



Office of the Under Secretary  
Federal Emergency Management Agency  
Washington, D.C. 20472

September 2, 2003

**UNDER SECRETARY'S POLICY – No. 5-03**

**SUBJECT:** Equal Opportunity for Persons with Disabilities

1. The Department of Homeland Security (DHS), Emergency Preparedness and Response (EP&R), Federal Emergency Management Agency (FEMA) is committed to serving all individuals equally. This commitment extends to individuals with disabilities. EP&R/FEMA must provide access to Agency programs and activities equal to the access provided to non-disabled persons.
2. This Under Secretary's Policy statement supersedes Director's Policy Statement No. 2-02, Equal Opportunity for Persons with Disabilities, dated May 15, 2002.
3. It is EP&R/FEMA's policy, in accordance with Sections 501 and 504 of the Rehabilitation Act of 1973, as amended, that no qualified individual with a disability shall be denied participation in, or benefits from, any program conducted by EP&R/FEMA, including employment.
4. It is EP&R/FEMA's policy in accordance with Section 508 of the Rehabilitation Act of 1973, as amended, to provide reasonable accommodation for employees and the general public through the procurement, development, maintenance and use of electronic information technology that is accessible to people with disabilities. Electronic and information technology must meet the minimum accessibility requirements established by the Architectural and Transportation Barriers Compliance Board established and made effective June 21, 2001.
5. In compliance with Title 44, Code of Federal Regulations, Part 16, EP&R/FEMA is required to take all reasonable steps in making accommodations for employees and other individuals with disabilities. All funds for any program or activity under review must be considered as available for making these accommodations. A variety of accommodations may be made available to employees and applicants. Specific types of accommodations will be outlined in FEMA's "Reasonable Accommodations" Manual for the Federal Emergency Management Agency," established in accordance with Executive Order 13164.
6. Accommodations for people with disabilities are not mandatory if EP&R/FEMA demonstrates that in providing such accommodations an undue financial or administrative burden will be created, or that the accommodation will alter the fundamental nature of the program or activity under review. The Director, EP&R/FEMA, Office of Equal Rights has been delegated authority to make the final decision in denying such accommodations.

**Distribution:** C(HqBrChiefs), H(FldBrChiefs), and <http://cio.fema.net/rm/dm/current.html>

7. Individuals who wish to raise concerns or desire more information regarding disability accommodation and access should contact the appropriate management official and/or the EP&R/FEMA, Office of Equal Rights.

8. I expect each EP&R/FEMA employee to give support to this policy so that we can effectively serve employees and members of the general public with disabilities. All managers and supervisors are expected to follow the provisions of this policy statement.



Michael D. Brown  
Under Secretary  
Emergency Preparedness and Response