



**U.S. Department of Justice**

Office of Legislative Affairs

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*Office of the Assistant Attorney General*

*Washington, D.C. 20530*

The Honorable Robert P. Casey, Jr.  
Chair  
Special Committee on Aging  
United States Senate  
Washington, DC 20510

Dear Chair Casey,

This responds to your letter dated June 30, 2022, regarding reporting on the federal government's Section 508 compliance with accessibility standards for information technology. The Department of Justice (Department) recognizes the critical importance of accessible technology to millions of Americans with disabilities. To that end, the Department has been working with the Office of Management and Budget (OMB) and the General Services Administration (GSA) to analyze and report on federal agencies' compliance with Section 508. As explained below, we anticipate submitting a Section 508 report to Congress and the President in the coming weeks.

Under Section 508, the U.S. Access Board is responsible for issuing accessibility standards, and GSA is responsible for providing technical assistance to help federal agencies comply with the law's requirements and ensure that covered information and communication technology is accessible to, and usable by, individuals with disabilities. The statute also requires the Department to collect and report information to the President and Congress concerning the state of federal agencies' compliance with Section 508.

Following the last Section 508 report issued by the Department in 2012, OMB issued a Strategic Plan for Improving Management of Section 508 of the Rehabilitation Act<sup>1</sup> setting up a program to track federal agencies' progress in complying with Section 508. The Strategic Plan, issued in 2013, requires federal agencies to report to OMB twice per year on their IT accessibility/Section 508 program maturity and effectiveness. It also tasks GSA with issuing an

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<sup>1</sup> Office of Management and Budget, Strategic Plan for Improving Management of Section 508 of the Rehabilitation Act, Available at <https://obamawhitehouse.archives.gov/sites/default/files/omb/procurement/memo/strategic-plan-508-compliance.pdf> (last visited November 4, 2022).

interagency data call every six months to Federal agency Chief Information Officers to gather information regarding the accessibility of their electronic applications and communications and analyze these reports to determine ways to improve agency coordination, reduce redundancies, and develop solutions and recommendations to improve the management of government accessibility programs. Pursuant to OMB's Strategic Plan, GSA also produces a semiannual report analyzing agency-specific information across a variety of areas relating to Section 508 implementation, such as acquisition, training, testing, website accessibility, complaints, and Section 508 program resources and staffing. Based on this information, GSA makes recommendations to federal agencies on how to enhance compliance. This process has been ongoing since 2013, and GSA's analysis includes the same types of information included in prior Section 508 reports prepared by the Department.

The Department and GSA are currently preparing a Section 508 report based on the most recent data analysis conducted by GSA. We anticipate that report will be available in the coming weeks.

The Department also continues to use its authority under the Americans with Disabilities Act to ensure that the websites of state and local governments and of public businesses are accessible to individuals with disabilities. In March, the Department issued guidance<sup>2</sup> on Web Accessibility and the ADA to educate state and local governments and businesses open to the public on how they can make sure that their websites are accessible to people with disabilities as required by the ADA. On June 22, 2022, the Spring 2022 Unified Agenda of Regulatory and Deregulatory Actions<sup>3</sup> was published by the Office of Management and Budget, and included an entry announcing the Department's plans to issue a Notice of Proposed Rulemaking (NPRM) covering the accessibility of web information and services of state and local governments in Spring 2023.<sup>4</sup> Through this NPRM, the Department is proposing to amend its ADA Title II regulation to provide technical standards to assist public entities in complying with their existing obligations to make their websites accessible to individuals with disabilities. This rulemaking is an important step in ensuring that people with disabilities can access public services, programs,

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<sup>2</sup> U.S. Department of Justice, Civil Rights Division, Guidance on Web Accessibility and the ADA, Available at <https://beta.ada.gov/resources/web-guidance/> (last visited November 4, 2022).

<sup>3</sup> Office of Management and Budget, Spring 2022 Unified Agenda of Regulatory and Deregulatory Actions, Available at <https://www.reginfo.gov/public/do/eAgendaMain> (last visited November 4, 2022).

<sup>4</sup> Office of Management and Budget, Nondiscrimination on the Basis of Disability: Accessibility of Web Information and Services of State and Local Governments, Available at <https://www.reginfo.gov/public/do/eAgendaViewRule?pubId=202204&RIN=1190-AA79> (last visited November 4, 2022).

and activities, including education programs, voter registration, health services, and many other key services.

Further, the Department continues to actively enforce the ADA's requirements concerning the accessibility of websites used by public services and public accommodations. For example, in recent months the Department entered into five settlement agreements with major pharmacy and grocery chains to ensure that websites for scheduling vaccine appointments are accessible.<sup>5</sup> The Department has also taken recent enforcement actions to ensure that websites of public transportation systems and higher education institutions are accessible to people with disabilities.

I hope that this information is helpful. Please do not hesitate to reach out to me for further information.

Sincerely,

Carlos Felipe Uriarte  
Assistant Attorney General

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<sup>5</sup> See Meijer, Inc. agreement, available at [https://www.ada.gov/meijer\\_sa.pdf](https://www.ada.gov/meijer_sa.pdf); CVS Pharmacy, Inc. agreement, available at [https://www.ada.gov/cvs\\_sa.pdf](https://www.ada.gov/cvs_sa.pdf); Hy-Vee, Inc. agreement, available at , [https://www.ada.gov/hy-vee\\_sa.pdf](https://www.ada.gov/hy-vee_sa.pdf); The Kroger Co. agreement, available at [https://www.ada.gov/kroger\\_co\\_sa.pdf](https://www.ada.gov/kroger_co_sa.pdf); and Rite Aid Corporation agreement, available at [https://www.ada.gov/rite\\_aid\\_sa.pdf](https://www.ada.gov/rite_aid_sa.pdf) (last visited November 4, 2022).