

DEPARTMENT OF HOMELAND SECURITY
DHS Technology Accessibility Issue Reporting Form

PURPOSE: The purpose of this form is to assist you with reporting a technology accessibility issue or initiating a complaint under Section 508 of the Rehabilitation Act. You should use this form if you are an individual with a disability, and because of that disability, you are having difficulty accessing information and communications technology (ICT) provided by the Department of Homeland Security (DHS).

DHS POLICY: DHS is committed to ensuring its Information and Communication Technology (ICT) are accessible to all people, including people with disabilities in accordance with Federal laws. When DHS determines that an Undue Burden, Fundamental Alteration, or Best Meets exception to the Section 508 standards is applicable, or when deploying ICT that fails to meet the applicable 508 standards, DHS will provide access to the information and data to people with disabilities by an alternative means¹. DHS will identify in advance the needs of people with disabilities affected by each exception and implement a plan to meet those needs through alternative means. DHS shall apply the complaint procedures established to implement Section 504 of the Rehabilitation Act for resolving allegations of discrimination in a federally conducted program or activity to process allegations of inaccessible ICT, covered under Section 508 of the Rehabilitation Act. For more information go to <https://www.dhs.gov/accessibility>.

SECTION 508 STANDARDS: Section 508 requires information and communications technology developed, procured, maintained or used by a federal agency on or after June 21, 2001, to comply with standards issued by the Architectural and Transportation Barriers Compliance Board. The 508 standards are published at <https://www.gpo.gov/fdsys/pkg/CFR-2017-title36-vol3/pdf/CFR-2017-title36-vol3-part1194.pdf>. Information and communications technology includes information technology and other equipment, systems, technologies, or processes, for which the principal function is the creation, manipulation, storage, display, receipt, or transmission of electronic data and information, as well as any associated content. Examples of ICT include, but are not limited to: computers and peripheral equipment; information kiosks and transaction machines; telecommunications equipment; customer premises equipment; multifunction office machines; software; applications; Web sites; videos; and, electronic documents. For more information about the Section 508 law, application, exceptions, and standards, go to <https://section508.gov>.

SECTION 501 and SECTION 504: Section 508 does not limit, or otherwise affect, the rights and remedies available under other parts of the Rehabilitation Act (including Sections 501 and 504). For that reason, the allegations forming the basis of a Section 508 complaint may also form the basis of a separate complaint under Section 501 or 504 of the Rehabilitation Act. For example, the same alleged failure to provide an employee with accessible ICT can form the basis of a Section 508 complaint (processed under Section 504 procedures) and as a separate complaint alleging disability discrimination or failure to accommodate under Section 501 (processed under federal-sector Equal Employment Opportunity (EEO) complaint procedures). Similarly, the same failure to provide accessible ICT to a member of the public can form the basis of a Section 508 complaint and a separate disability discrimination complaint under Section 504, such as failure to reasonably modify practices and procedures or failure to provide equally effective communication.

HOW AND WHERE TO FILE: To file a formal complaint alleging that DHS's information and communications technology (ICT) does not comply with Section 508 of the Rehabilitation Act, please complete this form and/or send us a letter with the following information:

- Contact information. Full name; phone number; mailing address; and e-mail address, if available.
- A written description of the Department's ICT you are having difficulty using or accessing, including the name of the technology, where it was located (URL), what technology (if any) you are using to access the ICT (hardware device, type of browser, type of operating system, assistive technology product name, etc.) Please be as specific as possible in describing the circumstances surrounding your complaint of inaccessible ICT.
- Relevant documents. Copies of any paperwork related to the complaint or its circumstances.

Please mail, fax, or email a complete copy of your complaint to us:

Mailing Address: Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch, Mail Stop# 0190
2707 Martin Luther King Jr Ave SE
Washington, DC 20528 - 0190

Fax Number: (202) 401-4708

Email Address: crclcompliance@hq.dhs.gov

If you want to report an accessible technology issue, but do not want to file a formal complaint, you may submit only the Technology Accessibility Issue Reporting Form or an equivalent written description as described above to accessibility@hq.dhs.gov.

¹ 36 C.F.R Part 1194.1 - Appendix A E202.6.3 Alternative Means. Where conformance to one or more requirements in the Revised 508 Standards imposes an undue burden or a fundamental alteration in the nature of the ICT, the agency shall provide individuals with disabilities access to and use of information and data by an alternative means that meets identified needs; *id.* at Appendix A E202.7.2 Alternative Means. Where ICT that fully conforms to the Revised 508 Standards is not commercially available, the agency shall provide individuals with disabilities access to and use of information and data by an alternative means that meets identified needs.

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1. Please identify the person who was unable to access technology provided by the Department of Homeland Security.

| | |
|--|--|
| Name: | Alien Registration Number (if applicable): |
| Address: | |
| City: | |
| State: | |
| Zip: | |
| Daytime Phone Number: | |
| Email Address: | |
| Agency or DHS Component (if applicable): | |

2. If you are filing out this form on behalf of a person seeking assistance, provide the following information. If not applicable, skip to question 4.

| |
|----------------------------|
| Name, Title, Organization: |
| Address: |
| City: |
| State: |
| Zip: |
| Daytime Phone Number: |
| Email Address: |

3. Please explain your relationship to any person(s) identified in question #2.

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4. Are you a current DHS employee or contractor? [In question 4 through the end of this form, "you" and "your" refer to the person requesting assistance.]

Yes No

5. Please identify what technology(s) you want to report an accessibility problem for (check all that apply):

- | | |
|---|--|
| <input type="checkbox"/> Website | <input type="checkbox"/> Kiosk |
| <input type="checkbox"/> Online Web Application | <input type="checkbox"/> Mobile Technology |
| <input type="checkbox"/> Electronic Communication (example: email, online chat, phone call) | <input type="checkbox"/> Video Technology |
| <input type="checkbox"/> Electronic Document or Form | <input type="checkbox"/> Other |
| <input type="checkbox"/> Multimedia (example: Video, recorder or live events, webinar, audio) | |

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6. Provide the name and location of the technology. (Example: website or application name and URL, Form number, printer name and physical location, detention facility etc.)

7. Describe the issue. Please provide as much detail as possible.

8. When did you encounter the problem?

9. Identify what types of assistive technology you are using, if any (optional):

- | | |
|---|---|
| <input type="checkbox"/> Screen Reader | <input type="checkbox"/> Braille Device |
| <input type="checkbox"/> Screen Magnifier | <input type="checkbox"/> None |
| <input type="checkbox"/> Voice Dictation | |

10. Specify the name and version of the assistive technology.

11. If you were accessing content provided through the web, identify what browser you were using to access the technology.

- | | |
|----------------------------------|--|
| <input type="checkbox"/> Safari | <input type="checkbox"/> Internet Explorer |
| <input type="checkbox"/> Chrome | <input type="checkbox"/> None of the Above |
| <input type="checkbox"/> Firefox | |

12. If Known, identify what platform you were using to access the technology.

- | | |
|----------------------------------|--|
| <input type="checkbox"/> Windows | <input type="checkbox"/> Apple |
| <input type="checkbox"/> Android | <input type="checkbox"/> None of the Above |

Notice: Section 508 complaints are to be filed with the Federal agency alleged to be in noncompliance. Department of Homeland Security shall apply the complaint procedures established to implement Section 504 for resolving allegations of discrimination in a federally conducted program or activity to process allegations of inaccessible ICT, to process Section 508 complaints.

Section 508 does not limit the rights and remedies available under other parts of the Rehabilitation Act. Thus, when an employee or applicant files a complaint under Section 508, that complaint may also constitute a separate complaint under Section 501 for disability-based discrimination, such as failure to provide a reasonable accommodation. Therefore, a Section 508 complaint could be pursued both as a complaint about disability discrimination or failure to accommodate, which is handled under the Equal Employment Opportunity (EEO) complaint process. Similarly, a Section 508 complaint by a member of the public may also constitute a complaint for disability discrimination, such as failure to reasonably modify practices and procedures or failure to provide equally effective communication, under Section 504 and may be handled under both Section 504 and Section 508 statutes.

13. I wish to initiate the following procedure(s) to address my issues(s):

- Proceed as inquiry only and request access to information and data through alternative means.
- Initiate a formal Section 508 complaint based on inability to access information and data through DHS information and communications technology.

14. Have you contacted any other DHS component or other federal, state, or local government agency or court about this complaint?

- Yes, Please list: _____ No

Date submitted to Department of Homeland Security for processing:

Please keep in mind that sending any sensitive or protected information to us in an unsecured email presents a risk of disclosure to, or interception by, unintended third parties. Your use of email to communicate sensitive, personally identifiable information to us indicates that you acknowledge and accept the possible risks associated with such communication. Please consider communicating any sensitive information by telephone, fax or mail. If you have any questions about the complaint process, or if you have questions about the status of a complaint you have already filed, you may use the above contact information to write, fax, or email us, or you may call us toll-free at (866) 644-8360.

AFTER YOU HAVE COMPLETED THIS FORM, REMOVE INSTRUCTIONS AND KEEP THEM FOR YOUR RECORDS.

Privacy Act Statement Collection and Use of Personal Information

Complainants (including individuals who informally report a technology accessibility issue) and individuals who cooperate in an investigation by the Department of Homeland Security (DHS) into an alleged violation of Section 508 of the Rehabilitation Act are afforded certain rights and protections. This brief description will provide you with an overview of these rights and protections.

DHS may collect information concerning formal and informal complaints of inaccessible electronic and information and technology pursuant to 5 U.S.C. section 301, 29 U.S.C. subsection 794(a), 794(d), 42 U.S.C. section 902(a)(5), 45 C.F.R. Part 85, 20 C.F.R. section 405.30, and Executive Orders 13160 and 13166. The responses you provide will be used to make a decision on how we will process your complaint. Your responses are voluntary; however, we may be unable to proceed with processing your complaint if you choose not to provide the requested information. You do not have to use this form. You may also write a letter that includes all of the requested information.

We rarely use the information you provide for any purpose other than for processing your complaint. We may, however, disclose the information in accordance with routine uses of the Privacy Act (5 U.S.C. section 552a(b)), which include, but are not limited to, the following:

1. To a congressional office on behalf of an individual in response to an inquiry made at the request of the individual who is the subject of the record;
2. To the Office of the President for the purpose of responding to an individual pursuant to an inquiry from that individual or from an third party on the individual;
3. To another Federal agency or to a court or third party in litigation when the Government is a party to a suit before the court;
4. To a Federal, State, or local agency for law enforcement purposes concerning a violation of law;
5. To the Department of Justice, the Equal Employment Opportunity Commission, or other Federal and State agencies when necessary for the administration or enforcement of civil rights laws or regulations.

Complaint records are exempted as investigatory material, compiled for law enforcement purposes, from certain Privacy Act access, amendment, correction, and notification requirements (5 U.S.C. section 552a(k)(2)). However, a complainant or any member of the public may request release of this information under the provisions of the Freedom of Information Act (5 U.S.C. section 552).

A complete list of routine uses for this information is contained in our System of Records Notice DHS/ALL-029 Civil Rights and Civil Liberties Records. Additional information regarding this form and our other system of records notices and DHS programs are available from our Internet website at www.dhs.gov.