Office of the Under Secretary
Federal Emergency Management Agency

Washington, D.C. 20472

September 2, 2003

UNDER SECRETARY'S POLICY – No. 6-03

SUBJECT: Accessible Electronic and Information Technology

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 and therefore considers accessibility to information a priority for all employees and external customers, including individuals with disabilities. Federal employees and members of the public who have disabilities must have access to and use of information and services that are comparable to the access and use available to non-disabled Federal employees and members of the public. It is Directorate policy to prohibit discrimination in the accessibility of electronic and information technology.

2. This Under Secretary's Policy Statement supersedes Director's Policy Statement No. 3-02, Accessible Electronic and Information Technology, dated May 20, 2002.

3. EP&R/FEMA will, in accordance with Sections 504 and 508 of the Rehabilitation Act of 1973, as amended, and the standards established in 36 C.F.R. Part 1194, ensure the accessibility of its programs and activities to individuals with disabilities.

4. Electronic and Information Technology includes information technology and any equipment or interconnected system or subsystem of equipment used to create, convert, or duplicate data or information. Telecommunication devices, information kiosks and transaction machines, world wide web sites, multimedia, and office equipment such as copiers and fax machines are considered electronic and information technology.

5. The Architectural and Transportation Barriers Compliance Board has established standards that define accessibility. Technology designed, developed, and procured by EP&R/FEMA should ensure at least minimum accessibility for individuals with disabilities in compliance with these standards.

6. If compliance with the standard creates an undue burden, the information and data must still be provided to individuals with disabilities through an alternative means of access that can be used by the individuals. To determine whether acquisition of electronic and information technology that meets the applicable technical provisions would impose an undue burden, Directorate components must consider the difficulty or expense of compliance relative to all agency resources available to the program or component for which the product is being acquired. When documenting "undue burden", clearly explain why meeting one or more of the applicable technical provisions creates an undue burden and describe products or services required:

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a. The dollar value of the acquisition;

b. The otherwise applicable technical provision that cannot be met;

c. The market research performed to locate commercial items that meet the applicable standards;

d. The costs and how they were estimated if monetary expense is deemed prohibitive; and,

e. The alternative means of access that will be provided.

7. Individuals seeking redress for noncompliance of accessibility standards may file administrative complaints with the EP&R/FEMA Office of Equal Rights. When allegations of noncompliance are verified, appropriate corrective action will be promptly taken.

8. I am fully committed to providing access to electronic and information technology to employees and customers of the Directorate.

Michael D. Brown
Under Secretary
Emergency Preparedness and Response