members whenever possible.

## SECTION 4: PROCEDURES

**4.1. SECTION 508 CONTRACT DOCUMENTATION.** Throughout the contract solicitation process, through to award, the access by individuals with disabilities to deliverables will be comparable to that provided to individuals without disabilities.

### 4.2. COMMERCIAL AVAILABILITY OF PRODUCTS.

a. DoD Components will acquire commercial items that are available in time for contract delivery and that best meet accessibility requirements, pursuant to Section 508.

b. The requiring official must document standards that may not be met due to nonavailability of products by including a description of market research performed, and providing documentation to the contracting officer or contracting officer representative for inclusion in the contract file in accordance with Subparts 39.2 and 10.001 of the FAR. If products are available that partially comply, the DoD Components may not claim nonavailability just because a product does not meet all of the standards. Nonavailability of commercial products is not the same as a finding of undue burden.

### 4.3. UNDUE BURDEN.

a. When a DoD Component head determines that compliance with U.S. Access Board standards imposes an undue burden, the DoD Component, in coordination with its Office of the General Counsel, will document why and to what extent compliance with each provision in the standards creates an undue burden and include a copy of the documentation in the contract file. The requiring official must clearly explain why meeting one or more of the otherwise applicable technical provisions creates an undue burden, and for each provision that creates an undue burden must describe:

- (1) The products or services required.
- (2) The dollar value of the acquisition.
- (3) The otherwise applicable technical provision that cannot be met.
- (4) The market research performed to locate commercial items that meet the applicable standards, and the specific reason(s) why the technical provision cannot be met.
- (5) The costs and how they were estimated if monetary expense is deemed prohibitive.
- (6) The alternative means by which the DoD Component will provide individuals with disabilities access to the data and information involved.

b. Each DoD Component will establish a governance process for documenting, tracking, and approving instances in which the undue burden exemption is invoked. A finding that undue

burden exists does not absolve the Component of the requirement to provide alternative comparable access to individuals with disabilities.

**4.4. EQUIVALENT FACILITATION.** DoD Component contract solicitations for ICT will state that products offering equivalent facilitation must be considered along with those that strictly meet the technical provisions of the standards. Use of products which provide equivalent facilitation does not constitute an exception or variance from the requirement to provide accessibility. In some cases, future technologies may be developed, or existing technologies modified, to provide the same functional access in ways not foreseen by the U.S. Access Board. **Functional outcome, not form,** is the key to evaluating if the technology results in substantially equivalent or greater access. The concept of equivalent facilitation is designed to allow the marketplace to offer more innovative solutions not just those that meet currently defined technical provisions.

#### **4.5. VERIFICATION OF SECTION 508 COMPLIANCE.**

a. Component coordinators should conduct annual assessments of websites that will determine Section 508 compliance, alignment, and discrepancies, which will be identified and assigned to responsible offices for resolution, pursuant to DoDI 8550.01.

b. The DoD Component will provide annually a joint or coordinated Statement of Compliance Requirement Memorandum signed by the Component CIO, and the Comptroller/Chief Financial Officer as indicated in DoD 7000.14-R, stating that IT investments submitted are consistent with Section 508.

**4.6. REPORTING METRICS.** DoD Component implementation of Section 508 requirements will include metrics focused on the goals of ensuring accessibility of ICT. Reporting of metrics includes the following steps:

a. The DoD Coordinator will verify the current prescribed template and request data from the Component coordinators.

b. Component coordinators will populate the prescribed template with the appropriate data for their DoD Component and then submit the data to the DoD Coordinator by the date requested.

c. The DoD Coordinator will consolidate the data from the DoD Components into a DoD summary format for submission to OMB.

d. Specific OMB metrics, which are subject to change, could possibly include sample data, as shown in Table 1.

**Table 1. Sample Metrics**

<b>Reporting Category</b>	<b>Reporting Metric</b>	<b>Value(s)</b>
Acquisition	Conduct validation of procurement contract solicitations to ensure incorporation of Section 508 contract language into statements of work and performance work statements.	<input type="checkbox"/> Ad Hoc <input type="checkbox"/> Planned <input type="checkbox"/> Resourced <input type="checkbox"/> Measured
Agency ICT life cycle activities	Conduct validation of Section 508 requirements to ensure incorporation into Agency ICT life cycle activities, including enterprise architecture, design, development, testing, deployment, and ongoing maintenance activities.	<input type="checkbox"/> Ad Hoc <input type="checkbox"/> Planned <input type="checkbox"/> Resourced <input type="checkbox"/> Measured
Training	Training for stakeholders on roles and responsibilities related to Section 508 compliance.	<input type="checkbox"/> Ad Hoc <input type="checkbox"/> Planned <input type="checkbox"/> Resourced <input type="checkbox"/> Measured
508 Compliance Validation Results (# evaluated and % conformant with technical standards)	Number of procurement contract solicitations evaluated	
	Percent of procurement contract solicitations found to be conformant	%
	Number of client or web applications evaluated	
	Percent of client or web applications found to be conformant	%

#### **4.7. COMPLAINT RESOLUTION AND ENFORCEMENT PROCEDURES.**

**a. Informal Resolution.** Prior to filing a complaint, any individual with a disability who believes that ICT developed, procured, maintained, or used by a DoD Component is not accessible is urged to contact the Component coordinator and attempt informal resolution. When notified, the Component coordinator must:

- (1) Log the reporting of the inaccessibility of the ICT.
- (2) Verify and record the details of the inaccessibility of the ICT that the Component concerned will be responsible for solving.
- (3) Inform the individual's Component CIO and, if different people, the Component CIO and the Component coordinator of the Component that will be responsible for resolving the inaccessibility of the ICT.
- (4) Notify the DoD Coordinator of any inaccessible ICT that has not been resolved, and does not have a clear and defined path to resolution, and provide weekly updates until the inaccessible ICT is resolved or denied.
- (5) Coordinate resolution and remain aware of all efforts to resolve any inaccessible ICT, while providing regular updates to the responsible Component CIO(s).

**b. Complaints.** Any individual with a disability who believes that ICT developed, procured, maintained, or used by a DoD Component is not accessible may file a complaint. Complaints must be filed with the Component coordinator, who will notify the Component CIO, the DoD

Coordinator, and the ODMEEO under the USD(P&R). The USD(P&R) leads the Section 508 complaint process.

## SECTION 5: SECTION 508 RESOURCES

**5.1. DOD SECTION 508 APPLICABILITY STATEMENT.** As required in Paragraphs 3.2.e. and 3.6.e. of this issuance, a standard DoD Section 508 accessibility statement is provided at: [http://dodcio.defense.gov/DoDSection508/Std\\_Stmt.aspx](http://dodcio.defense.gov/DoDSection508/Std_Stmt.aspx) . If preferred, a custom statement may be developed based on the sample accessibility statement in Figure 1.

**Figure 1. Sample Accessibility Statement**

You have reached the Department of Defense (or Component) Accessibility Link, at which you may report issues of accessibility for persons with disabilities on DoD (or Component) websites.

If your issue involves log in access, password recovery, or other technical issues, contact the administrator for the website in question, or your local helpdesk.

The Department of Defense (or Component) is committed to making its information and communication technology accessible to individuals with disabilities in accordance with Section 508 of the Rehabilitation Act of 1973, as amended in 1998 (Section 794d of Title 29, United States Code).

For persons with disabilities experiencing difficulties accessing content on a particular website, please use the DoD (or Component) Section 508 issue reporting tool, available at: <web address for Section 508 issue reporting tool>. In this tool, please indicate the nature of your accessibility issue or problem and your contact information so we can address your issue or question.

For more information about Section 508, please visit the DoD (or Component) Section 508 Website, available at: <web address for Section 508 website>.

**5.2. U.S. ACCESS BOARD.** The U.S. Access Board, referred to in this paragraph as the “Board”, develops and maintains design criteria for the built environment, transit vehicles, telecommunications equipment, medical diagnostic equipment, and IT. The Board’s technical and functional standards are codified in Part 1194 of Title 36, CFR and are mandatory for DoD Components to use. Website address is <https://www.access-board.gov/>.

**5.3. AMERICANS WITH DISABILITIES ACT.** Chapter 26 of Title 42, U.S.C., and Chapter 5 of Title 47, U.S.C., together also known and referred to in this issuance as the “Americans with Disabilities Act (ADA) of 1990,” prohibits, under certain circumstances, discrimination based on disability. The ADA official website address is <http://www.ada.gov/>.

#### **5.4. GSA SECTION 508 WEBSITES.**

**a. 508 Universe.** A web portal that serves as a central hub for GSA Section 508 training courses, course content, and information resources. Component coordinators can access each of the topic-specific courses that address Section 508 implementation as well as explore web links and a glossary of Section 508-related terms. The 508 Universe Website address is <http://www.section508.gov>.

**b. BuyAccessible Wizard Tool.** The tool helps DoD employees complete the market research necessary to ensure they are buying the most accessible IT products and services available. DoD procurement staff may search the site by specific product or service type and see all vendors who have provided links. They can then use the links to reach the template information and product or service descriptions necessary to complete their market research. The tool also produces suggested contract solicitation language tailored to specific ICT deliverables that users can “copy and paste” into their procurement documentation. BuyAccessible Wizard training is also available to the DoD Components on this website. The BuyAccessible Wizard Website address is <http://www.buyaccessible.gov/>.

**c. 1998 Amendment to Section 508.** This website contains the text of the law relating to Section 508 that requires ICT be accessible to individuals with disabilities and other related laws and policies. The website address for the 1998 amendment is <http://www.section508.gov/content/learn/laws-and-policies>.

**d. Section 508 Help Resources and Frequently Asked Questions.** Answers to frequently asked questions about Section 508 may be found within <http://www.section508.gov> and <http://www.section508.gov/content/help-and-faq>.

**5.5. U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES.** Provides information and guidelines for developing an accessible website. There are specifics on “Returning Service Members with Disabilities” and suggested access or accommodation compromises that can be implemented in cases of seeming “Undue Burden.” The official website address is <http://usability.gov/index.html>.

**5.6. COMPUTER/ELECTRONIC ACCOMMODATIONS PROGRAM (CAP).** The CAP Technology and Evaluation Center provides assistive technologies and accommodations to support DoD employees with disabilities. CAP helps remove barriers to federal employment by eliminating the cost of assistive technology. Employees with disabilities may schedule an in-person assessment with a CAP representative to explore appropriate solutions. The website address is <http://www.cap.mil/>.

**5.7. WEBSITE AND PORTAL COMPLIANCE.** Website and portal reviews will include the use of one or more automated website accessibility assessment tools. In addition to automated results, further verification should be made with manual checks by a professionally trained evaluator. An automated tool enhances a Component’s 508 Program, but should not be considered a replacement for ongoing manual review.

**5.8. TRUSTED TESTER PROGRAM.** The Trusted Tester Program is a Department of Homeland Security (DHS) Office of Accessible Systems and Technologies initiative to address Section 508 compliance through increased and more effective testing. A trusted tester is an individual who has taken the DHS Section 508 Trusted Tester online training program and passed the DHS Trusted Tester Certification Exam. For more information, visit <http://www.dhs.gov/accessibility> or contact the DHS Accessibility Help Desk at [accessibility@dhs.gov](mailto:accessibility@dhs.gov).



## GLOSSARY

### G.1. ACRONYMS.

ADA	Americans with Disabilities Act of 1990
CAP	Computer/Electronic Accommodations Program
CFR	Code of Federal Regulations
CIO	Chief Information Officer
DHS	Department of Homeland Security
DoD CIO	DoD Chief Information Officer
DoDD	DoD Directive
DoDI	DoD Instruction
FAR	Federal Acquisition Regulation
GSA	General Services Administration
ICT	information and communications technology
IT	information technology
ODMEO	Office of Diversity Management and Equal Opportunity
OMB	Office of Management and Budget
U.S.C.	United States Code
USD(AT&L)	Under Secretary of Defense for Acquisition, Technology, and Logistics
USD(P&R)	Under Secretary of Defense for Personnel and Readiness

**G.2. DEFINITIONS.** Unless otherwise noted, these terms and their definitions are for the purposes of this issuance.

**assistive technology.** Assistive technology is an umbrella term that includes assistive, adaptive, and rehabilitative devices for individuals with disabilities. AT can be any tool that enables individuals with disabilities full access and use of ICT. Examples include:

Screen enlargers that act like magnifiers to help individuals with low vision.

Onscreen keyboards that allow individuals who are unable to use a standard keyboard to select keys using methods such as a pointing device or switch.

Voice recognition, instead of using a mouse or keyboard.

Alternative input devices that enable individuals to control their computers through means other than a standard keyboard or pointing devices (e.g., head-operated pointing devices and sip-and-puff systems controlled by breathing).

Screen readers that allow users who are blind to hear what is happening on their computer by converting the screen display to digitized speech.

**complaint.** An incident of inaccessible ICT that is not resolved by the Component to the satisfaction of the claimant and is forwarded to the USD(P&R) ODMEO where it becomes a complaint.

**disability or disabilities.** With respect to an individual:

A physical or mental impairment that substantially limits one or more major life activities of such individual;

A record of such an impairment; or

Being regarded as having such an impairment.

The following key phrases pertaining to the definition of the term “disability” are defined in accordance with the ADA and Subpart B of Part 41 of Title 28, CFR: “major life activities,” “mental impairment,” “physical impairment,” “record of such an impairment,” “regarded as having such an impairment,” and “substantially limited.”

**DoD employees.** Defined in DoD 5500.07-R.

**DoD personnel.** DoD employees, DoD contractor employees and non-DoD entities that are supporting DoD mission-related activities.

**equivalent facilitation.** The circumstances under which agencies may accept ICT offered by vendors that uses designs or technologies that do not meet U.S. Access Board technical standards, but provides substantially equivalent or greater access to and use of a product for people with disabilities. The concept of “equivalent facilitation” was created to take into account future technologies that may be developed, or existing technologies significantly modified that could provide individuals with disabilities access in ways not predicted by the U.S. Access Board. In evaluating whether a technology results in equivalent or greater access, it is the functional outcome that is important, not the form.

**ICT.** Previously referred to as “electronic and information technology,” any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, or duplication of data or information. ICT also includes any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, analysis, evaluation, manipulation, management, movement, control, display, switching, interchange, transmission, reception, or broadcast of data or information.

The term includes, but is not limited to: electronic content, including e-mail, electronic documents and Internet and Intranet websites; telecommunications products, including video

communication terminals; computers and ancillary equipment, including external hard drives; software, including operating systems and applications; information kiosks and transaction machines; videos; IT services; and multifunction office machines that copy, scan, and fax documents.

**market research.** The process of collecting and analyzing information about the market's capability to satisfy a specified need. As it relates to Section 508, market research is the mechanism for determining the availability of compliant ICT products and comparing products that meet U.S. Government's requirements for accessibility.

**requestor.** The person who generates the request for or specifies the ICT product or service to be acquired, developed, maintained, or used.

**undue burden.** Where a Component determines that conformance to the Section 508 standards would impose significant difficulty or expense considering the resources available to the DoD program or Component for which the ICT is to be procured, developed, maintained, or used.

**U.S. Access Board.** An independent federal agency that promotes equality for people with disabilities through leadership in accessible design and the development of accessibility guidelines and standards, as outlined in Section 5.2. of this issuance.

## **REFERENCES**

- Code of Federal Regulations, Title 36
- Code of Federal Regulations, Title 28, Part 41
- Defense Acquisition Guidebook
- DoD 5500.07-R, Joint Ethics Regulation (JER), August 1993, as amended
- DoD 7000.14-R, Volume 2B, “Department of Defense Financial Management Regulations (FMRs): Budget Formulation and Presentation,” current edition
- DoD Directive 1020.02E, “Diversity Management and Equal Opportunity in the DoD,” June 8, 2015
- DoD Directive 5144.02, “DoD Chief Information Officer (DoD CIO),” November 21, 2014
- DoD Directive 8000.01, “Management of the Department of Defense Information Enterprise (DoD IE),” March 17, 2016
- DoD Instruction 8550.01, “DoD Internet Services and Internet-Based Capabilities,” September 11, 2012
- DoD Manual 8910.01, Volume 1, “DoD Information Collections: Procedures for DoD Internal Information Collections,” June 30, 2014, as amended
- Federal Acquisition Regulation, current edition
- Office of Management and Budget Memorandum, “Strategic Plan: Improving Management of Section 508 of the Rehabilitation Act,” January 24, 2013
- Public Law 101-510, “National Defense Authorization Act for Fiscal Year 1991,” November 5, 1990 (also known as the “Defense Acquisition Workforce Improvement Act,” as amended)
- United States Code, Title 29, Section 794d (also known as “Section 508 of the Rehabilitation Act of 1973”)
- United States Code, Title 42, Chapter 26, and Title 47, Chapter 5 (both chapters together are also known as the “Americans with Disabilities Act of 1990,” as amended)