

<b>FEDERAL COMMUNICATIONS COMMISSION</b> <b>Washington, D.C. 20554</b>  <b>FCC DIRECTIVE</b>	<b>FCC DIRECTIVE</b>	
	<b>Information and Communication Technology Access Policy</b>	
	<b>Directive Number:</b>  <b>FCCINST 1480.2</b>	<b>Effective Date:</b>  <b>February 2024</b>

1. **PURPOSE:** This directive sets forth the Federal Communication Commission’s (“Commission” or “FCC”) policies, procedures, and responsibilities relating to the implementation of Section 508 of the Rehabilitation Act of 1973, as amended (Section 508), and other legal requirements to provide employees and members of the public with maximum access to Information and Communication Technology (ICT) within the scope of the agency’s mission and capabilities.
  
2. **CANCELLATION:** This instruction supersedes FCCINST 1480.1, Electronic Information Technology and Accessibility Policy, dated March 2018.
  
3. **SCOPE AND APPLICABILITY:** The policies and procedures set forth in this Directive shall be followed by all Bureaus and Offices, and apply to all federal employees, contractor personnel, interns, volunteers, and other non-government employees working on behalf of the FCC.
  
4. **AUTHORITIES:** In addition to Section 508 of the Rehabilitation Act of 1973 (29 U.S.C. § 794d), as amended by the Workforce Investment Act of 1998 (Public Law 105-220) (the Rehabilitation Act), the Commission's accessibility efforts are in accordance with the following laws and regulations:
  - A. Section 504 of the Rehabilitation Act.
  - B. Section 255 of the Communications Act – Requires telecommunications products and services be accessible to people with disabilities.
  - C. 82 FR 5790 - Information and Communication Technology (ICT) Standards and Guidelines
  - D. 21st Century Communications and Video Accessibility Act of 2010 - Requires advanced communications services and products be accessible to people with disabilities.
  - E. 21st Century IDEA (Integrated Digital Experience Act) of 2018 - Requires all executive branch agencies to modernize their websites, digitize services and forms, and improve customer services.
  - F. Title 40 U.S.C., §§ 11101-11704, "Clinger-Cohen Act of 1996," as amended.

- G. Title 44, U.S.C., § 3501, "E-Government Act of 2002," as amended, Section 202(d), "Accessibility to People with Disabilities".
  - H. Title 36, Code of Federal Regulations (CFR), Part 1194, "Information and Communication Technology (ICT) Standards and Guidelines" (revised ICT Standards and Guidelines), <https://www.federalregister.gov/documents/2017/01/18/2017-00395/information-and-communication-technology-ict-standards-and-guidelines>.
  - I. Title 48, CFR, 39.2 Federal Acquisition Regulations (FAR), "Acquisition of Information Technology, Information and Communication Technology (ICT)."
  - J. Federal Acquisition Regulation, Final FAR Ruling 48, CFR Parts 2, 7, 10, 11, 12 and 39 (FAC 97-27; FAR Case 1999-607).
  - K. FAR 39.2 - Information and Communication Technology - Primary accessibility acquisition requirements to ensure federal employees and members of the public have equal access to information.
  - L. Office of Management and Budget (OMB) Circular A-130, "Managing Federal Information as a Strategic Resource (last updated July 28, 2016); "Management of Federal Information Resources" (Transmittal Memorandum #4, November 28, 2000); and
  - M. 29 CFR Part 32, "Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance."
5. **BACKGROUND:** In 1998, Congress amended the Rehabilitation Act to include enforcement language that supports the requirement for Federal agencies to make their Information and Communication Technology (ICT) accessible to people with disabilities. Section 508 was enacted to apply to all Federal agencies when they develop, procure, maintain, or use Information and Communication Technology and was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities, and to encourage development of technologies that will help achieve these goals. Under Section 508, agencies must ensure employees and members of the public with disabilities have access to and use of information and data that are comparable to the access and use available to employees and members of the public without disabilities.
6. **POLICY:** All Information and Communication Technology (ICT) systems and electronic information developed, procured, maintained or used by the FCC must comply with the accessibility standards set forth in Section 508 of the Rehabilitation Act.

In complying with this policy, the FCC shall:

- A. Ensure that employees and members of the public with and without disabilities have equal access to and use of existing information unless a valid Section 508 exception exists as described in Section 9, below.

- B. When procuring ICT, ensure that the most compliant product that best meets business, security, and privacy needs is selected by following applicable Section 508 acquisition compliance guidance.
- C. Ensure that all electronic content and communications, including FCC-published content on the Internet and Intranet, follow applicable Section 508 requirements.
- D. Ensure all FCC-funded programs follow accessibility requirements for activities and communications that are delivered electronically.
- E. Ensure that all IT Enterprise Performance Life Cycle checkpoints of the IT governance processes include Section 508 review criteria and associated subject matter expertise.
- F. Provide employees and members of the public with a way to request alternative access to meet the individual needs of individuals for whom access is not otherwise available; and
- G. Follow the United States Access Board's revised ICT Standards and Guidelines, which provide requirements to ensure that various types of information and communication technologies, including specific covered hardware, software, electronic content, and support documentation and services, are accessible to people with disabilities. The new, revised organizational format of these standards replace the prior product-based approach with requirements focused on functionality, and thus are designed to ensure accessibility for people with disabilities keeps pace with advances in technology. Examples of ICT addressed by these standards include computers, information kiosks and transaction machines, telecommunications equipment, multifunction office machines, software, web sites, and electronic documents.

7. RESPONSIBILITIES:

- A. The Managing Director is responsible for:
  - (1) The development, implementation, and oversight of the agency's Section 508 program as prescribed by Federal statute, regulation, and policy.
  - (2) Appointing an agency Section 508 Program Manager, who shall be individually responsible for establishing policies and best practices for the FCC's Section 508 program to provide guidance, increase awareness, and ensure implementation of Section 508 requirements. This includes, but is not limited to, the following:
    - Supporting, and implementing the requirements of Section 508 of the Rehabilitation Act.
    - Developing and distributing Section 508 related policy

and guidance as directed by HR and/or managing director.

- Monitoring and reporting Section 508 implementation progress to the Chief Information Officer (CIO).
- Overseeing submission of any required Section 508 reports and surveys.
- Working with the FCC's Enterprise Acquisition Center (EAC) to ensure that EAC will incorporate Section 508 requirements to procurement policies, practices and procedures.

B. The Section 508 Program Manager is responsible for:

- (1) Leading the agency's IT Accessibility/508 Program, a complex agency-wide responsibility that touches all parts of the organization.
- (2) Understanding how Section 508 of the Rehabilitation Act of 1973 and related laws, regulations, policies, and standards apply to the procurement, development, maintenance and use of information and communication technology.
- (3) Having a fair understanding of assistive technologies used by people with disabilities.
- (4) Leading efforts to establish Section 508 compliance policies and processes throughout the organization, including policies related to:
  - Software and web development.
  - Content publication; and
  - Management of agency websites and other digital properties.
- (5) Leading compliance management activities for digital services and technology covered under the Section 508 law.
  - Addressing compliance requirements in design, acquisition, development, and maintenance life cycles and processes; and
  - Ensuring conformance claims are validated.
- (6) Ensuring agency staff have access to accessibility training and tools.
- (7) Assessing the maturity of the agency IT Accessibility/508 program.

- (8) Measuring and reporting to OMB on compliance program activities.
- (9) Coordinating outreach and training.
- (10) Providing a conduit for accessibility concerns and complaints submitted to the Commission.
- (11) Establishing tracking procedures to document agency successes and remediation efforts for Section 508 compliance.

C. The Office of the Chief Information Officer (OCIO) is responsible for the following:

- (1) The implementation of this Directive and for ensuring compliance with Section 508 accessibility standards set forth by the United States Access Board, as well as ensuring that such standards are fully integrated into the Commission's ICT decision-making, investment, and procurement and acquisition processes.
- (2) Coordinating with others in OMD and across the Commission to ensure that forms are designed or updated in an electronic format that conform to applicable Section 508 Technical Standards promulgated by the U.S. Access Board and accessible through [www.access-board.gov](http://www.access-board.gov) to ensure ease of use by persons with disabilities, and promote electronic signature options in accordance with the Government Paperwork Elimination Act.
- (3) Reviewing and certifying any exception request.
- (4) Identifying ICT products, procedures, and processes that are not Section 508 compliant, and replacing a non-compliant item with a compliant one, as necessary.
- (5) Ensuring that FCC-managed web sites conform to applicable Section 508 Technical Standards to ensure ease of use by persons with disabilities and remediate failed web sites to achieve compliance.
- (6) With input from the Section 508 Program Manager, evaluating and acting on all Section 508 exception requests.

D. The Office of Workplace Diversity (OWD) is responsible for the following:

- (1) Administering the FCC's Reasonable Accommodation program.

- (2) Coordinating with the FCC's Section 508 Program Manager on all requests for assistive technology facilitated by (or originating with) his/her office.

E. The Chief of each Bureau and Office or his/her designee is responsible for:

- (1) Coordinating all Section 508 compliance requests and related issues with the Section 508 Program Manager.

F. The Chief, Enterprise Acquisition Center is responsible for:

- (1) Ensuring relevant Section 508 compliance language is included in all relevant contractual actions.
- (2) Ensuring all the FCC's procurement and acquisitions are Section 508 compliant.
- (3) Ensuring all procurement documents are compliant with Section 508-compliant in purchase requests and will be retained in the contract file for tracking purposes, and a copy is provided to the Section 508 Program Manager when it is required
- (4) Assisting with market research for products to comply with Section 508 ICT requirements, as needed.

8. EXCEPTIONS:

The Commission is not required to acquire ICT that meets the technical provisions of these standards if Section 508-compliant ICT is:

- (1) not commercially available as it conforms to the revised Section 508 standards.
- (2) not available without excluding specific features or functions without fundamentally altering business needs.
- (3) located in spaces frequented only by service personnel for maintenance, repair or occasional monitoring of equipment, or at a location other than that where the ICT is provided to the public (the "back office" exception); or
- (4) would impose an undue burden on the agency.

Generally, when procuring or installing ICT, the Commission is not required to fundamentally alter the nature of a product or its components in a way that may be contrary to the agency's needs.<sup>1</sup>

9. EXCEPTION PROCESS:

All exception requests for ICT acquisitions based on undue burden, fundamental alteration and national security reasons must be sent to the FCC's Section 508 Program Manager for review and processing. The Section 508 Program Manager will assess these requests and provide input to the CIO to support his/her final evaluation for approving or denying the exception request.

10. EFFECTIVE DATE AND IMPLEMENTATION:

This Directive is effective immediately and shall be implemented promptly upon distribution.

**MARK**  
**STEPHENS**  
Mark Stephens  
Managing Director

Digitally signed by  
MARK STEPHENS  
Date: 2024.02.13  
20:24:48 -05'00'

---

<sup>1</sup> See, e.g., <https://www.section508.gov/buy/determine-ict-exceptions/>