U.S. Department of Homeland Security
United States Coast Guard

Commandant
United States Coast Guard

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COMDTINST 5230.60A
11 MAR 2003

COMMANDANT INSTRUCTION 5230.60A

Subj: COAST GUARD IMPLEMENTATION OF THE REHABILITATION ACT, SECTION 508

Ref:
(a) Rehabilitation Act of 1973, Sections 501 and 504, as amended
(b) Rehabilitation Act, Section 508 (29 U.S.C.794d), as amended
(c) Access Board's Electronic and Information Technology (EIT) Accessibility Standards 36 CFR, Chapter XI, Part 1194
(d) Workforce Investment Act of 1998
(e) Federal Acquisition Regulation (48 CFR Parts 2, 7, 10, 11, 12, and 39 [FAC 97-27; FAR Case 1999-607], published in the Federal Record on April 25, 2001
(f) E-Government Act of 2002

1. PURPOSE. This Instruction establishes U.S. Coast Guard (USCG) policy and procedures for implementing the 1998 amendments to Section 508 of the Rehabilitation Act, per references (a)-(f). Section 508 requires Federal departments and agencies that develop, procure, maintain, or use electronic and information technology to ensure that Federal employees and members of the public with disabilities have access to and use of information and data, comparable to that of Federal employees and members of the public without disabilities. Moreover, the USCG desires to meet the demands of citizen-centric electronic government, attract and retain the best talent, and maintain a productive workforce. To accomplish that goal we must create an environment that enables the abilities of persons with disabilities.

2. ACTION. Area and district commanders, commanders of maintenance and logistics commands, commanding officers of integrated support commands, commanding officers of headquarters units, assistant commandants for directorates, Chief Counsel and special staff elements at Headquarters shall ensure compliance with the provisions of this Instruction.

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NON-STANDARD DISTRIBUTION:

3. DIRECTIVES AFFECTED. Coast Guard Implementation of the Rehabilitation Act, Section 508, COMDTINST 5230.60 is cancelled.

4. DEFINITIONS. Most commonly referred to definitions. See Enclosure (1).

5. BACKGROUND. A brief history and some basic facts. See Enclosure (2).

6. ENFORCEABLE SECTION 508 STANDARDS FOR EIT. The major categories of standards and the enabled functionality. See Enclosure (3).

7. EXEMPTIONS. A listing of the six exemptions to Section 508. See Enclosure (4)

8. POLICY. Consistent with this Instruction, it shall be the policy of the USCG to expedite the removal of technological barriers that currently limit access to the resources, opportunities and activities of the USCG by persons with disabilities. Towards this end, each Directorate, Area, District and Unit shall take the management steps necessary to ensure that the EIT they procure, develop, maintain and use is accessible to individuals with disabilities.

   a. Policy for Procurement of EIT. Requiring and procurement officials' procedures, certifications, and approval matrix. See Enclosures (6) through (12). *When this instruction was issued, micropurchases (under $2,500) were exempt. See Enclosure (4) for current status.*

   b. Enforcement and Complaint Policy. Section 508 enforcement provisions and the USCG complaint process. See Enclosure (5)

   c. Web-based Intranet and Internet Information and Applications Policy. Web responsibilities, requirements, resources and tools. See Enclosure (13)

9. BUDGET GUIDELINES FOR SECTION 508, FY 2005 – 2007. The role of market research and the Access Board's additional cost estimates. See Enclosure (14)

10. TRAINING, GUIDELINES AND RESOURCES. Sources of training, guidelines and resources. See Enclosure (15)

11. PERFORMANCE MEASUREMENT. The Section 508 Performance Plan will use a balanced scorecard to assess data from the complaint process, systems inventory, web Meta Validator, organizational assessment survey and undue burden and national security exemption claims.

12. RESPONSIBILITIES. Coast Guard offices and individuals responsible for Section 508 implementation. See Enclosure (16)

13. SUMMARY OF CHANGES FOR THIS REISSUE
    a. Addition of Reference (f) E-Government Act of 2002
    b. Micropurchase exemption sunset date change in Enclosure (4) to October 1, 2004
    c. Addition of Section 5 to Enclosure (6) to cover blanket exemptions under umbrella agreements
    d. Reflect change from Department of Transportation to Department of Homeland Security

14. DISTRIBUTION. This Commandant Instruction will be distributed via the Coast Guard Directives System CD ROM or an official copy can be accessed from the web at http://cgweb.uscg.mil/g-c/g-ccs/g-cit/g-cim/directives/welcome.htm. A copy is also available in the "Section 508 Resource Center" at http://cgweb.comdt.uscg.mil/508/Section508/CG-Sec508Home.html. Internet Release Authorized.

C.I. PEARSON /S/
Director of Information and Technology

Encl: (1) Definitions
(2) Background
(3) Enforceable Section 508 Standards for EIT
(4) Exemptions
(5) Enforcement and Complaint Policy
(6) Procurement Policy and Certification Approval Matrix
(7) Non-EIT Deliverables Certification
(8) Fully Compliant EIT Deliverables Certification
(9) Commercial Non-Availability Certification
(10)EIT Exemption Certification
(11)National Security Exemption Policy and Certification
(12)Undue Burden Certification
(13)Web-based Intranet and Internet Information and Applications Policy
(14)Budget Guidelines for Section 508, FY 2005 – 2007
(15)Training, Guidelines and Resources
(16)Responsibilities

DEFINITIONS

1. **Accessible** - The dictionary definition of accessible can lead to subjective interpretations. In order to provide an objective and enforceable measure of the term "accessible" in the context of this rule, accessible means "conforming to the provisions of the Access Board's standards." For details of the provisions of the Access Board's EIT standards see Enclosure (3) of this directive.

2. **Access Board** - An independent agency responsible for developing the standards referred to in Section 508.

3. **Agency** – Agency means an executive agency as defined in 5 U.S.C. Section 105.

4. **Alternate formats** - Alternate formats usable by people with disabilities may include, but are not limited to, Braille, ASCII text, large print, recorded audio and electronic formats that conform to the provisions of the standards.

5. **Alternate methods** - Alternate methods are different means of providing information, including product documentation, to people with disabilities. Alternate methods may include, but are not limited to, voice, fax, relay service, TTY, Internet posting, captioning, text-to-speech synthesis, and audio description.

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

7. **Disability** - A physical or mental impairment that constitutes or results in a substantial impediment to employment or substantially limits one or more major life activities.

8. **Electronic and information technology (EIT)** - The Access Board defined information technology (IT) consistent with the Clinger-Cohen Act of 1996 as *"any equipment or interconnected system or subsystem of equipment that is used in the automatic acquisition, storage, manipulation, movement, control, display, switching, interchange, transmission, or reception of data or information."* The Federal Acquisition Regulation (FAR 2.101) expanded IT to include "*electronic*." EIT has the same meaning as IT, but also includes *"any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion or duplication of data or information."* EIT includes, but is not limited to, computers, software, telecommunications products (such as telephones), information kiosks and transaction machines, web sites, video productions and multimedia, 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, 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 considered to be information technology.)

9. **Fundamental Alteration** - A change in the fundamental characteristic or purpose of the product or service.

10. **National Security System** – 36 C.F.R., 1194.3 (a) defines a National Security System as any telecommunications or information system operated by the U.S. government, the function, operation, or use of which involves:

    a. Intelligence activities,

    b. Cryptologic activities related to national security,

    c. Command and control of military forces,

    d. Equipment that is an integral part of a weapon or weapons system, or

    e. Systems that are critical to the direct fulfillment of military or intelligence missions. (Systems that are critical to the direct fulfillment of military or intelligence missions do not include a system that is to be used for routine administrative and business applications including payroll, finance, logistics, and personnel management applications).

11. **Product** - Electronic and information technology (EIT).

12. **Section 501** – Section of the Rehabilitation Act that prohibits discrimination on the basis of disability in Federal employment and requires Federal agencies to establish affirmative action plans for the hiring, placement, and advancement of people with disabilities in Federal employment. See Ref. (a).

13. **Section 504** – Section of the Rehabilitation Act that prohibits discrimination based on disability in federally funded and federally conducted programs or activities in the United States, including employment programs. This involves, but is not limited to, providing individual accommodation at the worksite using assistive technologies. See Ref. (a).

14. **Section 508 Coordination Committee** – A USCG cross-functional group of individuals with expertise representing the Chief Information Officer, Procurement Management, Civil Rights, Computer and Communications Systems, Human Resources, General Law, and operational directorates.

15. **Self contained, closed products** - Products that generally have embedded software and are commonly designed in such a fashion that a user cannot easily attach or install assistive technology. These products include, but are not limited to, information kiosks, information transaction machines, copiers, printers, calculators, and fax machines.

16. **Telecommunications** - The transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

17. **TTY** - A type of assistive technology. An abbreviation for teletypewriter. Machinery or equipment that employs interactive text based communications through the transmission of coded signals across the telephone network. TTYs may include, for example, devices known as

TDDs (telecommunication display devices or telecommunication devices for deaf persons) or computers with special modems. TTYs are also called text telephones.

18. **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 agency resources available to the program or component for which the product is being developed, procured, maintained, or used. By statute, the requirement to document an undue burden applies only to procurements.

BACKGROUND

Section 508 implementation is critical to e-government in this era of reliance on information technology. Based on Bureau of Census statistics from 1994, over 54 million, or 20.6 percent of Americans, have a disability. The number is growing. In the first quarter of 2000, more than 5 million Americans joined the online Internet world that had surpassed 100 million users in 1999. Estimated e-mails transmitted that year range as high as 4 trillion. Every 24 hours, the web increases by more than 3.2 million new pages and more than 715,000 images. On August 7, 1998, the President signed into law the Workforce Investment Act, reference (d), that amended the Rehabilitation Act by expanding and strengthening Section 508. Section 508 now refers to enforceable technical standards and performance based requirements that focus on the functional capabilities covered by technologies to facilitate their use by persons with disabilities. This dual approach recognizes the dynamic and continually evolving nature of the technology involved as well as the need for clear and specific standards to facilitate compliance. Certain provisions of the standards are designed to ensure compatibility with the assistive technology that people with disabilities commonly use for information and communication access, such as screen readers, Braille displays, and TTYs. Section 508 does not require Federal agencies to retrofit existing technologies; but complaints and lawsuits can be filed against EIT products that are procured and do not conform to the provisions of the standards. Federal employees and members of the public with disabilities also have rights under Section 501 and 504, reference (a), that require agencies to make information available to them by an alternative means. Section 504 and 508 of the Rehabilitation Act are complementary. Whereas Section 504 focuses on individual accommodation, Section 508 emphasizes EIT infrastructure and standards.

Moreover, there are benefits to adopting the provisions of Section 508 that are specific to the Coast Guard. The Section 508 standards facilitate cutter connectivity. Cutters and vessels at sea that rely on high cost, restricted bandwidth benefit from the web-based Section 508 standards that assure the substantial web page content will not be removed by specialized software designed for maritime transmission that strips web pages of background images, converts color images to black and white, removes unnecessary HTML code and compresses the page. Telecommuters benefit from the Section 508 web-based standards in that substantial web content will be available to telecommuters who disable graphics, animation and sound to make more efficient use of bandwidth when remotely accessing the USCG data network (e.g., RAS). Furthermore, Section 508 supports USCG information and human resource strategic goals.

ENFORCEABLE SECTION 508 STANDARDS FOR EIT

The published Section 508 EIT accessibility standards, reference (c), include technical provisions with 1) requirements specific to various types of technologies (Subpart B), 2) functional performance criteria of covered technologies (Subpart C), and 3) requirements for information, documentation, and support. The complete EIT standards provisions can be found at http://www.section508.gov/.

a. Subpart B - The categories below represent the technologies covered by Subpart B.
   (1) Software Applications and Operating Systems (36 CFR Part 1194 Section 21)
   (2) Web-based Intranet and Internet Information and Applications (36 CFR Part 1194 Section 22)
   (3) Telecommunications Products (36 CFR Part 1194 Section 23)
   (4) Video and Multimedia Products (36 CFR Part 1194 Section 24)
   (5) Self Contained, Closed Products such as copiers, printers, calculators, fax machines and kiosks (36 CFR Part 1194 Section 25)
   (6) Desktop and Portable Computers (36 CFR Part 1194 Section 26)

b. Subpart C - Acquired products that meet the specific technical provisions set forth in Subpart B will also meet the broader functional performance criteria in Subpart C. If an agency's procurement needs are not fully addressed by Subpart B, then the agency must look to Subpart C for applicable functional performance requirements.
   (1) General Functional Performance Standards (36 CFR Part 1194 Subpart C Section 31)
   (2) Information, Documentation and Support (36 CFR Part 1194 Subpart C Section 41)

Equivalent facilitation - Nothing is intended by the standards to prevent the use of designs or technologies as alternatives to those prescribed, provided the alternatives result in substantially equivalent or greater access to and use of a product for people with disabilities.

Below is a description of the functionality enabled by the Section 508 standards:

1. Software Applications and Operating Systems (36 CFR Part 1194 Section 21) The provisions of this standard enable persons with disabilities to:

   a. Execute all textually discerned functions from the keyboard without the use of a mouse
   b. Determine the state and position of the cursor
   c. Access explanatory text associated with images
   d. Interact with all elements of the system
   e. Turn off animation
   f. Interpret significance of color coding by another means
   g. Be assured that the screen will not blink or flash at certain frequencies (which can cause epileptic seizures)
   h. Complete and submit all electronic forms

2. Web-based Intranet and Internet Information and Applications (36 CFR Part 1194 Section 22) The provisions of this standard enable persons with disabilities to:
    a. Access explanatory text associated with images and sound
    b. Interpret significance of color coding by another means
    c. Navigate around a web page and access data in tables
    d. Select a link
    e. Be assured that the screen will not blink or flash at certain frequencies
    f. Be warned before a time-out, and given the opportunity to request more time
    g. Complete and submit all electronic forms

3. Telecommunications Products (36 CFR Part 1194 Section 23) The provisions of this standard enable persons with disabilities to:
    a. Utilize TTYs on all telecommunication products
    b. Turn up the volume and have the volume automatically return to normal after use
    c. Be warned before a time-out, and given the opportunity to request more time
    d. Obtain access information (i.e., it can't be deleted by transmission techniques)
    e. Operate all controls and keys

4. Video and Multimedia Products (36 CFR Part 1194 Section 24) The provisions of this standard enable persons with disabilities to:
    a. Access captioning describing audio information
    b. Hear what is represented visually

5. Self Contained, Closed Products such as copiers, printers, calculators, fax machines and kiosks (36 CFR Part 1194 Section 25) The provisions of this standard enable persons with disabilities to:
    a. Use the product without having to attach assistive technology (headphones are not counted as assistive technology for this purpose)
    b. Be recognized by the system independent of a particular biological characteristic
    c. Turn up the volume and have the volume automatically return to normal after use
    d. Interpret significance of color coding by another means
    e. Be assured that the screen will not blink or flash at certain frequencies
    f. Operate all controls from a wheelchair or with limited mobility
    g. Be warned before a time-out, and given the opportunity to request more time

6. Desktop and Portable Computers (36 CFR Part 1194 Section 26) The provisions of this standard enable persons with disabilities to:

    a. Operate all controls

    b. Input data

    c. Be recognized by the system independent of a particular biological characteristic

    d. Use assistive devices via industry standard ports

    Acquired products that meet the specific technical provisions set forth in Subpart B will also meet the broader functional performance criteria in Subpart C. If an agency's procurement needs are not fully addressed by Subpart B, then the agency must look to Subpart C for applicable functional performance requirements.

7. General Functional Performance Standards (36 CFR Part 1194 Subpart C Section 31) The provisions of this standard enable persons with disabilities to:

    a. Use a mode of operation that does not require vision, or have support for vision-related assistive technologies

    b. Use a mode of operation that does not require hearing, or have support for hearing-related assistive technologies

    c. Use a mode of operation that does not require speech, or have support for speech-related assistive technologies

    d. Use a mode of operation that does not require fine motor control or simultaneous actions

    e. Use a mode of operation that accommodates limited reach and limited strength

8. Information, Documentation and Support (36 CFR Part 1194 Subpart C Section 41) The provisions of this standard enable persons with disabilities to:

    a. Access available product support documentation in alternative formats

    b. Obtain a description of product accessibility features in alternative formats

    c. Obtain support services in a way that accommodates disabled end-users

EXEMPTIONS

Under certain circumstances, as listed below, Federal agencies may acquire EIT that does not conform to the provisions of the standards.

a. Micro-purchases prior to October 1, 2004,

b. EIT for a national security system,

c. EIT acquired by a contractor incidental to a contract,

d. Procurement of EIT that would impose an undue burden,

e. Fundamental alteration to the EIT would result,

f. EIT located in spaces frequented only by service personnel for maintenance, repair or occasional monitoring of equipment.

ENFORCEMENT AND COMPLAINT POLICY

The law established an administrative process under which individuals with disabilities, including employees and members of the public, can file a complaint alleging that a Federal agency has not complied with the provisions of the Section 508 standards. This process uses the same administrative complaint procedures established under Section 504 of the Rehabilitation Act (which covers access to Federally funded programs and services.) It provides injunctive relief and attorney's fees to the prevailing party, but does not include compensatory or punitive damages. Individuals may also file a civil action against an agency. The enforcement provisions of Section 508 are effective as of June 21, 2001. By statute, the enforcement provisions of Section 508 apply only to EIT *procured on or after June 21, 2001*. As a result, Section 508 does not authorize complaints or lawsuits to retrofit technology procured before this date to meet the Access Board's standards. However, even though Section 508 enforcement mechanisms apply only to *procurement*, the law does require access to technology *developed, used or maintained* by a Federal agency. Moreover, other sections of the Rehabilitation Act require access to Federal programs (Section 504) and accommodation of Federal employees with disabilities (Sections 501 and 504). Federal agencies will use the Access Board's Section 508 standards as a yardstick to measure compliance with these other sections of the law.

Any USCG civilian employee, or applicant for employment with a disability who believes that the USCG has not complied with Section 508 with respect to EIT procured on or after June 21, 2001, may initiate an informal complaint with the local USCG civil rights service provider within 45 days of the alleged instance of non-compliance. The USCG field civil rights staff will process the informal complaint in accordance with procedures provided under 29 C.F.R. Part 1614 as required by Section 508 (29 U.S.C. §794d(f)(2) and Department of Homeland Security (DHS) regulations in 6 C.F.R. §15.70.

USCG customers with a disability who believe that the USCG has not complied with Section 508 with respect to EIT procured on or after June 21, 2001, may file a complaint with the USCG Civil Rights Directorate (G-H). G-H will process complete complaints which are filed by USCG customers within 180 days of the alleged instance of non-compliance in accordance with the "Enforcement" requirements of Section 508 (29 U.S.C. §794d), DHS regulations in 6 C.F.R. § 15.70, current and future general DHS-wide policies, and forthcoming USCG specific procedures.

PROCUREMENT POLICY AND CERTIFICATION APPROVAL MATRIX

1. Requiring officials are responsible for:

   a. Identifying which standards apply to their procurement, using the Access Board's EIT Accessibility Standards at 36 CFR 1194, before the purchase request package is submitted to the contracting office. The EIT standards can be found at http://www.section508.gov/.

   b. Performing the market research to determine the availability of products and services that conform to the provisions of the standards and seeking assistance from the servicing contract office during the acquisition-planning phase in order to promote and provide the maximum compliance with these accessibility standards. The "Buy Accessible" website at http://www.section508.gov represents a partnership between government and industry to identify compliant products and services. The Voluntary Product Accessibility Template (VPAT) at the Information Technology Industry Council (ITIC) website is designed to assist government personnel in completing market research necessary to ensure that they are buying the most accessible IT products and services available in order to conform to the provisions of the standards. The VPAT gives participating vendors the ability to copy the template and complete it to describe how a particular product or service they offer conforms to Section 508 Access Board standards.

   c. Completing the appropriate "Section 508 Determination and Certification for EIT Purchase Requests" found in Enclosures (7) through (12) or the Procurement Guidance section of the "Section 508 Resource Center" website at http://cgweb.comdt.uscg.mil/508/Section508/CG-Sec508Home.html. The appropriate Section 508 Determination and Certification for EIT Purchase Requests must be signed by the appropriate official as found in the Certification Approval Matrix, Enclosure (6) and forwarded along with the purchase request to the servicing contract office.

   d. Validating and testing vendor products for conformance to the Section 508 standards.

2. Pending the specific direction of the Office of Senior Procurement Executive, (OSPE), contracting officers may use the language found at http://www.section508.gov/ in the "FAQs" section requiring contractor compliance with Section 508 Access Board standards and other technical evaluation samples to supplement the Federal Acquisition Circular (FAC) 97-27.

   a. Exemptions - As policy, the USCG encourages compliance with the Access Board EIT standards whenever possible, even when an exemption applies, in order to facilitate accommodation of disabilities under Section 501 and Section 504. All claims for an exemption to the provisions of the standards must be documented and included in the procurement file. See Enclosures (7), (9) through (12). The following exemptions require special attention and justification.

      (1) National Security Exemption Policy - See Enclosure (11).
      (2) Undue Burden - See Enclosure (12).

3. Legacy systems and task orders - Legacy systems are generally those built on a variety of old operating systems including Unisys CTOS, UNIX, and Mac OS. These systems periodically require patches, modifications, or something less than new versions of the software, to update, enhance or fix their processes. The incorporation of a modification or update will not necessarily make the overarching software package subject to Section 508 enforcement. However, the modifications themselves, as opposed to the underlying software, must conform to the provisions of the standards. In the case of legacy systems, software patches or other modifications are likely to become so inextricably linked to the system at large that the contractor will be unable to make any particular software patch conform with the provisions of the standards without completely re-writing the entire system. In a hypothetical case, rewriting the entire system is not within the scope of the task order; but the contractor will be required to determine what can be done to make the patch conform as much as possible. As stated earlier, agencies are not required "to retrofit" existing technologies. However, Federal employees and members of the public with disabilities still have rights under Sections 501 and 504 that require agencies to make information available to them in an alternate format. In some cases, an analysis may reveal that the effort and cost of retrofitting existing technologies may be preferable to making the information available in alternate formats.

4. USCG procurements containing EIT must include at least one of the "Section 508 Determination and Certification for EIT Purchase Requests", Enclosures (7) through (12), in the procurement file. Legal counsel review is required for Enclosures (11) and (12) and is recommended for Enclosure (7). Approval levels for the certifications are found in the Certification Approval Matrix.

5. A blanket certification can be approved by the requiring official and provided to the contracting officer for all procurements (i.e. delivery, task orders) falling under umbrella agreements such as indefinite quantity indefinite delivery contracts and blanket purchase agreements for recurring and repetitive buys. This blanket certification may be provided to the contracting officer in lieu of the recurring statement of compliance for Section 508 on each purchase request. The blanket certification must be made available to all interested parties, such as placing the certification on a webpage relating to the EIT procurements for the program office.

Certification Approval Matrix

The matrix below provides the approval levels for certifications found in Enclosures 9, 11 and 12. All other certifications, Enclosures (7), (8), and (10) should be approved by the requiring office for the procurement action.

Information provided in the certifications may be used, in addition to the certification approval process, as data for a Section 508 Performance Plan that will track USCG progress in implementing Section 508.

Certification Approval Matrix

	COMMERCIAL NON-AVAILABILITY CERTIFICATION	UNDUE BURDEN DETERMINATION CERTIFICATION	NATIONAL SECURITY CERTIFICATION
Up to $100K	Field/HQ Units - CO/Commander HQ – Directorate Head/Asst Comdt (Hard copy to G-CIE)	G-CIT through G-CIE with review by G-LGL	Field/HQ Units - CO/Commander HQ – Directorate Head/Asst Comdt with review for legal sufficiency (Hard copy of decision to G-LPL and G-CIE)
$100K to $999K	Field/HQ Units - CO/Commander HQ – Directorate Head/Asst Comdt (Hard copy to G-CIE)	G-CIT through G-CIE with review by G-LGL	Field/HQ Units - CO/Commander HQ – Directorate Head/Asst Comdt with review for legal sufficiency (Hard copy of decision to G-LPL and G-CIE)
$1M and over	Field/HQ Units - CO/Commander HQ – Directorate Head/Asst Comdt (Hard copy to G-CIE)	G-CIT through G-CIE with review by G-LGL	G-CIT through G-CIE with review by G-LPL

The Section 508 Coordination Committee at Coast Guard Headquarters may review the Certification and Legal Determinations for acquisitions claiming Undue Burden or the National Security exemption to provide a recommendation to Commandant G-CIT. As appropriate, hard copies of approved certifications and original certifications for approval shall be mailed by the requiring official to: Commandant (G-CIE), "Section 508", 2100 Second Street. S.W., Washington, D.C., 20593-0001. In order to expedite the approval process, an e-mail copy of the certification requiring an approval by Commandant (G-CIT) can be sent in advance of the hard copy to section508exceptions@comdt.uscg.mil. Please put SECTION 508 EXEMPTION in the subject line.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS
TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)
Non-EIT Deliverables Certification

This determination and certification documents compliance with a statutory requirement applicable to any procurement of electronic and information technology (EIT) on or after June 21, 2001.

1. Actions required. Where there is no potential for EIT to be procured, do not proceed with this document. If the requirement is questionable for potential compliance, the requiring official must provide this completed document to the procurement office with the purchase request.
2. Further explanation. Section 508 applies only to EIT. Where there is no possibility of any EIT procurement, Section 508 does not apply.

    a. If the requirement obviously has nothing to do with EIT, (e.g is for road paving, furniture, paper products or janitorial services), do not proceed with this certification.

    b. Products used by a contractor that are incidental to a government contract are also not covered by the standards. For example, if, in a contract to have a website developed for an agency, the contractor uses its own office system to develop the website, then the website is required to comply with this rule since the website is the purpose of the contract. However, the contractor's office system is not required to conform with these standards, since the equipment used to produce the website is incidental to the contract and there is no need to proceed with this certification.

    c. The term EIT does not include any equipment that contains embedded information technology that is used as an integral part of the product, but the principle function of which is not the creation, conversion, duplication, acquisition, storage, manipulation, management, movement, control, 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 EIT. In those cases where this determination may be questionable for potential compliance, then the requiring official should use this certification to document why they think Section 508 does not apply. Completed enclosures must be provided to the procurement official.

Is there any potential for an EIT deliverable to be procured pursuant to this requirement?
Section 508 standards apply to Electronic and Information Technology (EIT), a term defined as: *Any equipment or interconnected system or subsystem of equipment, that is used in the creation, conversion, or duplication of data or information, or used in the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information.*

The term EIT includes, but is not limited to, telecommunications products (such as telephones), information kiosks and transaction machines, web sites, multimedia, office equipment such as copiers and fax machines. It includes computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related resources (including documentation).

Requiring Official – Insert determination why the requirement does not meet the EIT definition:

Certification that only Non-EIT products and services will be procured/delivered:

I certify that the requirement to be satisfied pursuant to this purchase request package has no potential for an EIT deliverable.

Signature	Printed Name	Date	Phone Number

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS
TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)
Fully Compliant EIT Deliverables Certification

EIT fully compliant products and services to be procured/delivered.

1. Actions required. The requiring official must provide this completed document to the procurement office with the purchase request.
2. Further explanation. After performing market research, the requiring official has identified products that meet both the procurement requirements and the Access Board's Section 508 standards.

Note: Electronic submission of this certification is authorized using the language below and clearly identifying the requiring official. The requiring official must identify which standards apply to their procurement, as found in 36 CFR Part 1194, within the statement of work.

Certification of only products and services fully conforming to the Section 508 standards will be procured/delivered:

I certify that only fully compliant deliverables will be procured pursuant to the requirement identified in this purchase request.

Signature	Printed Name	Date	Phone Number

If any part of the EIT procured deliverables will not be fully conforming to the Section 508 standards, due to commercial non-availability or an exemption, do not complete this form.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

Commercial Non-Availability Definition

The following quote from FAR subpart 2.101 defines items that are commercial:

"Commercial item" means—

1. Any item, other than real property, that is of a type customarily used for nongovernmental purposes and that

   a. has been sold, leased, or licensed to the general public; or

   b. has been offered for sale, lease, or license to the general public;

2. Any item that evolved from an item described in paragraph (a) of this definition through advances in technology or performance and that is not yet available in the commercial marketplace, but will be available in the commercial marketplace in time to satisfy the delivery requirements under a Government solicitation;

3. Any item that would satisfy a criterion expressed in paragraphs (a) or (b) of this definition, but for—

   a. modifications of a type customarily available in the commercial marketplace; or

   b. minor modifications of a type not customarily available in the commercial marketplace made to meet Federal Government requirements. Minor modifications means modifications that do not significantly alter the nongovernmental function or essential physical characteristics of an item or component, or change the purpose of a process. Factors to be considered in determining whether a modification is minor include the value and size of the modification and the comparative value and size of the final product. Dollar values and percentages may be used as guideposts, but are not conclusive evidence that a modification is minor;

4. Any combination of items meeting the requirements of paragraphs (1), (2), (3), or (5) of this definition that are of a type customarily combined and sold in combination to the general public;

5. Installation services, maintenance services, repair services, training services, and other services if such services are procured for support of an item referred to in paragraphs (a), (b), (c), or (d) of this definition, and if the source of such services

   a. offers such services to the general public and the Federal Government contemporaneously and under similar terms and conditions; and

   b. offers to use the same work force for providing the Federal Government with such services as the source uses for providing such services to the general public;

6. Services of a type offered and sold competitively in substantial quantities in the commercial marketplace based on established catalog or market prices for specific tasks performed under standard commercial terms and conditions. This does not include services that are sold based on hourly rates without an established catalog or market price for a specific service performed;

7. Any item, combination of items, or service referred to in paragraphs (a) through (f), notwithstanding the fact that the item, combination of items, or service is transferred between or among separate divisions,

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS
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Commercial Non-Availability Certification

subsidiaries, or affiliates of a contractor; or a non-developmental item, if the procuring agency determines the item was developed exclusively at private expense and sold in substantial quantities, on a competitive basis, to multiple State and local governments." (end of definition)

EIT Commercial Non-Availability.

1. Actions required. The requiring official must provide this completed document to the procurement office with the purchase request.
2. Further explanation. The requiring official must perform market research to determine the availability of products and services that meet the applicable technical provisions. In determining availability, requiring officials should consider, among other things, information on vendor websites and the government's Section 508 website (www.section508.gov). As a general matter, vendors may disseminate information addressing whether their products meet the Access Board standards in any manner and level of detail they choose. In some cases, the government may need to contact the vendors directly during market research to obtain product and service information. Vendors are encouraged to use the Buy Accessible website on www.section508.gov to facilitate the market research efforts of the government in identifying conforming products. However, they are not required to use this means of providing information to the government. The purpose of the website is to improve buyer awareness of those EIT offerings that meet all or some of the Board's standards, not to force the revelation of particular technical solutions. The extent to which market research should be accomplished will vary depending on such factors as urgency, estimated dollar value, complexity, and past experience. Federal Acquisition Regulation (FAR) Part 10 provides policies and techniques on conducting market research to obtain information on products and services.

Answer the questions below as fully as possible. Refer to the "Section 508 Definitions & Technical Standards" available at http://www.section508.gov/ before completing. The format may be expanded for additional space.

1. What were your findings regarding the non-availability of compliant commercial items? What applicable technical standards of Section 508 (reference "Section 508 Definitions & Technical Standards" at http://www.section508.gov/) will not be met by each product to be acquired?

2. What was the methodology or process by which you ascertained the non-availability of compliant commercial items?

3. What sources did you use to investigate the availability of compliant commercial items? (e.g., other federal agencies; contacts with industry trade associations; accessible product organizations such as IRS Information Resources Accessibility Program [IRAP], GSA's "Buy Accessible" web site or Center for IT Accommodation; GSA's FSS; IRS' Disabled Employees Support Acquisitions Contract [DESAC II]; Internet market research; industry consultation; Request-for-Information [RFI] in Federal Business Opportunities [FedBizOpps, or FBO]).

SECTION 508 DETERMINATION AND CERTIFICATION FOR EIT PURCHASE REQUESTS
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Commercial Non-Availability Certification

4. When is the expected availability date of a compliant product, and with whom was this information verified/received (provide contact information)?

NOTE: Even if not fully compliant, you are required to acquire the commercial product that provides the greatest degree of compliance while satisfying other functional requirements. [36 CFR subpart 1194.2 (b)]

I, the purchase requestor, understand that statute imposes private enforcement, where individuals with disabilities can file civil rights lawsuits against the U. S. Coast Guard in federal district court when EIT procured after June 21, 2001 does not meet Access Board standards. I have determined and hereby certify that the commercial deliverables I require are not currently available in a compliant version in the commercial marketplace, nor expected to become available in a compliant version in time to satisfy agency delivery requirements. Evaluation criteria have been developed to ensure that deliverables procured provide the greatest degree of compliance while satisfying other functional requirements. Those evaluation criteria are included in this procurement request package.

Signature Printed Name Date Phone Number

Immediate Supervisor or Manager of the Certifier's Office:
I concur with and support this Determination & Certification.

Signature Printed Name Date Phone Number

Approving Official:
I concur with and support this Determination & Certification.

Signature Printed Name Date Phone Number

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

EIT Exemption Certification

The following are exemptions to Access Board requirements for EIT products:

_____(a) EIT products or components of products that would require a fundamental alteration in their nature to conform to the Section 508 standards.
_____(b) EIT products located in spaces frequented only by service personnel for maintenance, repair or occasional monitoring.

Note: No certification is required for the micro-purchase (under $2,500) exemption. Program managers and contracting officials must not split a single project into several pieces in order to fit within the micro-purchase exemption.

A. Fundamental Alteration of EIT.

1. Actions required. The requiring official must check (a) above and provide this completed document to the procurement office with the purchase request.
2. Further explanation. This exemption applies when compliance with the standards would require a change in the fundamental characteristics or purpose of the product or service, not merely a cosmetic or aesthetic change. For example, an agency intends to procure pocket-sized pagers for law enforcement field agents. Adding a large display to a small pager may fundamentally alter the device by significantly changing its size to such an extent that it no longer meets the purpose for which it was intended—that is, to provide a communication device that fits in a shirt or jacket pocket.

B. EIT located in spaces frequented *only* by service personnel for maintenance, repair or occasional monitoring of equipment.

1. Actions required. The requiring official must check (b) above and provide this completed document to the procurement office with the purchase request.

2. Further explanation. Telecommunications equipment switches, servers, and other similar "back office" equipment that is used for equipment maintenance and administration functions are exempt from the standards. For example, in the case of telecommunications equipment, technicians might need to configure service databases, remove equipment panels to replace components, or run tests to verify functionality. Where back office equipment is connected to a computer network that may distribute information located on that equipment to other locations, the information delivered to other locations is not subject to the “back office” exception. For instance, if an agency places its network servers or web servers in remote "back office" locations, web pages or software distributed to other locations are not subject to the "back office" exception merely because they are located on a remote server. By contrast, maintenance programs located solely on such "back office" equipment may be subject to the exemption. This exemption does not apply when a system requires frequent monitoring.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

EIT Exemption Certification

EIT Exemption Exists Certification:

I, the purchase requestor, certify that the requirement to be satisfied pursuant to this purchase request package meets the exemption(s) indicated by the "X" (or Xs) I have placed before the applicable exemption(s) above.

Signature Printed Name Date Phone Number

Immediate Supervisor or Manager of the Certifier's Office::
I concur with and support this Determination & Certification.

Signature Printed Name Date Phone Number

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

National Security Exemption Policy

1. **Purpose:** This enclosure provides guidance to program managers, requiring officials and contracting officers on when, in the interests of national security, exemptions may be granted to the requirement that all newly procured electronic and information technology (EIT) be accessible to persons with disabilities.

2. **Background:**

   a. Under certain circumstances, Federal agencies may acquire EIT that does not conform to the provisions of the standard. One such exemption is in the interest of national security. This exemption includes any EIT operated by Federal agencies, the function, operation, or use of which

      (1) Involves intelligence activities,
      (2) Involves cryptologic activities related to national security,
      (3) Involves command and control of military forces,
      (4) Involves equipment that is an integral part of a weapon or weapons system, or
      (5) Subject to subsection (b), is critical to the direct fulfillment of military or intelligence missions.

   b. LIMITATION: Subsection (a)(5) does not include a system that is to be used for routine administrative and business applications (including payroll, finance, logistics, and personnel management applications).

3. **Definitions:**

   The Coast Guard establishes the following definitions for this policy:

   a. **Cryptologic activities** - are limited to encryption activities related to national security. Cryptologic activities related to routine financial transactions, for example, would not be exempt.

   b. **Intelligence activities** - means the collection, production, and dissemination of foreign intelligence and counterintelligence.

      (1) Foreign intelligence: information relating to the capabilities, intentions, and activities of foreign powers, organizations, or persons, but not including counterintelligence except for information on international terrorist activities.

      (2) Counterintelligence: information gathered and activities conducted to protect against espionage, other intelligence activities, sabotage, or assassinations conducted for or on behalf of foreign powers, organizations, or persons, or international terrorist activities, but not including personnel, physical, document, or communications security programs.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS
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National Security Exemption Policy

c. Command and control of military forces - refers to the command and control of military forces involved in peacetime and wartime missions.

d. Military missions - involves military operations and military readiness for National Defense.

e. National Security, activities related to - national security includes, but is not limited to, activities that:

(1) Reduce the vulnerability of our transportation system and its users to crime and terrorism,

(2) Increase the capability of the transportation system to meet national defense needs, and

(3) Reduce the flow of illegal drugs, illegal migrants and illegal incursions into our sovereign territory.

f. Weapon system - includes, but is not limited to, all vessels ordinarily designed to engage, as such, in combat. Such vessels, by their nature, are weapon systems at all times. Examples include all WHECS and WMECS.

4. Analysis:
An exemption applies to the EIT procurement if the "function, operation, or use of which involves" any one of the five exemptions listed in paragraph 2.a.

a. It is inevitable that some EIT will fit an exemption in part. That is, an electronic device or software may fulfill multiple functions, some of which may fit an exemption and others may not. Note that the regulation only requires that the technology involve one of the exemptions listed. To be exempted from the Section 508 requirements, there is no requirement that the EIT be exclusively used for an exempted purpose. However, related case law indicates that the exempted purpose must be the primary purpose of the EIT. To some extent, this may be a judgment call. When there is reasonable doubt, assume the EIT is not exempted from the requirements of Section 508.

b. Also, it may be practical to separate a larger EIT system into components. For example, a system of EIT components for use on some vessels might be separated from the land-based user interface component of the system. The network of components on the vessel may be exempted from the requirements of Section 508 under the national security exemption. The user interface component to the system, while possibly meeting criteria for the national security exemption, may by decision of the procurer be made to conform to the Access Board standards to provide potential land-based use for persons with disabilities.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS
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National Security Exemption Policy

5. Policy:

a. The USCG recognizes that persons with disabilities have made and will continue to make significant contributions to the national security. As a matter of policy, all USCG national security exemption claims must pass a review for legal sufficiency. Claims for the national security exemption, excepting afloat, deployable and operational units and joint Department of Defense and Other Government Agency systems, must also indicate in the exemption certification how the USCG will compromise the national security by complying with the provisions of the Section 508 standards. If a cost issue related to the standards, rather than the standards themselves, is the compromising factor use the Undue Burden exemption (Enclosure 12).

b. In every case, the requiring official seeking to procure new EIT must decide whether the EIT should conform to the provisions of the standard or seek to an exemption. Approval of the national security exemption under Section 508 does not relieve the Coast Guard of the obligation to accommodate individuals with disabilities under Sections 501 and 504 of the Rehabilitation Act or to provide alternate means of access under Section 508. As a matter of policy, the USCG encourages program managers and requiring officials to comply with the Access Board's EIT standards, even when an exemption applies, in order to facilitate accommodation of disabilities under Section 501 and Section 504.

6. Documentation:

The requiring official must decide if the national security exemption applies. The decision must be documented and include all supporting rationale, consistent with the definitions and exemptions enumerated. The national security system certification, found in this Enclosure (11), as well as the Procurement Guidance section of the Section 508 Resource Center web site at http://cgweb.comdt.uscg.mil/508/section508/cg-sec508home.html, shall be placed in the contract file for all EIT where exemption for national security reasons is sought and approved.

7. Approval authority:

All claims of $1M or more for the national security exemption shall be sent to Commandant (G-CIE) for review by Commandant (G-LPL) and possible review by the Section 508 Coordination Committee for a recommendation to Commandant (G-CIT). An advance electronic copy can be sent to section508exceptions@comdt.uscg.mil. Please put SECTION 508 EXEMPTION in the subject line. Claims under $1M can be approved by an Assistant Commandant, Directorate Head or Commanding Officer with a review for legal sufficiency and consistency with this policy.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

National Security Exemption Policy

This delegation of approval authority for a national security exemption does not negate the need for an approval for the purchase or development of systems as required by Commandant Instructions on IT procurements.

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

National Security Exemption Certification

EIT for a National Security System.

1. Actions required. The requiring official must provide this completed document to the procurement office with the purchase request.
2. Further explanation. See policy above.

Answer the questions below as fully as possible. The format may be expanded for additional space. Relevant attachments are encouraged. Explanations must be sufficient to survive protests and litigation challenges.

1. Name of national security/EIT system?

2. What percentage of time is this EIT system used for national security?

3. Describe what functions, other than for national security, this EIT system performs. Specify the percentage of time used for each function that is not national security.

4. Indicate how the USCG will compromise the national security by complying with the provisions of the Section 508 standards. (Afloat, deployable and operational units and joint DOD and other government agency systems do not need a response to this question.) If a cost issue related to the standards, rather than the standards themselves, is the compromising factor use the Undue Burden exemption (Enclosure 12).

I, the purchase requestor, understand that statute imposes private enforcement, where individuals with disabilities can file civil rights lawsuits against the Department of Transportation or applicable operating administration in federal district court when EIT procured after June 21, 2001 does not meet Access Board standards. I have determined and hereby certify that the commercial deliverables I require to have procured are for a national security system.

Signature	Printed Name	Date	Phone Number

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

National Security Exemption Certification

Immediate Supervisor or Manager of the Certifier's Office:

I concur with and support this Determination & Certification.

Signature	Printed Name	Date	Phone Number

Legal Counsel:

I concur with and support this Determination & Certification

Signature	Printed Name	Date	Phone Number

Approval Official:

I concur with and support this Determination & Certification.

Signature	Printed Name	Date	Phone Number

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS

TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)

Undue Burden Certification

Procurement of EIT that would impose an Undue Burden.

1. Actions required. The requiring official must provide this completed document to the procurement office with the purchase request.

2. Further explanation. Approval of undue burden claims resides with the Secretary of the Department. The servicing legal office should screen all requiring office claims of undue burden, with legitimate claims forwarded to G-CIE for final review before submission to the Commandant. Requiring officials must address how they will provide alternate formats upon request and forward the signed documentation to the servicing contracting office to place in the procurement file.

For each provision of 36 CFR Part 1194 that an agency finds to be an undue burden, the Requiring Official must explain below why, and to what extent, compliance with each such provision creates an undue burden. A thorough, rational explanation is required. (The format may be expanded for additional space. Relevant attachments are encouraged. Explanations must be adequate to survive protests and litigation challenges.)

The data and findings providing the basis for my decision are the following:

1. Products or services required to meet the agency's needs:

2. Dollar value of the acquisition, including any options. State cost both with and without compliance with the provisions of the standards:

3. Applicable Section 508 standards (see 36 CFR part 1194) that will be unmet:

4. Market research performed to locate commercial items that meet the applicable standards:

5. The undue burden (e.g. the significant difficulty or expense the Government would incur in order to comply with a particular standard). If the monetary expense is deemed prohibitive, explain the costs and how they were estimated.

    a. Significant difficulty of compliance:

    b. Significant expense of compliance:

    c. Agency resources available to the agency's program or component for which the goods or service is being acquired:

6. Alternative means of access that will be provided for individuals with disabilities to use the information or data. (29 U.S.C. 794d(a)(1)(B)). Include effort, labor, costs and time required in the whole process to implement the alternative means. (This information must be sufficiently detailed since it may be used in the procurement process technical evaluation.)

SECTION 508 DETERMINATION AND CERTIFICATION FOR ELECTRONIC AND INFORMATION TECHNOLOGY (EIT) PURCHASE REQUESTS
TO BE COMPLETED BY THE REQUIRING OFFICIAL (PURCHASE REQUESTOR)
Undue Burden Certification

I, the purchase requestor, have determined and hereby certify that procurement of the applicable EIT product(s) required by my organization that are subject to Section 508 of the Rehabilitation Act of 1973, as Amended, in accordance with 36 CFR Part 1194 and the Federal Acquisition Regulation Subpart 39.2 (effective June 21, 2001), presents an "undue burden" that would result in significant difficulty or expense as detailed above.

Signature Printed Name Date Phone Number

Immediate Supervisor or Manager of the Certifier's Office:
I concur with and support this Determination & Certification.

Signature Printed Name Date Phone Number

Legal Counsel:
I concur with and support this Determination & Certification

Signature Printed Name Date Phone Number

USCG Chief Information Officer:
I concur with and support this Determination & Certification.

Signature Printed Name Date Phone Number

Department Secretary:
I concur with and support this Determination & Certification.

Signature Printed Name Date Phone Number

For all EIT acquisitions claiming the Undue Burden exemption, submit this completed certification for approval by Commandant G-CIT to G-CIE "Section 508". An electronic copy can be sent in advance of the hard copy to section508exceptions@comdt.uscg.mil. Please put SECTION 508 EXEMPTION in the subject line. When returned with an approval from Commandant G-CIT, attach the approval document to the purchase request and submit it to your procurement office.

WEB-BASED INTRANET AND INTERNET INFORMATION AND APPLICATIONS POLICY

The e-Coast Guard vision includes access to services and information through the web for all employees and members of the public. Implementation of the provisions of the Access Board standards, referred to in Section 508, will ensure that persons with disabilities have the same access to web services and information as persons without disabilities. The Section 508 standards also benefit web access by cutters and ships at sea that rely on high cost, restricted bandwidth. By applying the web-based Section 508 standards, the substantial web page content will not be removed by specialized software designed for maritime transmission that strips web pages of background images, converts color images to black and white, removes unnecessary HTML code and compresses the page. Another benefit derived from the Section 508 web-based standards is that substantial web content will be available to telecommuters who disable graphics, animation and sound to make more efficient use of bandwidth when remotely accessing the USCG data network (e.g., RAS). A long term USCG Section 508 web strategy involves migrating all web content to the new "Home Port" portal that will conform to the Section 508 provisions. Until all web content is migrated to the portal, the following policy applies. Headquarters Directors, Executive Officers and Deputy Commanders shall:

1. Coordinate Web Accessibility – Headquarters Directors, Executive Officers and Deputy Commanders shall designate an individual to coordinate Section 508 web-based intranet and Internet information and applications implementation and to provide liaison with Commandant (G-CIT) when requested. The designated individual shall assume the oversight responsibilities previously performed by Web Accessibility Coordinators and web Primary Content Approval Officials.

2. Establish a Website Management Structure to Implement Section 508 requirements.

   A. Headquarters Directors, Executive Officers and Deputy Commanders shall assure that web personnel know the Access Board standards, how to use them and how they improve accessibility for persons with disabilities. The following resources are available:

   (1) Standards for Web-based Intranet and Internet Information and Applications (36 CFR Part 1194 Section 22) - The detailed provisions of the Access Board's standards are found at http://www.section508.gov/. Knowledge and implementation of the provisions of the standards will enable persons with disabilities to:

   a) Access explanatory text associated with images and sounds
   b) Interpret significance of color coding by another means
   c) Navigate around a web page and access data in table
   d) Select a link
   e) Be assured that the screen will not blink or flash at certain frequencies
   f) Be warned before a time-out, and given the opportunity to request more time
   g) Complete and submit all electronic forms

WEB-BASED INTRANET AND INTERNET INFORMATION AND APPLICATIONS POLICY

(2) Web Training, Guidelines and Other Resources

a) GSA established an online course "Designing Accessible Web Sites" to help webmasters learn about Section 508, the standards for web-based intranet and Internet information and applications, and how to design for Section 508 compliance. The web-based course is found at http://www.section508.gov/

b) The Access Board issued guidelines to its web-based standards that can be found at http://www.access-board.gov/sec508/guide/1194.22.htm

c) The USCG maintains "Web Guidelines" on the Section 508 Resource Center web site at http://cgweb.comdt.uscg.mil/508/Section508/CG-Sec508Home.html that includes a Section 508 checklist, a Department of Justice Self Evaluation and USCG implementation methodology and other useful tools.

(3) Web Site Repair and Validation Tools - Since webmasters and web content providers have various skills and preferences, the USCG does not recommend a standard web accessibility repair tool. While web accessibility tools can facilitate making web sites accessible, none can guarantee that the web site conforms to all the provisions of the standards. Webmasters and content providers may still need to manually validate that the web site conforms to the standards, especially for those provisions not evaluated by the tools. Several approaches can be used to validate the web page and webmasters and web content providers can choose web accessibility repair tools at their discretion.

a) To assist units with making web sites accessible, the following free web accessibility tools are certified as part of the standard image for use on the desktop. Please contact your computer support staff for installation of the above tools if they are not yet available on your workstations. The tools include:

1) Bobby the web accessibility evaluator,

2) LYNX the text browser and

3) Adobe Acrobat plug-in for PDF files

b) Several commercial off-the-shelf tools are available on DOT and DOD BPAs. (Hi Software's AccRepair is a leading plug-in for Front Page users and is available on the DOD BPA.)

c) A screen reader (e.g., JAWS), an assistive technology device used by persons with visual impairments that converts text to voice, can replicate the web experience of a person with a visual impairment.

d) LYNX, the text browser, can show what webpage content is available to the screen reader.

e) The Check List and DOJ Self Evaluation found at http://cgweb.comdt.uscg.mil/508/Section508/CG-Sec508Home.html in the Web Guidance section are available for reviewing Section 508 requirements.

(4) USCG Website Measurement Tools – Meta-Validator, a USCG application made available by G-LPD in conjunction with the Internet Configuration Control Board, will provide website Section 508 measurement capability. The tool is certified for use with the standard desktop image and will be used by G-CIT for measuring and reporting Section 508 compliance. This tool will provide a consistent measure across all USCG websites. In addition, Meta-Validator can be used as a repair tool and is found at http://cgweb.uscg.mil/g-c/g-ccs/g-cit/wcm/index.htm G-CIT will designate those units and officials requiring access to Meta Validator.

B. Headquarters Directors, Executive Officers and Deputy Commanders shall assure that:

(1) An individual is designated to receive and process accessibility feedback and requests for alternate formats from employees of the USCG, other government agencies and persons in the general public with disabilities until the website fully conforms to the provisions of the standards. The DOT Disability Resource Center will remain available at http://www.drc.dot.gov/ to assist employees of the USCG with assessing the requirements of persons with disabilities until further notice.

(2) An individual is designated to access Meta Validator measurement reports and report to G-CIT, upon request, on the status of website progress for biennial Department of Justice surveys and other management reports. G-CIT will designate those units and officials requiring access to Meta Validator.

(3) Web personnel avoid creating two web pages (e.g. one text only page and one with graphics) as the method of providing accessible web content. The Access Board standards state "A text-only page, with equivalent information or functionality, shall be provided to make a website comply with the provisions of these standards, when compliance cannot be accomplished in any other way." Every effort should be made to develop one web page that serves both those with and without disabilities to minimize the need of duplicate web page updates. Exceptions shall be granted only with the approval of the Web Manager (G-CIE) and the Internet Configuration Control Board in order to ensure that all options are considered.

(4) Webpages are not removed simply to make the web site conform to the provisions of the standard. Removing web pages often eliminates a sole source of information that, while not totally accessible, may be preferable to no information for a person with a visual disability as well as those without disabilities.

WEB-BASED INTRANET AND INTERNET INFORMATION AND APPLICATIONS POLICY

(5) Web personnel develop and maintain an implementation plan to achieve 100% compliance with the provisions of the Access Board's web-based standards. The website accessibility plan shall include:

a) **An inventory of websites/pages** in the AOR – The inventory should be part of a more comprehensive inventory to include out of date and non-essential webpages, Internet pages with persistent cookies, all FOUO information and sensitive information that violates information security and privacy.

b) **A Section 508 implementation priority level** - Designate a priority for each webpage or website. Priority shall be given to:

1) All web related procurement and task orders for web products and services starting June 21, 2001
2) All new and updated Internet and intranet web pages
3) Webpages and sites, both intranet and Internet, that are core to achieving the USCG mission
4) Webpages and sites that require electronic input from members of the public to access services or information.

c) **A time line** - Set a time line based on priority level, for implementing the Access Board's web standards into the various components of the web site.

d) **A plan for processing alternate formats** - The plan should indicate how requests for alternate formats will be processed until the website conforms to the provisions of the standards.

(6) Ensure that all Internet and intranet websites include an e-mail address to the individual who will process requests for alternate formats or accessibility improvements, using the following or similar wording: *"Contact us for comments and inquiries about accessibility for persons with disabilities"*.

(7) Ensure that all Internet and intranet websites have links to the customer accessibility webpage that provides information on how members of the USCG work force, other government agencies and the general public with disabilities can request alternate accessible formats and provide accessibility feedback.

1) For Internet WWW sites link to http://www.uscg.mil/access/access.html
2) For intranet CGWEB sites link to http://cgweb.uscg.mil/access/access.html.

BUDGET GUIDELINES FOR SECTION 508, FY 2005 – 2007

The Access Board determined that Section 508 is an economically "significant" regulatory action under Executive Order 12866 with the Federal portion of the costs to procure, develop and maintain accessible EIT estimated to range between $85 million and $691 million. Program managers are responsible for including the Section 508 costs for EIT procured, developed, used or maintained with their budget submissions. Program managers should conduct market research to ascertain if additional costs would be incurred because of the new Section 508 requirements. If vendors are unable to provide an estimate of the additional costs, the following are recommended Access Board guidelines:

1. General office software (commercial off-the-shelf software) - Cost impact between 0 and 5% of existing budget.

2. Mission specific software (developed or modified for or by USCG) - Cost impact between 1 and 5% of existing budget.

3. Technical support and services - Cost impact between 0 and 5% of existing budget.

4. Document management and copiers - Cost impact between 5 and 20% of existing budget.

5. Hardware (printers, faxes and kiosks) - Cost impact between 0 and 5% of existing budget.

6. Video and Multimedia - Under Section 508 requirements, all pre-recorded or live programming must be captioned. Cost estimates are between $800 and $2,500 per hour of pre-recorded material, and $150 to $1,200 per hour of live programming. In addition, video and multimedia programs must be audio described to allow accessibility to persons with visual impairments. For short pieces of 5 to 20 minutes, the Access Board estimates $1,460 to $4,000 per program hour.

TRAINING, GUIDELINES AND RESOURCES

Area and district commanders, commanders of maintenance and logistics commands, commanding officers of integrated support commands, commanding officers of headquarters units, assistant commandants for directorates, Chief Counsel and special staff elements at Headquarters shall ensure that their personnel receive the appropriate training and demonstrate appropriate levels of proficiency for their areas of responsibility.

1. The General Services Administration developed several online and CD training modules that can be accessed at http://www.section508.gov The online modules include training for:

   a. Designing Accessible Websites (4 hours) with participant and instructor guides,

   b. Buying Accessible EIT (Requiring Officials and Contracting Officers) (1.25 hours) including the Access Board's standards and the FAR,

   c. Section 508 Coordinators (Departmental and Agency level) (1.5 hours),

   d. Accessible Conferences (2 hours) including many job aids,

   e. Accessible Video and Multimedia (2.5 hours) including:

      1) a captioning checklist,

      2) audio describing video and multimedia and

      3) time and cost considerations.

   f. Additional Accessibility and Usability Concerns: Electronic Forms and E-Mail (1.25 hours). including:

      1) an electronic forms accessibility checklist and

      2) an e-mail usability checklist.

   g. Section 508 Awareness - this CD is planned for online access and contains general Section 508 information for all employees, as well as a self-test and copies of the statute, accessibility standards, and relevant sections of the FAR.

2. The Access Board published standards guidelines at http://www.access-board.gov/sec508/guide/.

3. The U. S. Coast Guard CIO established the "Section 508 Resource Center" web site at http://cgweb.comdt.uscg.mil/508/Section508/CG-Sec508Home.html that contains internal policy and information as well as links to external resources.

4. The Department of Transportation Disability Resource Center (DRC) is a comprehensive resource for reasonable accommodation needs and will remain available to Coast Guard until further notice. The Center was established in 1999 to ensure that employees with disabilities can participate fully in all aspects of the Department's work, programs, and services. The web site is located at http://www.drc.dot.gov/.

RESPONSIBILITIES

1. Chief Information Officer (G-CIT).

   a. Coordinate USCG Section 508 policy and procedures.

   b. Charter a Section 508 Coordination Committee.

   c. Incorporate Section 508 requirements into the Information Technology Management Board's (ITMB) Select, Control, and Evaluate phases.

   d. Advise the Commandant and Chief of Staff and provide awareness to senior management and program managers on Section 508.

   e. Coordinate USCG responses to the Department of Justice biennial surveys.

   f. Develop and maintain the USCG's "Section 508 Resource Center" web site.

   g. Maintain a master list of system compliance and web site compliance.

   h. Develop and implement a Performance Measurement Plan.

2. Section 508 Coordination Committee.

   a. Review Section 508 exemption claims and make recommendations to G-CIT.

   b. Identify EIT deficiencies that impact performance of persons with disabilities in current and prospective EIT systems.

   c. Recommend EIT systems for accessibility funding to G-CIT.

   d. Coordinate efforts with USCG, DHS, OMB, GSA and external disability advisory groups, interested individuals with disabilities, and those understanding the issues of individuals with disabilities.

   e. Create awareness, promulgate best practices and recommend policy updates.

3. Office of Procurement Management (G-CPM).

   a. Establish and maintain USCG Section 508 procurement policy.

   b. Facilitate awareness of Section 508 within the procurement community.

   c. Ensure compliance through the conduct of procurement management reviews.

4. Office of Civil Rights (G-H). Administer the complaint process for allegations by Federal employees or members of the public that procurement of EIT is not Section 508 compliant.

5. C4 Directorate (G-SC).

RESPONSIBILITIES

a. Provide policy guidance for computer software, operating systems, hardware, help desk services, command and control systems, tactical systems, sensors, electronics and telecommunications and update existing policy to reflect Section 508 requirements.

b. Provide awareness to program managers on accessibility standards.

c. In coordination with TISCOM, provide technical assistance to program managers.

d. Coordinate with the Department of Transportation Disability Resource Center (DOT DRC) for the assessment of personnel with disabilities who require accessibility to Coast Guard computer software, operating systems, hardware, and help desk services.

6. Office of Chief Counsel (G-L). Provide all legal advice and services necessary for USCG implementation of Section 508.

7. Office of Program Review (G-CPA). Provide recommendations on how Section 508 requirements can be fully integrated into agency strategic and IT Capital Investment Board, budgeting and acquisition processes.

8. Human Resources (G-W).

a. Assist CIO with analysis, design, development and strategies to implement Section 508 requirements throughout the Service in accordance with Management of the Coast Guard's Training System, COMDTINST 1550.9 (series).

b. Update personnel and training policy and practices.

9. Program Managers.

a. Assure that all EIT in area of responsibility conforms to the provisions of the standards unless approved for an exemption. This includes building the accessibility requirements into project lifecycle planning, design, development, coding and validation, whether it is procured or developed in house.

b. Integrate Section 508 planning into strategic plans, business plans and IT capital plans.

10. Requiring Officials.

a. Conduct necessary market research for accessible products.

b. Assure the applicable provisions of 36 CFR Part 1194 are specified in the request.

c. Complete the appropriate "Section 508 Determination and Certification for EIT Purchase Requests", found in enclosures (4) through (9), and include in the procurement folder.

d. Validate and test vendor products for conforming to provisions of standards.

RESPONSIBILITIES

11. Headquarters Directors, Executive Officers and Deputy Commanders.

    a. Establish a management structure to implement the Web-based Intranet and Internet Information and Applications standards (Part 1194.22) referred to in Section 508.

    b. Designate an individual to receive and process accessibility feedback and requests for alternate formats from employees of the USCG and individuals in the general public with disabilities.

    c. Report to G-CIT, upon request, on the status of website progress for biennial Department of Justice surveys and other management reports.

    d. Assure that webmasters in their area of responsibility comply with the USCG Web-based Intranet and Internet Information and Applications policy as found in enclosure (13).

12. DOT Disability Resource Center. The DOT DRC will remain available to Coast Guard employees until further notice and will:

    a. Provide outreach and awareness (briefings, demonstrations, and handouts) to assist the Departmental efforts to achieve Section 508 compliance.

    b. Provide consultation, test, and demonstrate assistive technologies in use by employees with disabilities (on and appointment basis).

    c. Maintain clearinghouse and of library of resources available to employees and offices.

    d. Assist organizations with holding accessible meetings and other gatherings.

    e. Convene meetings with the disabled community and other persons with disabilities to provide input on policy options and possible choices, establishing priorities, system selection, and technological evaluations to support accessibility efforts.

    f. Liaison with Disability groups.