

UNITED STATES DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE
WASHINGTON, DC

FSIS DIRECTIVE	1300.4	5/10/07
-----------------------	--------	---------

**ACCESS TO ELECTRONIC AND INFORMATION TECHNOLOGY
SYSTEMS**

I. PURPOSE

This directive:

A. Establishes policy and assigns responsibilities for implementing Section 508 Rehabilitation Act.

B. Highlights and enforces the March 31, 2005, Section 508 Micro-Purchase Exception Sunset Provision (FAR Case 2002-012) expiration that excluded Federal IT procurements with a dollar value less than \$2,500 from fulfilling compliance requirements.

C. Congress amended the 1973 Rehabilitation Act requiring all Federal agencies to ensure electronic and information technology is accessible to people with disabilities. The primary goals of the Section 508 amendment is to eliminate or greatly reduce accessibility barriers in information technology, increase employment opportunities for people with disabilities, and encourage technological development that helps achieve these goals. Section 508 applies to all Federal Agencies developing, procuring, maintaining, or using electronic and information technology. Section 508 (29 U.S.C. 794d) ensures disabled employees and members of the public receive access to information that is comparable to the access available to others.

II. (RESERVED)

III. (RESERVED)

IV. REFERENCES

Section 508, Amendment to the Rehabilitation Act 1998
Section 508, Micro-Purchase Exception Sunset Provision (FAR 2002-012)
AGAR Advisory 49, Implementation of Section 508 of the Rehabilitation Act of 1973

DISTRIBUTION:
All Offices

OPI:
OCIO - Infrastructure Management Branch

VI. ABBREVIATIONS AND FORMS

The following appear in their shortened form in this directive:

ATM	Automated Teller Machine
CD	Compact Disk
CFR	Code of Federal Regulations
DVD	Digital Versatile Disk
EEOC	Equal Employment Opportunity Commission
E&IT	Electronic and Information Technology
FAR	Federal Acquisition Regulation
IAS	Integrated Acquisition System
IRM	Information Resources Management
IT	Information Technology
OCIO	Office of the Chief Information Officer
PDA	Personal Digital Assistant
TTY	Text Telephone
TV	Television
U.S.C.	United States Code
VCR	Video Cassette Recorder
VPAT	Voluntary Product Accessibility Template

VII. DEFINITIONS

A. **BlackBerry Device.** A wireless palm sized computing device that provides users with wireless connection to e-mail, Internet, and voice communications.

B. **Cell Phones.** A wireless handheld device, computer-controlled communication system that connects the telephone system to a network of mobile radiotelephones.

C. **Compact Disc Player.** A stand-alone or component device that has the capability to transform CD Disk information into audio content output.

D. **Computer Equipment.**

1. Any equipment interconnected system or equipment subsystem that uses automatic:

- a. Acquisition.
- b. Storage.
- c. Manipulation.

- d. Management.
- e. Movement.
- f. Control.
- g. Display.
- h. Switching.
- i. Data interchange, information transmission, or reception.

2. This includes computers, ancillary equipment, software, firmware, and similar procedures, services, including support services and related resources.

E. **Conference Services.** Facilitates resources for persons with disabilities to participate in organized gatherings through the use of assistive services or technologies (**example:** sign language, captions, or TTY devices).

F. **Desktop Copiers.** A copier designed to fit comfortably on top of a desk.

G. **Digital Cameras.** A camera that encodes an image digitally and stores it for later reproduction.

H. **Digital Versatile Disk Player.** A stand-alone or component device that has the capability to transform DVD, or CD Disk information into visual or audio content output.

I. **Disability.** The EEOC statutory definition of disability is a person who:

- 1. Has a physical or mental impairment that substantially limits one or more major life activities.
- 2. Has a record of such impairment.
- 3. Is regarded as having such impairment.

J. **Employee.** An individual currently working for FSIS, whether full-time, part-time, intermittent, consultant or on a contract basis.

K. **Electronic and Information Technology.** Any equipment or interconnected system or subsystem to create, convert, or duplicate data or information. The term E&IT includes telecommunications products (**examples:** telephones, information kiosks and transaction machines, World Wide Web sites, multimedia, and copiers and facsimile machines). The term does not include any equipment that contains embedded information technology 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.

L. **Hardware.** Computers and associated physical equipment directly involved in data processing performance or communication functions.

M. **Information Technology.** Any equipment or interconnected system or subsystem for the automatic acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of data or information. The term IT includes computers, ancillary equipment, software, firmware and similar procedures, services (including support services), and related resources.

N. **Integrated Acquisition System.** A modern, Internet based E-Procurement solution designed to streamline and automate contract management and acquisition processes throughout USDA, and ultimately enhance support of USDA mission-critical activities.

O. **Kiosks.** A booth providing a computer-related service, such as an ATM.

P. **Multimedia.** The use of computers to present text, graphics, video, animation, and sound in an integrated way.

Q. **Personal Digital Assistants.** A handheld device that combines computing, telephone, facsimile, internet and networking features. A typical PDA functions as a cellular phone, facsimile, web browser and personal organizer.

R. **Printers.** A device that prints text or illustrations on paper.

S. **Requiring Official.** An FSIS employee who:

1. Generates requests for or specifies acquired, developed, or maintained E&IT products or services.

2. Ensures that E&IT products and services meet the Section 508 E&IT accessibility standards, unless an exception applies.

T. **Scanner.** A device that reads text or illustrations printed on paper and translates the information into a form the computer uses.

U. **Software.** The programs, routines, and symbolic languages that control hardware functioning and direct a computer's operation.

V. **Telecommunications Equipment.** The transmission, emission, or reception of signals, writing, images, sounds, or intelligence of any nature, by wire, cable, satellite, fiber optics, laser, radio, or and other electronic, electric, electromagnetic, or acoustically coupled means. The term includes the telecommunications facilities and equipment necessary to provide telecommunications services. Telecommunications is a component of the IRM delivery system.

W. **Undue Burden.** A significant difficulty or expense. Consider all resources available to the program or component for the product.

X. **Video Cassette Recorder.** Records, manipulates, and displays moving images, especially in a format that can be presented on a television. Also refers to displaying images and text on a computer monitor. The video adapter, for example, is responsible for sending signals to the display device.

Y. **Voluntary Product Accessibility Template.** An optional document that supplies responses to Section 508 accessibility compliance requirements. VPAT's are usually created and supplied by the manufacturer.

Z. **World Wide Web or Internet.** A network that offers access to information resources throughout the world using a standardized interface for organizing and searching.

IX. **RESPONSIBILITIES**

A. **Requiring Officials.**

1. E&IT requests must include a supplemental supporting Section 508 compliance documentation. E&IT includes, but is not limited to:

- a. Telecommunications equipment (including facsimile machines).
- b. Information Kiosks and transaction machines.
- c. Internet or Intranet World Wide Web Sites.
- d. Multimedia (including videotapes, CD's or DVD's).
- e. Printers.
- f. Desktop copiers.
- g. PDA's or mobile PC's.
- h. Cell phones and portable electronic devices.
- i. Software, hardware, and software maintenance.

- j. VCRs, TVs, DVD Players, and CD Players.
- k. Digital cameras.
- l. Videos.
- m. Scanners.
- n. Computer Equipment.
- o. Conference Services.
- p. E & IT Contractor Deliverables.

2. Section 508 does not apply for equipment containing embedded IT used as an integral part of the product. (See E&IT definition.) **EXAMPLE:** laboratory equipment or microwave ovens.

3. Before purchasing any E&IT equipment or service, requiring official ensures that the E&IT equipment or services they procure, develop, or maintain is accessible to employees and members of the public with disabilities, and the E&IT technology complies with the standards of Section 508.

4. Requiring Official conducts market research to identify or locate products or services meeting Section 508 standards. The market research stage is the part of the procurement process whereby the Agency determines whether commercial E&IT availability meets specific program needs or requesting official needs; and if providing conforming E&IT would be an undue burden.

5. If the acquisition is for E&IT, the requiring official completes FSIS Form 1300-1. (See Attachment 1).

B. FSIS OCIO Section 508 Coordinator.

- 1. Coordinates Section 508 Agency compliance efforts.
- 2. Provides Section 508 compliance reports.
- 3. Works closely with Agency legal, technical, and specialty experts to ensure Section 508 implementation.
- 4. Reviews all applicable E&IT requisitions in the IAS for conformance standards. Requisitions must include detailed information for vendor, manufacturer, and model number. Websites for Section 508 Information:

USDA, OCIO Section 508 Information:
<http://www.ocio.usda.gov/508/index.html>

GSA Section 508 Website:
<http://www.section508.gov/>

GSA's Buy Accessible Site:
<http://www.buyaccessible.gov/>

United States Access Board:
<http://www.access-board.gov/>

AGAR Advisory No. 49:
http://www.usda.gov/procurement/policy/advisories_x/AGARAD49.HTM



**Assistant Administrator
Office of Management**

Attachment

1 FSIS Form 1300-1, Section 508 Certification for Procurement Requests

FSIS FORM 1300-1, GUIDANCE AND INFORMATION

Page 1, “Determination and Findings” provides supporting Section 508 documentation. In addition, the requiring official completes FSIS Form 1300-1, Page 2, “Unavailability Determination”, or Page 3, “Undue Burden Determination” when appropriate (a complete sample FSIS Form 1300-1 is attached as reference.) Include the completed FSIS Form 1300-1 with the purchase request attached electronically to the requisition if using IAS.

Page 1, “Determination and Findings”. This requiring official completes the document and provides a copy to the procurement office. (This document can be attached as supporting documentation for the acquisition requisition in the IAS for the Agency 508 Coordinator’s review.)

Page 2, “Unavailability Determination”. The requiring official provides written determination to the contracting officer for inclusion in the file. The determination must be approved in writing prior to task award or delivery order, purchase order or contract. The approving official is the requiring official. Attach this document to the “Section 508 Determination and Findings for Procurement Requests” form and affix both to your procurement request.

Page 2, “Undue Burden Determination”. The requiring official provides a written determination to the contracting officer for inclusion in the file. The determination must be approved in writing prior to task award or delivery order, purchase order or contract.

If requisitions do not include enough detailed information for review, requisitions are rejected by the Section 508 Coordinator. All Section 508 Compliance documentation VPAT originates from the E&IT product or service manufacturer for valid consideration. Vendors and manufacturers not familiar with Section 508 can e-mail the Section 508 coordinator at: 508@fsis.usda.gov. The coordinator works with the Vendors and Manufacturer and supplies Section 508 information and documentation.

U.S. DEPARTMENT OF AGRICULTURE
FOOD SAFETY AND INSPECTION SERVICE

**SECTION 508 CERTIFICATION
FOR PROCUREMENT REQUESTS**

*Determination & Findings (Pg.1)
Commercial Non-Availability/Undue Burden Determination (Pg. 2)*

INSTRUCTIONS:

Requiring Official must complete Page 1 for all E&IT purchases.
Page 2 should be completed, if applicable.

Attach all completed pages to your requisition for Section 508
Coordinator review.

The purpose of this document is to ensure the Agency complies with Section 508 of the Rehabilitation Act relative to any new purchase of Electronic and Information Technology (E&IT).

Examples of E&IT purchases:

Cell Phones
Computer equipment
Conference services
Copiers

Digital cameras
Hardware/software maintenance
Information kiosks & transaction machines
Multimedia (including videotapes)

Personal Digital Assistants (PDAs)
Printers
Scanners
Software

Telecommunications equipment
VCRs, TVs, DVDs
Videos
World Wide Web sites

Please answer the questions below:

1. DESCRIBE PRODUCT OR SERVICE

SAMPLE COPY

1a. PROCUREMENT REQUISITION NO.

2. DO I HAVE AN E&IT REQUIREMENT IN MY PROCUREMENT REQUEST?

- NO (If No, you are done. Complete the certification signature block below & attach to your requisition.)
 YES (If Yes, proceed to question 3.)

3. IS THERE AN E&IT EXCEPTION THAT APPLIES?

- NO (If No, proceed to question 4.)
 YES (If Yes, check applicable exception):
- Products to be acquired by a contractor incidental to a contract or is neither used or accessed by a Federal employee or members of the public.
 - Products located in spaces frequented only by service personnel for maintenance, repair, or occasional monitoring.
 - E&IT for a national security system (this may include intelligence activities and cryptographic activities related to national security).

If you answered "Yes" and checked applicable exception above, complete Page 1 and attach to your requisition.

- Commercial Non-Availability (Please complete Page 1 and 2.)
 Undue Burden (Please complete Page 1 and 2.)

4. IS THIS PRODUCT SECTION 508 COMPLIANT BASED UPON A REVIEW OF SECTION 508 COMPLIANCE DOCUMENTATION RECEIVED FROM THE MANUFACTURER OF THE PRODUCT?

- NO (If No, proceed to question 5.)
 YES (If Yes, proceed to question 6. Complete the certification signature block below and then attach this form and applicable Section 508 compliance VPAT or other Section 508 supporting language from the manufacturer to your requisition.)

5. THROUGH MARKET RESEARCH AM I ABLE TO OBTAIN SECTION 508 SUPPORTING DOCUMENTATION FROM THE MANUFACTURER OF AN ALTERNATIVE PRODUCT?

- NO (Complete the certification signature block below. You have the option to purchase the non-compliant product by completing Page 2 "Commercial Non-Availability/Undue Burden Determination", and having the requiring official sign and date the form.)
 YES (Complete the certification signature block below. You can either pursue acquiring the alternative Section 508 compliant product or certify that acquiring the alternative Section 508 compliant product would be an undue burden for the Agency. If you choose to certify "Commercial Non-Availability" or "Undue Burden Determination", please complete page 2 and have the requiring official sign and date page 1 and 2.)

6. CERTIFICATION

a. PRINT NAME OF REQUIRING OFFICIAL

b. SIGNATURE

c. DATE

FSIS DIRECTIVE 1300.4
ATTACHMENT 1

FSIS FORM 1300-1 (Page 2)

Check applicable determination box

COMMERCIAL NON-AVAILABILITY DETERMINATION

UNDUE BURDEN DETERMINATION

The Requiring Official must provide a written determination to the contracting officer for inclusion in the file. The determination must be approved in writing prior to award of the task or delivery order, purchase order or contract. Attach to your requisition. Attach additional information as necessary.

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

1. DESCRIBE THE PRODUCTS OR SERVICES REQUIRED TO MEET THE AGENCY'S NEEDS

2. DOLLAR VALUE OF THE ACQUISITION (including any options)

3. SELECT PRIMARY APPLICABLE NON-COMPLIANT SECTION 508 STANDARD (see 36 CFR Part 1194)

4. WHAT MARKET RESEARCH WAS PERFORMED TO IDENTIFY COMMERCIAL ITEMS THAT MEET THE APPLICABLE STANDARDS?

SAMPLE COPY

5. WHAT ASSISTIVE TECHNOLOGY OR ALTERNATIVE MEANS OF ACCESS WILL BE PROVIDED TO ALLOW INDIVIDUALS WITH DISABILITIES ACCESS TO THE INFORMATION OR DATA. (29 c.s.c. 794(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.)

6. WHAT STEPS IS THE AGENCY TAKING TO AVOID THE USE OF SECTION 508 NON-COMPLIANT E&I EXCEPTIONS IN THE FUTURE?

7. ANSWER QUESTION 7 ONLY IF "UNDUE BURDEN DETERMINATION" IS CHECKED ABOVE.

(Undue Burden is a significant difficulty or expense the Government would incur in order to comply with a particular Section 508 standard.

a. SIGNIFICANT DIFFICULTY OF COMPLIANCE:

b. SIGNIFICANT EXPENSE OF COMPLIANCE(If monetary expenses are included as part of the Undue Burden Determination, explain the expenses and how they were estimated.):

c. INSUFFICIENT AGENCY RESOURCES AVAILABLE TO THE AGENCY'S PROGRAM OR COMPONENT FOR WHICH THE GOODS OR SERVICE IS BEING ACQUIRED (DESCRIBE ALL THE AVAILABLE FUNDS):

8. CERTIFICATION OF COMMERCIAL NON-AVAILABILITY/UNDUE BURDEN DETERMINATION

I have determined and hereby certify that procurement of the applicable E&I 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 25, 2001), presents an "undue burden."

a. PRINT NAME OF REQUIRING OFFICIAL

b. SIGNATURE

c. DATE