



DRAFT

April __, 2023

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

The Honorable Robin Carnahan
Administrator
U.S. General Services Administration
1800 F Street, NW
Washington, DC 20405

Dear Attorney General Garland and Administrator Carnahan:

On behalf of the undersigned members of the Consortium for Constituents with Disabilities (CCD) Technology & Telecommunications and Rights Task Forces, we write to thank the Department of Justice (DOJ) and the General Services Administration (GSA) for the recent issuance of the Section 508 Report to Congress and the President on Accessibility of Federal Electronic and Information Technology. We greatly appreciate the issuance of this long-awaited report and look forward to working with you and your colleagues in the federal government to ensure that the promises of Section 508 are made a reality.

The Consortium for Constituents with Disabilities (CCD) is the largest coalition of national organizations working together to advocate for Federal public policy that ensures the self-determination, independence, empowerment, integration and inclusion of children and adults with disabilities in all aspects of society free from racism, ableism, sexism, and xenophobia, as well as LGBTQ+ based discrimination and religious intolerance. The Technology & Telecommunications Task Force deals with issues related to access to telecommunications, assistive technology, and information and communication technology in education, employment, independent living, and other areas. The Rights Task Force advocates on a wide variety of matters involving the civil rights of individuals with disabilities, driven by the four key goals set forth in the Americans with Disabilities Act (ADA): equality of opportunity, full participation, independent living, and economic self-sufficiency.

We are pleased that DOJ and GSA have published this report, which has been sorely lacking over the past ten years despite the statutory requirement to report on Section 508 compliance biannually.

Unfortunately, the report demonstrates what individuals with disabilities already know far too well – federal agencies are not living up to the mandates of Section 508. Federal employees with disabilities and the general public too often face insurmountable barriers to accessing and using information and communication technology (ICT) developed, procured, maintained, or used by federal agencies. The data in the report

are staggering, but not surprising. Even using self-reported data from agencies, serious noncompliance and far too many instances of inaccessibility remain.

The report notes that the majority (two-thirds) of agencies included in the report reported no change in the maturity of their accessibility programs, and two agencies even went backwards since the last report. More than two-thirds of PDFs among the top 10 downloads at each agency were inaccessible. Less than 3% of agency Internet and Intranet pages are being tested for accessibility (and we note that the majority of testing appears to be done through automated systems, which only partially address accepted accessibility standards). Even a majority of agency's accessibility statements were themselves not fully accessible. These metrics simply do not reflect a federal government that is meeting the accessibility needs of employees and members of the public with disabilities.

The CCD Technology & Telecommunications and Rights Task Forces have long advocated for the federal government to take concrete steps to improve digital accessibility, including the implementation of real consequences for agencies that continue to disregard their legal obligations under Section 508. In July 2022, the Task Forces sent a letter (included as an attachment here) to Ambassador Susan Rice and key leaders at the Domestic Policy Council and throughout the Administration offering specific recommendations to ensure digital accessibility. The issuance of the recent Section 508 report reflected the first of these priority recommendations, and we are pleased that this important initial action was taken. We urge DOJ and GSA to work towards implementation of additional recommendations to ensure that the next Section 508 report can reflect meaningful improvements in federal agency compliance.

The full list of recommendations are included below, and we encourage Administration officials to carefully consider these policies. **In particular, we believe it is critical that a federal agency, such as GSA, be given specific authority to enforce Section 508 compliance across the federal government.** Without clear and meaningful consequences, agencies will not have an appropriately impactful incentive to commit sufficient staff time, attention, and resources towards ensuring that their obligations under Section 508 are met.

Thank you for your attention to our recommendations. We look forward to working with you and your colleagues to advance meaningful reforms to ensure that digital accessibility is incorporated throughout the federal government so that employees with disabilities and the general public enjoy a genuine, effective, and meaningful opportunity to participate in the federal workforce and interface with the government.

If you have any questions, please contact any of the co-chairs of the Technology & Telecommunications and Rights Task Forces: Audrey Busch-Treussard (audrey.busch-treussard@ataporg.org), Laura Kaloi (lkaloi@stridepolicy.com), Joe Nahra (joseph.nahra@powerslaw.com), Clark Rachfal (crachfal@acb.org), Claudia Center (ccenter@dredf.org), Steve Lieberman (slieberman@unitedspinal.org), Larkin Taylor-Parker (ltaylorparker@autisticadvocacy.org), or Morgan Whitlatch (mwhitlatch@cpr-ma.org).

Sincerely,

[CCD Member Organizations]

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