



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20507

Office of
Legal Counsel

MAR 16 2010

David Walton
Office of Human Resources Management (06)
Department of Veterans Affairs
810 Vermont Avenue, N.W.
Washington, D.C. 20420

Re: OMB Control No. 2900-NEW (VA Form 0857c and 0857e)
Proposed Information Collection (Reasonable Accommodation)

Dear Mr. Walton:

The Equal Employment Opportunity Commission (Commission or EEOC) submits this letter in response to the Department of Veterans Affairs' (VA) request for comments on the proposed collection of information to determine an applicant's entitlement to receive reasonable accommodation during the application or interview process. *See* 75 Fed. Reg. 6792 (February 10, 2010). In order to avoid inconsistencies with the requirements of the Rehabilitation Act, we request that the VA make certain revisions to the proposed information collection.

Background

As you know, the EEOC enforces the federal law that prohibits discrimination on the basis of an individual's disability in federal employment. *See* Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. § 791. Moreover, the EEOC is responsible for implementing Executive Order 13164 (Executive Order) which requires each federal agency to establish effective written procedures for processing requests for reasonable accommodation under the Rehabilitation Act. *See* 65 Fed. Reg. 46565 (July 26, 2000). On October 20, 2000, the EEOC issued a policy guidance to implement this Executive Order. The EEOC's policy guidance provides background

rehabilitation Act and then addresses each of the requirements of the Executive Order. *See* EEOC's *Policy Guidance on Executive Order 13164: Establishing Procedures to Facilitate the Provision of Reasonable Accommodation* (Policy Guidance), October 20, 2000.¹

¹ Available at http://www.eeoc.gov/policy/docs/accommodation_procedures.html#N_1.