



US DEPARTMENT OF VETERANS AFFAIRS OFFICE OF INSPECTOR GENERAL

Office of Audits and Evaluations

DEPARTMENT OF VETERANS AFFAIRS

VA Needs to Prioritize Accessibility for Individuals with Disabilities When Procuring Information Technology Systems

Audit

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Executive Summary

Section 508 of the Rehabilitation Act of 1973 requires VA to ensure accessibility for everyone with disabilities in its audience—employees and contractors, members of the public, Congress, veterans service organizations, and anyone else seeking information, services, and data from VA. The law establishes guidelines for technology accessibility and dictates that VA and other federal agencies must develop, procure, maintain, and use accessible information and communication technology.¹

In January 2024, the VA Office of Inspector General (OIG) published an audit report addressing concerns from Congress and a veterans service organization about accessibility for people with disabilities.² The audit found areas where VA's implementation and monitoring of Section 508 requirements could be improved to ensure websites and information technology systems are accessible to all. Specifically, the OIG found that web managers did not routinely maintain the web registry as required, websites were not consistently scanned for compliance, and VA officials did not always keep administrations and staff offices apprised of requirements and related procedures—resulting in noncompliant VA information technology systems.

During that audit, the executive director of risk and remediation in the Office of Information and Technology (OIT) informed the OIG that the Office of 508 Compliance, which is also part of OIT, is not involved in procuring information and communication technology. The executive director further indicated that VA solicits and procures information and communication technology that does not comply with Section 508 requirements. The OIG conducted this audit to follow up on those concerns and to evaluate whether the procurement process for information and communication technology meets Section 508 standards.

What the Audit Found

The audit team reviewed a sample of 30 information technology systems from the VA Office of 508 Compliance's Defect Tracking Tool.³ The team did not independently verify compliance with Section 508 standards but instead relied on self-reporting by VA to assess progress and deficiencies. The team also interviewed officials involved in procurement and reviewed contract documents to determine whether market research for these procurements considered Section 508

¹ Section 508 of the Rehabilitation Act of 1973 was amended by 29 U.S.C. § 794d, Electronic and Information Technology; 36 C.F.R. Part 1194, *Information and Communication Technology Standards and Guidelines*. For more background information about the history of Section 508 requirements, see appendix A.

² VA OIG, [*VA Should Enhance Its Oversight to Improve the Accessibility of Websites and Information Technology Systems for Individuals with Disabilities*](#), Report No. 22-03909-19, January 17, 2024. The Blinded Veterans Association, which is dedicated to assisting veterans with sight loss and their families, raised concerns with the OIG about the accessibility of VA systems.

³ See appendix B for a detailed explanation of systems that were outside the audit scope.

compliance. Of the 30 sampled systems the team reviewed, four complied with Section 508 requirements. Based on that review, the OIG concluded VA officials did not take steps to ensure the sampled information technology systems they procured would meet the accessibility standards required by law.⁴ This occurred because VA did not establish a control environment that makes accessibility a priority.

Specifically, officials did not validate whether sampled systems complied with Section 508, nor did they submit procurement documentation to the Office of 508 Compliance for approval, as required by federal regulations and VA policy. Program office contracting officers, contracting officer's representatives, and program managers who procured information and communication technology were unaware of applicable federal and VA requirements because they were not adequately trained, and VA officials did not effectively communicate these requirements. Rather, they relied on Section 508 language in contract performance work statements and vendor self-declarations. Further, the Office of Acquisition, Logistics, and Construction did not coordinate with VA's Office of 508 Compliance to develop clear policies and procedures that would ensure procurements complied with Section 508 requirements.⁵ As a result, VA's procurement process for sampled information technology systems did not allow individuals with disabilities to have full access to the information and services they need.

What the OIG Recommended

The OIG made four recommendations.⁶ The OIG recommended that the assistant secretary for information and technology, who also serves as the department's chief information officer, ensure staff involved with acquiring information and communication technology are adequately trained on federal and VA requirements for Section 508 standards. The OIG also recommended that the assistant secretary update VA Handbook 6221 to clearly identify roles and responsibilities related to ensuring Section 508 compliance during procurement. Further, the assistant secretary should establish a way to ensure compliance documentation and market research on any information and communication technology being procured are submitted to the VA Office of 508 Compliance for review so that the office can determine whether the technology is the most compliant under Section 508. Finally, the OIG recommended the deputy assistant secretary for acquisition and logistics collaborate with the VA Office of 508 Compliance to develop policies and procedures to ensure VA's information and communication technology procurements comply with Section 508 requirements.

⁴ 36 C.F.R. Part 1194.

⁵ VA Directive 6221, *Accessible Information and Communications Technology*, October 16, 2017.

⁶ The recommendations addressed to the assistant secretary for information and technology are directed to anyone in an acting status or performing the delegable duties of the position.

VA Management Comments and OIG Response

The deputy chief information officer for Connectivity and Collaboration Services, performing the delegable duties of the assistant secretary for information and technology and chief information officer concurred with all four recommendations and provided action plans for each. Appendix C includes the full text of the deputy chief information officer's comments. The OIG will monitor implementation of OIT's corrective actions and close the recommendations when sufficient evidence demonstrates progress in meeting the intent of the recommendations.



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Abbreviations

FAR	Federal Acquisition Regulation
OIG	Office of Inspector General
OIT	Office of Information and Technology
VASI	VA Systems Inventory



Introduction

VA provides benefits to millions of veterans who have disabilities connected to their military service. Section 508 of the Rehabilitation Act of 1973 establishes guidelines to ensure individuals with physical or cognitive disabilities can access federal information and data.⁷ It also requires VA and other federal agencies to procure and use information and communication technology that enables people with disabilities to access all information and data in ways comparable to individuals without disabilities. VA uses various information and communication technology that must be accessible to create the best experience for veterans such as the Joint Electronic Health Record System, which stores health information and tracks all aspects of patient care, and My HealtheVet, a web-based application that facilitates patient and healthcare provider interactions by providing easy access to health information.

In January 2024, the VA Office of Inspector General (OIG) reported on areas where VA's implementation and monitoring of Section 508 requirements could be improved to ensure websites and information technology systems are accessible to all.⁸ The OIG also identified concerns related to VA's procurement process for information and communication technology. According to the executive director of risk and remediation in the Office of Information and Technology (OIT), the Office of 508 Compliance—which is part of OIT—is not involved in procuring information and communication technology. The executive director also indicated that VA solicits and procures information and communication technology that does not comply with Section 508 requirements. The OIG conducted this audit to follow up on those concerns and to evaluate whether the procurement process for information and communication technology meets Section 508 standards.

508 Compliance Requirements and Responsibilities

Section 508 of the Rehabilitation Act establishes requirements for electronic and information technology developed, maintained, procured, or used by the federal government. Section 508 requires federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public. Figure 1 provides a timeline of the policies and procedures governing accessibility at VA. Further details on the evolution of 508 requirements, standards, and guidance are presented in appendix A.

⁷ Section 508 of the Rehabilitation Act of 1973 was amended by 29 U.S.C. § 794d, Electronic and Information Technology; 36 C.F.R. Part 1194, *Information and Communication Technology Standards and Guidelines*, 2018.

⁸ VA OIG, [*VA Should Enhance Its Oversight to Improve the Accessibility of Websites and Information Technology Systems for Individuals with Disabilities*](#), Report No. 22-03909-19, January 17, 2024. Follow-up on the 2024 audit is presented at the end of this background section.

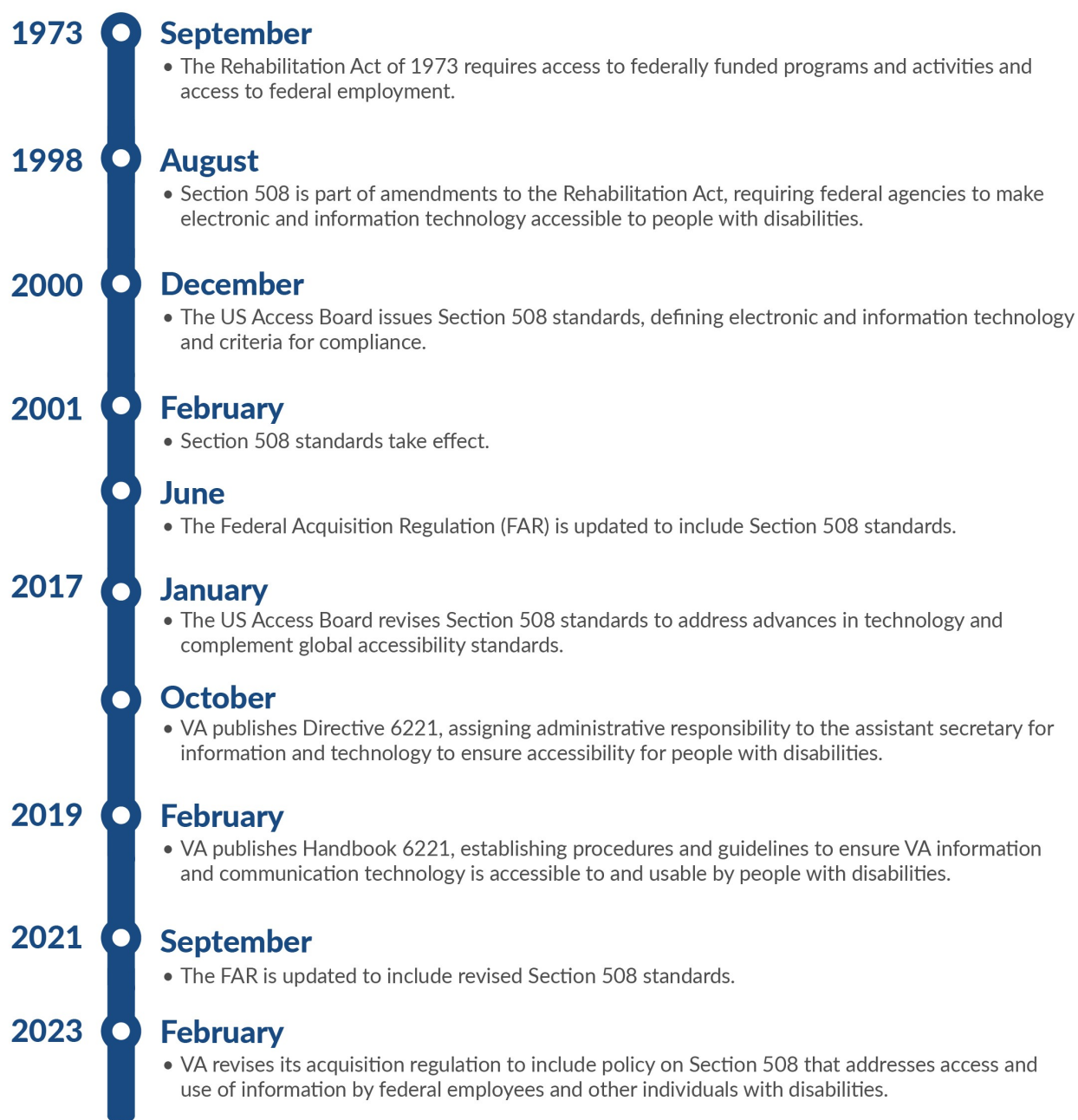


Figure 1. Timeline of relevant policies and procedures governing accessibility standards.

Source: VA OIG analysis of applicable federal and VA accessibility regulations.

At VA, each administration and staff office is responsible for ensuring that the information and communication technology it develops, procures, maintains, and uses is accessible to all people with disabilities.⁹ Under VA Handbook 6221, VA's assistant secretary for information and technology, who is also the department's chief information officer, is responsible for ensuring those requirements are met through planning, evaluating, and reviewing projects, education and awareness initiatives, and legislation related to implementing projects.

VA's Office of 508 Compliance is responsible for

- ensuring Section 508 compliance is incorporated into technology system development and procurements;
- developing, reviewing, and coordinating accessibility policy with all VA administrations and staff offices and ensuring Section 508 awareness training is provided;
- establishing VA-wide processes to ensure, monitor, and report on compliance with laws, regulations, and guidance;
- providing recommendations to fully integrate Section 508 accessibility requirements into VA's Strategic and IT Investment Management Plans and acquisition processes; and
- identifying current needs in response to accessibility issues and making recommendations on solutions for technology that is inaccessible to people with disabilities.

VA Directive 6221 further requires that the deputy assistant secretary for acquisition and logistics develop policies and procedures that ensure VA's procurements comply with Section 508 requirements by obtaining input from the Office of 508 Compliance.¹⁰ The directive also requires key VA officials to ensure all VA information technology systems and applications have been verified for Section 508 compliance by the Office of 508 Compliance. Furthermore, all procurement solicitations must have appropriate VA contract language supporting the implementation of Section 508 standards. Any requests for legally defined exceptions must be submitted to the Office of 508 Compliance for approval.

⁹ VA comprises the Veterans Benefits Administration, the Veterans Health Administration, and the National Cemetery Administration. The department also has several staff offices, which are listed on its website at <https://department.va.gov/administrations-and-offices/>. Responsibilities for Section 508 compliance are spelled out in VA Handbook 6221, *Accessible Information and Communication Technology (ICT)*, February 13, 2019.

¹⁰ VA Directive 6221, *Accessible Information and Communications Technology (ICT)*, October 16, 2017.

VA's Procurement Process for Information and Communication Technology

VA Handbook 6221 establishes guidelines and procedures to ensure that the department's technology is accessible to and usable by individuals with disabilities.¹¹ The handbook says ensuring Section 508 compliance for information and communication technology begins at procurement and relies on the following steps:

1. Determine whether the product or service being purchased is an information or communications technology.
2. Determine whether any Section 508 exceptions apply.
3. Conduct market research to identify vendors whose products meet business requirements.
4. Identify vendors whose products meet business requirements and comply with Section 508 requirements.
5. Validate market research.
6. Identify the product or service that best meets Section 508 requirements.
7. Submit Section 508 procurement documentation to VA's Office of 508 Compliance.

While VA Handbook 6221 is not clear on who is responsible for performing these seven steps, a supervisory information technology specialist for the Office of 508 Compliance told the OIG team that contracting officers bear this responsibility. The handbook does say contracting officers are responsible for acquiring information and communication technology that meets Section 508 standards and also must review requirements documents—that is, the information contained in requests for proposals—to ensure they include the applicable language. Additionally, contracting officers are responsible for ensuring all requiring officials who indicate that an acquisition should receive an exception from Section 508 standards submit appropriate exception paperwork to VA's Office of 508 Compliance for approval.

Federal and VA Acquisition Requirements

Section 508 standards from the US Access Board took effect in 2001.¹² The standards defined electronic and information technology and the technical and functional performance criteria necessary for such technology to comply with Section 508. The Federal Acquisition Regulation (FAR)—a set of federal rules and the primary source of federal procurement requirements—was

¹¹ VA Handbook 6221 implements policies from VA Directive 6221.

¹² The US Access Board publishes standards that define electronic and information technology along with the technical and functional performance criteria necessary for accessibility. The board periodically reviews and amends standards.

also updated in 2001 to include Section 508 standards.¹³ That FAR update required agencies to ensure that when they acquire electronic and information technology, individuals with disabilities will have access to and can use information and data in ways comparable to individuals without disabilities; it also required agencies to use market research to assess the availability of electronic and information technology that meets all or part of the applicable accessibility standards.¹⁴ Furthermore, VA program offices seeking to procure information and communication technology must prepare requirement documents that comply with applicable accessibility standards.

The FAR was updated again in 2021 to incorporate revised standards. These standards required VA program offices that seek to procure information and communication technology to document how the technology will be developed, installed, configured, and maintained to support those with disabilities. Furthermore, program offices must have written confirmation when an exception applies and have written determinations explaining the basis for an exemption when accessibility standards cannot be met.¹⁵ Meanwhile, contracting officers must obtain these documents from VA program offices, and this information must be maintained in the contract file. The revised standards also require agencies to use market research to assess the availability of supplies or services that meet all or part of the applicable Section 508 standards for accessible information and communication technology.¹⁶

In February 2023, VA revised its acquisition regulation by adding a subpart to include policy on Section 508.¹⁷ The update addressed access to and use of information and data by federal employees and members of the public with disabilities. The policy also applies to contracts and acquisitions related to developing, procuring, maintaining, or using information and communication technology. Furthermore, the policy requires contractors to submit a VA Section 508 checklist for information and communication technology or related supplies and services. In addition, contracting officers are required to insert an information and communication technology accessibility notice in all solicitations as well as insert an accessibility clause in all contracts and orders.

¹³ The FAR covers, for example, contractor qualifications, types of contracts, small business programs, federal supply schedule contracting, solicitation provisions, and contract clauses.

¹⁴ 36 C.F.R. Part 1194.

¹⁵ FAR 39.204(a)(b); FAR 39.205(c). Exceptions include national security systems, incidental contract items (information and communication technology acquired by a contractor incidental to a contract), and maintenance or monitoring spaces (the portions of information and communication technology that are operable parts or status indicators and that are in spaces frequented only by services personnel for maintenance, repair, or occasional monitoring of equipment). Allowable exemptions include an undue burden on the agency, a fundamental alteration to the nature of the information and communication technology, and nonavailability of conforming commercial products and commercial services.

¹⁶ FAR 10.001(a)(3)(ix).

¹⁷ Veteran Affairs Acquisition Regulation, subpart 839.2, *Information and Communication Technology*, February 2023.

Status of Previous Audit Recommendations

The OIG's January 2024 report stemmed from members of Congress and a veterans service organization reporting concerns about the accessibility of VA websites and information systems for people with disabilities.¹⁸ The audit found that VA

- did not effectively manage website accessibility to ensure compliance;
- did not ensure its IT systems met accessibility requirements or were designated accurately; and
- did not update relevant policies including VA Directive 6221, which establishes access and use guidelines for information and communications technology in compliance with Section 508; VA Directive 6404, which designates the VA Systems Inventory as the authoritative data source for information technology systems; and VA Directive 6515, which sets policy for the use of web-based resources and tools.¹⁹

The OIG made six recommendations to address these shortcomings and safeguard accessibility that included developing and implementing a strategy with milestones for identifying all VA websites, confirming their inclusion in VA's Web Registry, certifying their accuracy annually or as changes occur, and establishing a mechanism for web communication offices across VA to enforce web policy. The OIG also recommended educating system owners on policy requirements to request accessibility audits and ensure information technology system accessibility designations are accurate in the VA Systems Inventory and updating and republishing the three deficient directives.

The OIG closed recommendation six related to updating the policy for use of web-based resources and tools because VA issued VA Handbook 8502, *Use of Social Media*, which authorizes the use of social media tools to enhance communication and partner outreach.²⁰ This handbook supersedes policy and guidance related to the management of social media contained in VA Directive 6515 and requires VA to comply with Section 508 requirements in its social media use. The OIG will continue to follow up on the five remaining recommendations until VA's planned actions to address them are completed.

¹⁸ VA OIG, [*VA Should Enhance Its Oversight to Improve the Accessibility of Websites and Information Technology Systems for Individuals with Disabilities*](#). The Blinded Veterans Association, which is dedicated to assisting veterans with sight loss and their families, raised concerns with the OIG about the accessibility of VA systems.

¹⁹ VA Directive 6404, *VA Systems Inventory (VASI)*, February 23, 2016; VA Directive 6515, *Use of Web-Based Collaboration Technologies*, June 28, 2011.

²⁰ VA Handbook 8502, *Use of Social Media*, March 11, 2024. Social media are web-based tools, websites, applications, and media that connect users and allow them to engage in dialogue, share information, and interact.

Results and Recommendations

Finding: Ineffective Controls Led to VA Procuring Noncompliant Information Technology Systems

The OIG found that VA officials did not take sufficient steps to ensure the sampled information technology systems they procured met the accessibility standards required by law.²¹ This occurred because VA did not establish a control environment that makes accessibility a priority. Contracting officers, contracting officer's representatives, and program managers from VA program offices seeking to procure information and communication technology were unaware of applicable federal and VA requirements because they were not adequately trained, and VA officials did not effectively communicate the requirements. Consequently, they did not validate whether sampled systems complied with Section 508 standards.²² They also did not submit procurement documentation to the Office of 508 Compliance for approval as required by VA policy.²³ Instead, they relied on Section 508 language in contract performance work statements and vendor self-declarations.

Additionally, the Office of Acquisition, Logistics, and Construction did not coordinate with VA's Office of 508 Compliance to develop clear policies and procedures that would ensure procurements complied with Section 508 requirements.²⁴ As a result, VA's procurement process for sampled information technology systems did not allow individuals with disabilities to have full access to the information and services they need. For example, Adobe Learning Manager, which VA uses to support Veterans Benefits Administration training initiatives for VA employees to improve claims processing nationwide, had a critical defect because screen readers could not identify headline text for users.²⁵

The OIG's finding is based on the following determinations:

- VA did not take appropriate steps during procurement to ensure information technology systems complied with Section 508.
- VA did not provide effective training and communication to ensure officials involved in procurement understood their roles in implementing Section 508 requirements.

²¹ 36 C.F.R. Part 1194; VA Handbook 6221. VA officials include under secretaries, assistant secretaries, and other key officials.

²² FAR 10.001(a)(3)(ix); VA Handbook 6221.

²³ VA Handbook 6221.

²⁴ VA Directive 6221.

²⁵ Section 508 Audit Report, *Adobe Learning Manager (ALM-e)*, April 1, 2024.

- The Office of Acquisition, Logistics, and Construction did not coordinate with VA's Office of 508 Compliance to develop policies and procedures for procuring accessible information and communication technology.
- VA's lack of internal controls increased the risk that veterans cannot access the services they need.

What the OIG Did

The audit team reviewed Section 508 requirements, VA policies and procedures, and federal rules and regulations to assess whether VA is managing VA's procurement of information and communication technology in accordance with Section 508 standards. The team interviewed contracting officers, contracting officer's representatives, and program managers from VA program offices that procured information and communication technology to determine whether the procurement process ensured that VA acquired the most compliant information technology systems. The team also interviewed staff from VA's Office of 508 Compliance and Office of Acquisition, Logistics, and Construction to determine whether they coordinate to develop procurement policies and procedures that comply with Section 508 requirements.

The OIG team sampled 30 bedrock and critical information technology and communications systems for review.²⁶ The team did not independently verify compliance with Section 508 standards; it relied on self-reporting by VA to assess progress and deficiencies. Of the 30 sampled systems the OIG team reviewed, VA's Office of 508 Compliance classified four as compliant and the remaining 26 as noncompliant. The team also reviewed contract documentation for the 30 systems to determine whether market research records considered Section 508 compliance. Further discussion of the scope and methodology of this audit can be found in appendix B.

VA Did Not Take Appropriate Steps During Procurement to Ensure Information Technology Systems Complied with Section 508

For the 30 sampled systems reviewed, the OIG found that the designated officials for the VA program offices—generally contracting officer's representatives or program managers—conducted market research to identify vendors that could meet VA's business requirements but did not validate whether the products complied with Section 508 standards. Performance work statements for the reviewed sampled systems included language that addressed Section 508 compliance, and some vendors provided documentation that their products were compliant. But

²⁶ Bedrock systems have been identified by OIT leaders as the most critical to monitor for availability and critical or high-priority incidents. Critical systems have been identified by OIT leaders as the second-most critical to monitor for availability and critical or high-priority incidents.

contracting officers and the designated officials for VA program offices took no additional action to verify that sampled systems were accessible to individuals with disabilities.²⁷

The FAR requires federal agencies to conduct market research to assess the availability of information and communication technology that meets all or part of the applicable 508 standards and prepare performance work statements requiring accessible technology. VA Handbook 6221 requires specific steps be performed to ensure procurements of information and communication technology comply with Section 508 standards. Specifically, market research must be reviewed and validated to verify accuracy and compliance with Section 508 standards.

The audit team found that for 25 of the 30 sampled systems reviewed, the designated officials for VA program offices did not submit the required documentation to the Office of 508 Compliance for approval as required by VA Handbook 6221. The remaining five sampled systems were solicited after the FAR was revised on April 6, 2016, but before the accompanying handbook was issued on February 13, 2019. Therefore, contracting officers and the designated officials for VA program offices did not have the specific procedures outlined in the current handbook. The current handbook requires that documentation of how Section 508 requirements were fulfilled and market research on products or services being procured be submitted to the Office of 508 Compliance for approval.

The audit team also found that the Office of 508 Compliance had certified four systems from the sample of 30 as compliant with legal requirements and had determined 26 were noncompliant. For the four compliant sampled systems, the designated officials for VA program offices did not perform sufficient steps to validate whether the procured products complied with Section 508 standards. These systems were deemed compliant after the Office of 508 Compliance conducted audits that occurred after the solicitations were made. Three of the four compliant sampled systems were solicited after VA Handbook 6221 was issued. In those instances, the designated officials for VA program offices did not submit the required documentation to the Office of 508 Compliance for approval. According to VA Directive 6221 and its accompanying handbook, VA officials are required to ensure all systems have been evaluated in coordination with the Office of 508 Compliance.²⁸

VA Did Not Provide Effective Training and Communication to Ensure Officials Involved in Procurement Understood Their Roles in Implementing Section 508 Requirements

Based on discussions with contracting officers and the designated officials for VA program offices whose procured information technology systems were part of the OIG team's sample, the

²⁷ FAR 2.101. The FAR defines the performance work statement as "a statement of work for performance-based acquisitions that describes the required results in clear, specific, and objective terms with measurable outcomes."

²⁸ VA Directive 6221; VA Handbook 6221.

OIG found that those officials did not ensure their technology met Section 508 requirements because they had limited knowledge of or were unaware of federal and VA Section 508 requirements. VA Handbook 6221 requires VA officials to help the assistant secretary for information and technology with ensuring that all managers are aware of information and communication technology resources regarding Section 508 standards found in VA policies and procedures.²⁹ These VA officials did not ensure contracting officers and the designated officials for VA program offices were aware of accessibility requirements or aware of their duty to carry out the procedures found in VA policies.³⁰

The audit team also found that 19 of 29 contracting officers (66 percent) and 22 of 32 designated officials for VA program offices (69 percent) did not have formal training on Section 508 compliance before procuring the systems in the OIG team's sample. According to VA Handbook 6221, VA's Office of 508 Compliance provides training on Section 508 applicability to individual job functions and provides specific guidance on how to address standards. Because contracting officers and the designated officials for VA program offices were unaware of Section 508 requirements and lacked formal training, VA procured information and communication technology that was determined by the Office of 508 Compliance to be inaccessible to all people with disabilities.

The Office of Acquisition, Logistics, and Construction Did Not Coordinate with VA's Office of 508 Compliance to Develop Policies and Procedures for Procuring Accessible Technology

VA Directive 6221 requires the deputy assistant secretary for acquisition and logistics to develop policies and procedures for Section 508 compliance in coordination with the Office of 508 Compliance.³¹ However, the deputy assistant secretary for the Office of Acquisition and Logistics, who assumed her position in late 2018, did not do so. She told the audit team that she was unaware of the requirement.

According to the Office of Acquisition and Logistics' Procurement Policy and Warrant Management Service, VA's acquisition regulation did not include Section 508 standards before it was updated in February 2023.³² The update to VA's acquisition regulation requires contracting officers to insert an information and communication technology notice in each solicitation. It also requires that a clause addressing information and communication technology accessibility be added to contracts and task orders. Furthermore, it requires contractors to submit a VA

²⁹ VA Handbook 6221.

³⁰ VA Handbook 6221.

³¹ VA Directive 6221.

³² VA Acquisition Regulation, Part 839, *Acquisition of Information Technology*, accessed November 1, 2024, <https://www.va.gov/oal/about/pps.asp>, § 839.2. The Procurement Policy and Warrant Management Service is responsible for all procurement policy matters at VA.

Section 508 Checklist for solicitations related to information technology supplies and services. However, the update does not provide specific guidance on how to comply with Section 508 standards during the procurement process.

While VA's February 2023 update to its acquisition regulation included Section 508 standards, according to the executive director for OIT Risk and Remediation, VA's Office of 508 Compliance was not involved in developing the update. According to the deputy assistant secretary, the Office of Acquisition, Logistics, and Construction is responsible only for contract requirements. But, as previously mentioned, VA Directive 6221 requires the deputy assistant secretary for acquisition and logistics to develop policies and procedures in coordination with the Office of 508 Compliance. Had these offices coordinated to develop policies and procedures as required, contracting officers and the designated officials for VA program offices may have been better equipped to ensure their information communication technology procurements complied with Section 508 standards.

According to the OIT's executive director for risk and remediation, VA's Office of 508 Compliance is not involved in the procurement process for information technology and has limited or no interactions with contracting officials to ensure Section 508 requirements are met before VA accepts final deliverables. The executive director said VA does not prioritize Section 508 compliance, which makes changes to the procurement process difficult. The executive director also said she believes having the Office of 508 Compliance involved in the procurement process would reduce the risk of VA acquiring inaccessible technology.

VA's Lack of Internal Controls Increased the Risk That Veterans Cannot Access the Services They Need

Federal internal control standards require agencies to design and implement control environments that ensure objectives are achieved.³³ The OIG found VA's internal control environment for Section 508 compliance did not include clear policies and procedures to ensure the information technology that the department acquires is accessible to people with disabilities as the law requires. For example, VA Handbook 6221 is not clear on who is responsible for performing the necessary steps related to procuring accessible information and communication technology for individuals with disabilities. Thus, VA continues to procure some technology that does not meet Section 508 standards.

An information technology specialist within the Office of 508 Compliance told the OIG in August 2024 that staff were updating VA Directive 6221 and its accompanying handbook to incorporate guidance on buying accessible products and services from the General Services Administration's website. This new guidance includes options for defining accessibility

³³ Government Accountability Office (GAO), *Standards for Internal Control in the Federal Government*, GAO-14-704G, September 2014.

requirements for solicitations, such as using the General Services Administration's Accessibility Requirements Tool.³⁴

VA should ensure staff involved with technology acquisition are adequately trained on federal and VA requirements for Section 508. Further, the VA Office of 508 Compliance should ensure the updated VA Directive 6221 and its accompanying handbook clearly identify roles and responsibilities.

Conclusion

Section 508 is intended to ensure individuals with disabilities have access to information in ways comparable to those without disabilities. VA oversight and internal controls are insufficient to ensure compliance with federal law. VA can improve its efforts to comply with the law by ensuring that the Office of Acquisition, Logistics, and Construction coordinates with the Office of 508 Compliance to develop sufficient procurement policies and procedures. This would reduce the risk of procuring information and communication technology that inhibits people with disabilities from fully participating in and engaging with VA's work, collaborating with their colleagues, and contributing to innovation within VA. VA should prioritize the enforcement of Section 508 standards to ensure all information and communication technology procured is accessible and usable by individuals with disabilities.

Recommendations 1–4

The OIG made four recommendations.³⁵ The first three were to the assistant secretary for information and technology, who also serves as the department's chief information officer:

1. Ensure staff involved with acquiring information and communication technology are adequately trained on federal and VA requirements for Section 508 standards.
2. Update VA Handbook 6221 to clearly identify roles and responsibilities related to ensuring Section 508 compliance during procurement.
3. Establish a way to ensure compliance documentation and market research on any information and communication technology being procured are submitted to the VA Office of 508 Compliance for approval so that the office can determine whether the technology is the most compliant under Section 508.

³⁴ The Accessibility Requirements Tool is a step-by-step guide to help identify relevant accessibility requirements from the Section 508 standards and incorporate them into procurement and contracting documentation. Section508.gov, Accessibility Requirements Tool (ART), accessed December 10, 2024, <https://www.section508.gov/art/#/>.

³⁵ The recommendations addressed to the assistant secretary for information and technology are directed to anyone in an acting status or performing the delegable duties of the position.

The OIG also made the following recommendation to the deputy assistant secretary for acquisition and logistics:

4. Collaborate with the VA Office of 508 Compliance to develop policies and procedures to ensure VA's information and communication technology procurements comply with Section 508 requirements.

VA Management Comments

The deputy chief information officer for Connectivity and Collaboration Services, performing the delegable duties of the assistant secretary for information and technology and chief information officer, concurred with all four recommendations and provided action plans for each. Appendix C includes the full text of the deputy chief information officer's comments.

In response to recommendation 1, the deputy chief information officer said the VA Office of 508 Compliance offers weekly instructor-led training on Section 508 to all VA employees and contractors. The deputy chief information officer added that the office will record its monthly role-based training specific to acquisition professionals and make it available on demand in VA's Talent Management System no later than December 31, 2025. The Office of 508 Compliance will work with the Office of Acquisition, Logistics, and Construction to ensure acquisition professionals are aware of the training requirement. The target completion date is December 31, 2025.

In response to recommendation 2, the deputy chief information officer said the VA Office of 508 Compliance will outline and clarify acquisition professionals' specific duties related to Section 508 and the VA procurement process in VA Handbook 6221. The target completion date is December 31, 2026.

For recommendation 3, the deputy chief information officer said the VA Office of 508 Compliance will work with the Office of Acquisition, Logistics, and Construction to develop and implement a process where acquisition professionals can submit materials related to market research to the Office of 508 Compliance for review and recommendation. The Office of 508 Compliance will then provide a statement of relative compliance (such as whether one product is more compliant than another) based on the documentation supplied. The target completion date is December 31, 2026.

Last, for recommendation 4, the deputy chief information officer said the planned implementation date for this recommendation depends on when VA completes updates to and rectifies VA Directive 6221 and its associated handbook as discussed in VA's response to recommendation 2. Further, the Office of Acquisition, Logistics, and Construction intends to work with the VA Office of 508 Compliance on the updates. The deputy chief information officer said updates to the VA Acquisition Manual will happen after the changes to VA

Handbook 6221 are published. The target completion date is three to six months after the publication of VA Handbook 6221.

OIG Response

The deputy chief information officer's corrective action plans for the four recommendations are generally responsive to the intent of the recommendations. However, while the deputy chief information officer concurred with recommendation 1, his response does not fully address the recommendation—which is concerned with ensuring staff involved with acquiring information and communication technology are not just aware of training requirements but that they are adequately trained on federal and VA requirements for Section 508 standards. The OIG will monitor implementation of the planned actions and will close the recommendations when OIT provides sufficient evidence demonstrating progress in addressing the identified issues.

Appendix A: Background

History of Section 508 Requirements

The Rehabilitation Act of 1973 requires access to federally funded programs and activities and access to federal employment. Over the years, amendments to the act strengthened requirements for access to electronic and information technology in the federal sector.³⁶ President Clinton signed into law the Rehabilitation Act Amendments of 1998, which covered access to federally funded programs and services, strengthened Section 508 of the act, and required accessibility in electronic and information technology provided by the federal government.

Section 508 speaks to various means for disseminating information, including computers, software, and electronic office equipment. It applies to the federal government's web pages, not web pages of private companies.

On January 18, 2018, the US Access Board updated the Section 508 standards to

- address advances in technology since earlier standards were issued in 1998 and 2000,
- reflect global accessibility standards, and
- ensure consistency with board's regulations published since the late 1990s.³⁷

The updated standards mandate that federal agencies develop, procure, maintain, or use technology in a manner that ensures individuals with disabilities have comparable access to and use of such information and data relative to individuals who do not have disabilities, unless doing so would impose an undue burden on the agency.

³⁶ Federal Acquisition Regulation (FAR) 2.101, June 25, 2001. According to federal regulations, “‘Electronic and Information Technology’ (‘EIT’) has the same meaning as ‘information technology’ except [it] includes any equipment or interconnected system or subsystem of equipment that is used in the creation, conversion, or duplication of data or information. [Electronic and information technology] includes, but is not limited to, telecommunication products (such as telephones), information kiosks and transaction machines, worldwide web sites, multimedia, and office equipment (such as copiers and fax machines).”

³⁷ US Access Board, Information and Communication Technology, *Revised 508 Standards and 255 Guidelines*, accessed December 16, 2024, <https://www.access-board.gov/ict/preamble.html#a-purpose-and-legal-authority>.

Appendix B: Scope and Methodology

Scope

The audit team conducted its work from May 2024 through March 2025. To accomplish the audit objective, the team reviewed a statistical sample of 30 systems from a universe of 705 systems reviewed by VA's Office of 508 Compliance as of May 2024.

Methodology

To assess VA's processes for compliance with Section 508 requirements when procuring information technology, the team identified the universe of 705 information technology systems from the VA Office of 508 Compliance's Defect Tracking Tool.³⁸ The team filtered the data to remove duplicates, systems that were granted exemptions, and systems that did not have completed audits, which resulted in 346 systems. Next, the team cross-referenced those 346 systems with the VA Systems Inventory (VASI) to identify bedrock and critical systems.³⁹ The team also used VASI to identify when systems were deployed beginning in January 2018—when the revised Section 508 standards became effective. After the cross-reference with VASI, 213 systems remained; of these, four were scheduled to be decommissioned. Those four systems were excluded—resulting in an audit universe of 209 systems.

The team then worked with VA Office of Inspector General (OIG) statisticians to determine the sample size, which resulted in a stratified sample of 30 information technology systems—eight bedrock and critical systems and 22 noncritical systems. For each system, the team determined whether market research was done as required by VA Handbook 6221. In instances where a system was procured before the publication of the handbook, the team determined what was done during market research to ensure the most Section 508 compliant system was procured. An archived version of the Federal Acquisition Regulation (FAR) says that, when acquiring electronic and information technology, agencies must ensure federal employees and members of the public with disabilities have access to and use of information and data that is comparable to the access and use of those without disabilities.⁴⁰ Therefore, in instances where sampled systems were procured before the publication of the handbook, the team used requirements from the FAR that was active at the time of acquisition to assess what market research was performed.

³⁸ The Defect Tracking Tool is used to track audits completed by the Office of 508 Compliance as well as Section 508–related defects found in technology products.

³⁹ VA Directive 6404, *VA Systems Inventory (VASI)*, February 23, 2016. VASI is VA's authoritative inventory of business information technology systems. Bedrock systems have been identified by OIT leaders as the most critical to monitor for availability and critical or high-priority incidents. Critical systems have been identified by OIT leaders as the second-most critical to monitor for availability and critical or high-priority incidents.

⁴⁰ FAR 39.201(c)(1) (2005).

The team reviewed relevant contract documents for the sampled information technology systems by accessing the VA Electronic Contract Management System and contacting contracting officials. The team interviewed contracting officers, contracting officer's representatives, and program managers from VA program offices that procured information and communication technology to determine whether appropriate actions were taken during market research. The team also assessed whether appropriate documentation was submitted to the VA Office of 508 Compliance based on testimony from contracting officers and designated officials from VA program offices.

Internal Controls

The team assessed the internal controls of VA's procurement of information technology and Section 508 compliance that were significant to the audit objective. This included an assessment of the five internal control components: control environment, risk assessment, control activities, information and communication, and monitoring.⁴¹ In addition, the team reviewed the principles of internal controls as associated with the objective. The team identified three components and seven principles as significant to the objective.⁴² The team identified internal control weaknesses during this audit and proposed recommendations to address the following control deficiencies:

- Component: Control Environment
 - Principle 2: Exercise Oversight Responsibility
 - Principle 4: Demonstrate Commitment to Competence
 - Principle 5: Enforces Accountability
- Component: Control Activities
 - Principle 11: Design Activities for the Information System
 - Principle 12: Implement Control Activities
- Component: Information and Communication
 - Principle 13: Use Quality Information
 - Principle 14: Communicate Internally

⁴¹ Government Accountability Office (GAO), *Standards for Internal Control in the Federal Government*, GAO-14-704G, September 2014.

⁴² Because the audit was limited to the internal control components and underlying principles identified, it may not have disclosed all internal control deficiencies that may have existed at the time of this audit.

Data Reliability

The team used the VA Office of 508 Compliance's Defect Tracking Tool to identify systems that the Office of 508 Compliance had reviewed. The tool tracks the audit scores of products reviewed by the compliance office. In May 2024, the team obtained a data extract list from the Defect Tracking Tool showing technology products reviewed by the compliance office.

According to a supervisory information technology specialist for the Office of 508 Compliance, there was a glitch in the tool where some audits with a score of 100 did not always have an audit report, meaning they were not reviewed by the compliance office. Compliance office staff reviewed the list of audits with a score of 100 and identified which products had audit reports.

To test the reliability of the Defect Tracking Tool, the audit team compared the audit scores in tool to the scores on the audit documentation provided by the Office of 508 Compliance. The team used the sample of information technology systems they developed with help from OIG statisticians and compared it to the corresponding audit reports. The team found that some audit report scores documented in the Defect Tracking Tool did not match the audit scores on the audit reports. According to compliance office staff, this was because the scores in the tool are constantly updated as defects identified in the initial audit are addressed. Because the team needed the data in Defect Tracking Tool only to identify technology reviewed by the compliance office, the team did not believe the audit score inaccuracies would affect the audit. Furthermore, because all 30 of the sampled systems had audit reports, the team could verify that the compliance office reviewed the technology. Therefore, the team concluded that the data in the tool were sufficiently reliable for the team to use for this audit.

Using the universe from the Defect Tracking Tool, the team obtained the applicable data for each information technology system in VASI. The team's goal was to identify information technology systems within the universe that were acquired beginning in January 2018, the date the revised Section 508 standards for accessibility were effective. VASI did not have any contract information related to the systems, but it did have the deployment date for each system. The team determined the deployment date would be an effective way to identify systems procured beginning in January 2018.

However, the team recognized that the procurement date could have been years or months before the deployment date. To test the reliability of VASI, the team compared the VASI deployment date to the deployment dates the team requested from each system owner's records. Although most dates were after 2017, not all deployment dates could be verified. Because the dates were after 2017, and knowing that the deployment dates would not necessarily mean the system was procured after January 18, 2017, the team concluded that the data were sufficiently reliable for their needs.

Government Standards

The OIG conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that the OIG plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for the findings and conclusions based on audit objectives. The OIG believes the evidence obtained provides a reasonable basis for the findings and conclusions based on the audit objectives.

Appendix C: VA Management Comments

Department of Veterans Affairs Memorandum

Date: April 28, 2025

From: Deputy Chief Information Officer, Connectivity and Collaboration Services, Performing the Delegable Duties of the Assistant Secretary for Information and Technology and Chief Information Officer (005)

Subj: Office of Inspector General Draft Report, VA Needs to Prioritize Accessibility for Individuals with Disabilities when Procuring Information Technology Systems (VIEWS 12917678)

To: Assistant Inspector General for Audits and Evaluations (52)

1. Thank you for the opportunity to review the Office of Inspector General (OIG) draft report, VA Needs to Prioritize Accessibility for Individuals with Disabilities when Procuring Information Technology Systems, Project Number 2024-02142-AE-0081.

2. The Office of Information and Technology (OIT) submits the attached written comments. OIT acknowledges and concurs with the OIG's recommendations and is providing a corrective action plan and target implementation date for each recommendation.

<i>The OIG removed point of contact information prior to publication.</i>

(Original signed by)

Eddie Pool

Attachment

Attachment

Department of Veterans Affairs
Office of Information and Technology
Comments on Office of Inspector General Draft Report,

“VA Needs to Prioritize Accessibility for Individuals with Disabilities when Procuring Information
Technology Systems”

Project Number OIG-2024-02142-AE-0081

(VIEWS 12917678)

**Recommendation 1: Ensure staff involved with acquiring information and communication
technology are adequately trained on Federal and VA requirements for Section 508 standards.**

Comments: Concur. The Department of Veterans Affairs (VA) Office of Section 508 Compliance offers instructor-led training on section 508 at a variety of levels from beginner to advanced. This training occurs on a weekly basis and is open to all VA employees and contractors. Additionally, role-based training specific to acquisition professionals, such as contracting officer representatives and contracting officers, is available monthly and tracked in the VA Talent Management System (TMS). The Office of Section 508 Compliance will record the role-based training to make it available on demand in TMS no later than December 31, 2025. The Office of Section 508 Compliance will collaborate with the Office of Acquisition, Logistics, and Construction (OALC) to ensure that acquisition professionals are aware of the training requirement.

Expected Completion Date: December 31, 2025.

**Recommendation 2: Update VA Handbook 6221 to clearly identify roles and responsibilities
related to ensuring Section 508 compliance during procurement.**

Comments: Concur. The VA Office of Section 508 Compliance will outline and clarify specific duties of acquisition professionals as they relate to section 508 and the VA procurement process in VA Handbook 6221, Accessible Information and Communication Technology.

Expected Completion Date: December 31, 2026.

**Recommendation 3: Establish a way to ensure compliance documentation and market research
on any information and communication technology being procured is submitted to the VA Office
of 508 Compliance for approval so the office can determine whether the technology is the most
compliant under Section 508.**

Comments: Concur. The VA Office of Section 508 Compliance, in collaboration with OALC, will develop and implement a process by which acquisition professionals may submit materials related to market research, such as accessibility conformance reports, to the Office of Section 508 Compliance for review and recommendation. The Office of Section 508 Compliance will provide a statement of relative compliance (such as whether one product is more compliant than another) based on the documentation supplied. However, it is noted that a statement of relative compliance does not constitute and should not be taken as the equivalent of a product audit.

Expected Completion Date: December 31, 2026.

Recommendation 4: Collaborate with the VA Office of 508 Compliance to develop policies and procedures to ensure VA's information and communication technology procurements comply with Section 508 requirements.

Comments: Concur. The planned implementation date for Recommendation 4 is dependent on completion of updates to and rectification of VA Directive and Handbook 6221, as outlined in VA's response to Recommendation 2, OALC intends to coordinate with the VA Office of Section 508 Compliance on the updates. Updates to the VA Acquisition Manual will occur upon publication of VA Handbook 6221.

Expected Completion Date: 3-6 months following the publication of VA Handbook 6221.

For accessibility, the original format of this appendix has been modified to comply with Section 508 of the Rehabilitation Act of 1973, as amended.

OIG Contact and Staff Acknowledgments

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