Section 508 of the Rehabilitation Act

What federal agencies must buy and build, and what that means for the companies that sell to them

Who this is for: Federal program, IT and acquisition staff, and the software companies, developers, publishers and service firms that sell technology or digital content to federal agencies.

Not covered here: Section 504 duties of organizations that receive federal money, the ADA Title II web rule for state and local governments, and the communications rules under the CVAA, each covered in its own guide.

Current as of November 17, 2026. Federal law. Each section ends with the sources it rests on.

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In brief

- Section 508 binds federal departments and agencies, including the Postal Service, whenever they develop, procure, maintain or use information and communication technology. It doesn't apply directly to private companies or to state and local governments. It reaches vendors through the contracts agencies award.
- The technical rule is the Access Board's Revised 508 Standards at 36 CFR Part 1194, in force since January 18, 2018. For web content, documents and software, it adopts **WCAG 2.0** Level A and AA, which is one version behind the WCAG 2.1 that the ADA Title II rule and the HHS Section 504 rule require.
- All public-facing content is covered. Content that isn't public is covered when it's one of nine kinds of official communication, such as an emergency notice, a benefits notice or a form.
- The Standards also cover hardware, software features that work with assistive technology, product documentation and support services, so a WCAG test alone doesn't settle conformance.
- Undue burden, fundamental alteration and "best meets" decisions each require written documentation and an alternative way to get the information.

- The procurement rules sit in the Federal Acquisition Regulation. Since 2025, agencies including GSA and the Department of Homeland Security have followed an overhauled Part 39 under class deviations, and it keeps the Section 508 requirement.

What the law says

Section 508 requires each federal department or agency, "including the United States Postal Service," to ensure, when it develops, procures, maintains or uses electronic and information technology, that the technology gives federal employees with disabilities, and members of the public with disabilities seeking information or services, access to and use of information and data comparable to what others get. The duty yields only to an undue burden, and when it does, the agency must provide the information through an alternative means.

Source: 29 U.S.C. 794d(a)(1)(A)-(B)

The statute directs the Access Board to issue the technical standards and review them over time, directs the FAR Council and each agency to build those standards into procurement rules, and exempts national security systems. The General Services Administration and the Access Board provide technical assistance.

Source: 29 U.S.C. 794d(a)(2)-(5), (b)

Who it binds, and who it reaches

The Standards define an agency as any agency or department of the United States as defined in 44 U.S.C. 3502, plus the Postal Service. Those agencies carry the legal duty.

Source: 36 CFR Part 1194, Appendix A, E103.4, "Agency"

Vendors carry it by contract. When an agency buys software, a hosted service, a device or document production, the Standards come into the deal through the solicitation and the award. A state agency, a university or a private buyer can also write the Section 508 Standards into its own policy or contract. When it does, the contract, not Section 508 itself, is what binds the vendor.

Source: 48 CFR 39.203(a); FAR Overhaul, Part 39, 39.104-3(a)

> **Not the same as the ADA web rules.** State and local governments answer to the ADA Title II web rule at WCAG 2.1, and recipients of HHS money answer to the HHS Section 504 rule at WCAG 2.1. Section 508 is the federal government's own rule, at WCAG 2.0. A product sold to all three markets should be built to WCAG 2.1 and tested against the Section 508 requirements that go beyond WCAG.

Source: 28 CFR 35.200(b); 45 CFR 84.84(b); 36 CFR Part 1194, Appendix A, E205.4

How the Standards are organized

The Revised 508 Standards are 508 Chapters 1 and 2 (application and scoping) in Appendix A of 36 CFR Part 1194, and Chapters 3 through 7 (functional performance criteria and technical requirements) in Appendix C. Appendix C also supplies the technical requirements for the Access Board's guidelines under Section 255 of the Communications Act, and the Board publishes the two together.

Source: 36 CFR 1194.1, 1194.2; 36 CFR Part 1194, Appendix A, E101.1 and E103.4, "Revised 508 Standards"

Chapter	What it covers
508 Chapters 1 and 2	Who and what is covered, exceptions, and which requirements apply to which technology

Chapter	What it covers
Chapter 3	Functional performance criteria: use without vision, with limited vision, without color perception, without hearing, with limited hearing, without speech, with limited manipulation, with limited reach and strength, and with limited language, cognitive and learning abilities
Chapter 4	Hardware, including closed functionality, operable parts and two-way voice communication
Chapter 5	Software: working with assistive technology, application requirements and authoring tools
Chapter 6	Support documentation and support services
Chapter 7	Referenced standards, including WCAG 2.0

Source: 36 CFR Part 1194, Appendix C, 302.1-302.9, 402, 407, 412, 502-504, 602-603, 702.10.1

What has to conform

Everything public-facing

Electronic content that's public facing must conform to WCAG 2.0 Level A and AA. The Standards define public facing as content an agency makes available to the general public, such as a website, blog post or social media page.

Source: E205.2, E205.4; E103.4, "Public Facing"

Nine kinds of internal communication

Content that isn't public facing must conform when it's official business communicated through any of these:

1. An emergency notification
2. An initial or final decision adjudicating an administrative claim or proceeding
3. An internal or external program or policy announcement
4. A notice of benefits, program eligibility, employment opportunity or personnel action
5. A formal acknowledgement of receipt
6. A survey questionnaire
7. A template or form
8. Educational or training materials
9. Intranet content designed as a web page

Source: E205.3

Records the National Archives keeps under federal recordkeeping laws don't have to conform unless they're public facing.

Source: E205.3, Exception

Documents and software

For documents that aren't web pages, the word "document" stands in for "web page" in WCAG 2.0, and four success criteria don't apply: 2.4.1 Bypass Blocks, 2.4.5 Multiple Ways, 3.2.3 Consistent Navigation and 3.2.4 Consistent Identification. Software follows the same pattern, with "software" substituted, and when a task takes several steps in non-web software, every part of the task has to conform.

Source: E205.4 and Exception, E205.4.1, E207.2.1, E207.3

Chapter 5 adds what WCAG doesn't address: software must interoperate with assistive technology through the platform's accessibility services, and authoring tools must support accessible output. An authoring tool that can export PDF 1.7 must also be able to export PDF/UA-1.

Source: 502.1, 504.1, 504.2.2; 702.3.1

Hardware, documentation and support

Hardware with a user interface must meet Chapter 4. Technology with closed functionality, which the Standards illustrate with self-service machines, information kiosks, set-top boxes and locked-down computers, must be operable without the user attaching or installing assistive technology other than personal headsets or other audio couplers. Documentation must list and explain the accessibility features, and electronic documentation must itself conform to WCAG 2.0 AA. Help desks, call centers and training services must give information on those features and accommodate the communication needs of people with disabilities.

Source: E206.1, E103.4 "Closed Functionality", 402.1, 602.2-602.3, 603.1-603.3

When no technical requirement fits

Where Chapters 4 and 5 don't address a function, the function must meet the Chapter 3 functional performance criteria. Those criteria are also the test for equivalent facilitation, which allows a different design that gives substantially equivalent or greater accessibility.

Source: E204.1; E101.2

Before any of that, the Standards require agencies to identify the needs of users with disabilities when they procure, develop, maintain or use technology: how those users will perform the functions, and how the technology will be developed, installed, configured and maintained to support them.

Source: E203.2

Legacy technology, exceptions and exemptions

These are the places where agencies most often under-document, and where a vendor's paperwork makes the difference.

- **Legacy technology.** A component of existing technology that met the original 2000 standards, and hasn't been altered on or after January 18, 2018, doesn't have to be modified. An alteration that affects interoperability, the user interface or access to information brings that component under the current Standards.
- **National security systems** are outside the Standards.
- **Contractor-only technology.** Technology a contractor acquires incidental to a contract, for its own in-house use in performing the contract, doesn't have to conform.
- **Maintenance and monitoring spaces.** Operable parts and status indicators located where only service personnel go are excepted.
- **Undue burden or fundamental alteration.** An agency can conform only to the extent conformance wouldn't impose an undue burden or fundamentally alter the technology. The responsible official must document in writing why and to what extent, and the agency must still provide the information by an alternative means.
- **Best meets.** When fully conforming technology isn't commercially available, the agency buys what best meets the Standards consistent with its business needs, documents the market research and the provisions that can't be met, and provides an alternative means.

Source: E202.2-E202.7; 48 CFR 39.203(e)-(f)

How Section 508 shows up in a contract

The FAR rules

The codified FAR requires acquisitions of information and communication technology to meet the applicable Standards unless an exception or exemption applies, and it treats undue burden as "a significant difficulty or expense." For indefinite-quantity contracts, the contract must identify which supplies and services the contractor indicates as compliant and show where full details of compliance can be found. At each task or delivery order, the requiring and ordering activities must ensure compliance and document any exception or exemption. For commercial products, an agency must meet the standards that can be met with what's available in the marketplace.

Source: 48 CFR 39.202, 39.203(a)-(d)

The overhauled Part 39

In 2025 the FAR Council issued model deviation text for a rewritten Part 39, titled "Acquisition of Information and Communication Technology," as part of the Revolutionary FAR Overhaul, and agencies adopted it through class deviations. The Section 508 provisions moved to 39.104 (scope, policy, applicability, exceptions and exemptions), 39.201 (indefinite-quantity contracts) and 39.301 (task and delivery orders), with substance that tracks the codified rule. Read the class deviation of the agency you're selling to; the codified 48 CFR text and the deviation text can both appear in solicitations during the transition.

Source: FAR Overhaul, Part 39 (acquisition.gov), 39.104-1 to 39.104-5, 39.201, 39.301; GSA and DHS (Class Deviation 25-08) Part 39 deviations, posted on acquisition.gov

The Accessibility Conformance Report

No regulation names a form, but buyers ask for one. The Information Technology Industry Council's Voluntary Product Accessibility Template (VPAT) is the template most vendors use to produce an Accessibility Conformance Report. ITI's current version is VPAT 2.5Rev, released in April 2025, with a Section 508 edition and a WCAG edition among others.

Source: itic.org, Voluntary Product Accessibility Template (VPAT); 36 CFR Part 1194 and 48 CFR Part 39 (no form named); ada.gov, web accessibility page (Mar. 18, 2022)

A report a contracting officer can rely on has a few traits. It names the product and version, the date, the standard and edition evaluated, and the testing method. It reports every applicable criterion, including the non-WCAG ones in Chapters 4 through 6. It explains every "Partially Supports" and "Does Not Support" in the remarks. And it was completed by someone who tested the product. A scanner's output isn't enough on its own; as the Justice Department's web accessibility page puts it, a "clean" report from an automated checker doesn't necessarily mean everything is accessible.

> **Testing method.** The Department of Homeland Security developed its Section 508 Trusted Tester process as a common approach for determining conformance with the Section 508 Standards by examining the code. Naming a published method, and who ran it, is what makes a report checkable.

Source: dhs.gov, Section 508 Trusted Tester Conformance Test Process (updated April 3, 2025)

WCAG 2.0, 2.1 and 2.2: three baselines in force at once

Rule	Who it binds	Technical standard
Section 508	Federal agencies (and their vendors by contract)	WCAG 2.0 Level A and AA, plus Chapters 3 to 6
ADA Title II web rule	State and local governments	WCAG 2.1 Level A and AA
HHS Section 504 rule	Recipients of HHS money	WCAG 2.1 Level A and AA

Source: 36 CFR Part 1194, Appendix A, E205.4; 28 CFR 35.200(b); 45 CFR 84.84(b)

The W3C designed the versions to be backward compatible: content that conforms to WCAG 2.2 also conforms to 2.1 and 2.0. WCAG 2.1 added 17 success criteria to 2.0. So building to WCAG 2.1 Level AA covers the WCAG portion of Section 508, while building to 2.0 leaves the 17 newer criteria the Title II and HHS rules require.

Source: w3.org/WAI/standards-guidelines/wcag (WCAG overview); w3.org, What's New in WCAG 2.1

What agencies must run internally

An Office of Management and Budget memorandum, M-24-08 (December 21, 2023), requires each agency to establish an agency-wide Section 508 program and appoint a program manager, calls for written policies on how Section 508 is handled in acquisition and development and for documented testing and complaint processes, and requires a digital accessibility statement on federal websites. The statement must give the standard applied, the program manager's name and email, a feedback mechanism, how to file a Section 508 complaint, the reasonable accommodation procedures for employees and applicants, how to use relay services, related policies, and the date it was last reviewed. Section508.gov, updated in March 2025, still describes the memo's statement requirement.

Source: OMB M-24-08 (Dec. 21, 2023), section II; section508.gov, Developing a Website Accessibility Statement

Separately, the 21st Century Integrated Digital Experience Act (2018) requires an executive agency that creates or redesigns a public website or digital service to make it accessible to people with disabilities in accordance with Section 508, to the greatest extent practicable.

Source: Pub. L. 115-336, sec. 3(a)(1) (Dec. 20, 2018)

Complaints and lawsuits

Any individual with a disability may file a complaint alleging that a federal agency fails to comply with Section 508 in providing electronic and information technology. The complaint goes to the agency, which applies the complaint procedures it uses for Section 504 complaints about its own federally conducted programs. The remedies, procedures and rights of the Rehabilitation Act's enforcement section are available, including a civil action and attorney's fees. The enforcement subsection applies to technology procured at least six months after the Access Board's standards were published.

Source: 29 U.S.C. 794d(f)(1)-(3); 29 U.S.C. 794a(a)(2), (b)

A vendor's checklist

1. Find out which version of the FAR Part 39 text the buying agency's solicitation uses, and read the accessibility clauses in the solicitation itself.

2. Map your product to the Standards, not only to WCAG: software interoperability, authoring tool output, documentation and support services all count.
3. Test by hand with a named method, record the versions tested, and keep the test record.
4. Write the Accessibility Conformance Report from that record, criterion by criterion, with honest remarks.
5. Keep a dated remediation plan for each gap. It gives an agency what it needs to document a best-meets decision in your favor.
6. Build to WCAG 2.1 AA if you also sell to states, cities, hospitals or health centers.

Common questions

Does Section 508 apply to my company?

Not directly. Section 508 binds federal agencies. It reaches you through the solicitations and contracts of the agencies you sell to, and through any other buyer that writes the Standards into its contract.

Source: 29 U.S.C. 794d(a)(1)(A); 48 CFR 39.203(a)

Does Section 508 apply to state and local governments?

Not by its own terms. State and local governments answer to ADA Title II, including its WCAG 2.1 web rule, and to Section 504 when they take federal money. Some adopt Section 508 by their own policy or contract.

Source: 29 U.S.C. 794d(a)(1)(A); 28 CFR 35.200

Is WCAG 2.1 AA conformance enough for Section 508?

It covers the WCAG portion, because 2.1 includes every 2.0 success criterion. It doesn't cover the Standards' requirements for software interoperability, authoring tools, hardware, documentation and support services.

Source: w3.org WCAG overview; 36 CFR Part 1194, Appendix C, Chapters 4 to 6

Is a VPAT legally required?

No regulation names the VPAT or any other form. Both the codified FAR and the overhauled Part 39 require an indefinite-quantity contract to identify which supplies and services the contractor indicates as compliant and where full details of compliance can be found. Solicitations commonly ask for an Accessibility Conformance Report to meet that need.

Source: 48 CFR 39.203(b); FAR Overhaul, Part 39, 39.201(b)

Do PDFs have to meet PDF/UA?

The Standards require PDFs and other documents to conform to WCAG 2.0 AA, with four criteria excepted. They name PDF/UA-1 only as an export capability that authoring tools must offer. PDF/UA-1 is still a sound production target for a tagged, accessible PDF.

Source: E205.4 and Exception; 504.2.2

What does "best meets" require of the agency?

Written documentation of the market research, the requirements that can't be met, and why the chosen product best meets the Standards, plus an alternative means of access for the gaps.

Source: E202.7; 48 CFR 39.205(a)(3), (b), (c)(3)

Primary sources

- 29 U.S.C. 794d, Section 508 (U.S. Code, govinfo)
- 36 CFR Part 1194, the Revised 508 Standards
- U.S. Access Board, Revised 508 Standards and 255 Guidelines
- 48 CFR Subpart 39.2, the codified FAR rule
- FAR Overhaul, Part 39 model deviation text
- OMB Memorandum M-24-08
- Section508.gov, IT accessibility laws and policies
- DHS, Section 508 Trusted Tester Conformance Test Process
- ITI, Voluntary Product Accessibility Template
- W3C, WCAG overview and version compatibility
- 21st Century Integrated Digital Experience Act, Pub. L. 115-336

ADA Access for All (Guillaume & Co. LLC) performs the ADA and Section 504 program function for organizations. Principal Marc Guillaume holds the ADA Coordinator Certification (ADACC) from the University of Missouri, is a DHS Trusted Tester and served as a Disability Service Facilitator for New York City Public Schools. More material: adaaccessforall.com/resources · info@adaaccessforall.com