

PRIMER · FOR NON-TECHNICAL LEADERS

# Section 508 in Plain English

A short, jargon-free primer on Section 508, the Revised standards, the difference between 508, ADA, and WCAG, what audits actually look like, and what happens when contracts fail. Written for executives, board members, and contracting officers who need the answer in eight minutes.

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**READING TIME**

8 minutes

**AUDIENCE**

Executives & New COs

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## Start here

If someone in a meeting just said "Section 508" and you nodded along while wondering whether you should be worried, this primer is for you.

Section 508 is one of those federal acronyms that everyone has heard of and almost no one outside the accessibility profession can explain. This primer answers four questions in eight minutes: what is it, who is it for, what does it actually require, and what happens if you ignore it. No jargon. No legal disclaimers. No marketing.

## What is Section 508?

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Section 508 is part of the Rehabilitation Act of 1973. The Act was the first major federal law protecting the rights of people with disabilities. Section 508 was added in 1986 and significantly expanded in 1998. In 2017, the United States Access Board issued the Revised Section 508 Standards, which took effect on **January 18, 2018**.

In plain language: Section 508 requires that any electronic and information technology that the federal government develops, procures, maintains, or uses must be accessible to people with disabilities. That includes websites, software, mobile apps, electronic documents, kiosks, telecommunications equipment, and the digital services federal agencies provide to the public.

The Revised Section 508 Standards **incorporate WCAG 2.0 Level A and AA by reference**. WCAG, the Web Content Accessibility Guidelines, is the international technical standard for accessible web content. By incorporating WCAG by reference, the Revised 508 Standards effectively say: if your web content meets WCAG 2.0 A and AA, it satisfies the technical requirements for digital accessibility under federal law.

### Three things that often confuse people

- **Section 508 is not the ADA.** The Americans with Disabilities Act (ADA) covers public accommodations and is enforced primarily through litigation in federal court. Section 508 covers federal government technology and is enforced primarily through procurement and administrative complaint processes. Some organizations are subject to both. Most are subject to one or the other, depending on whether they touch federal contracts.
- **WCAG is not Section 508.** WCAG is the technical standard. Section 508 is the law that requires conformance to that standard for federal technology. People often use the terms interchangeably; they are related but not the same.
- **Section 508 is not optional.** The "Voluntary" in VPAT refers to the template itself being voluntary, not the underlying conformance. Federal agencies are required by law to consider accessibility in procurement.

## Who Does It Apply To?

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Section 508 directly binds **federal executive branch agencies**, including departments, military services, government corporations, and most independent regulatory agencies. The Government Accountability Office, the Federal Election Commission, and a few other entities are excluded. National Security Systems are governed under separate authorities.

The law does not directly bind private companies or state and local governments. But it reaches them in three significant ways.

### 2.1 Federal contractors

If you sell a website, an application, a piece of software, or a service that produces electronic content to a federal agency, the agency is required to consider accessibility in their procurement decision. They will ask you for an Accessibility Conformance Report (ACR), and they will use it to evaluate whether your product can be lawfully procured.

### 2.2 Subcontractors and supply chain

Federal contractors flow accessibility obligations down to their subcontractors. If you sell to a prime that sells to a federal agency, the prime is going to require evidence of conformance from you. Saying "we are not the prime" is not a defense; the prime cannot deliver to the agency without it.

### 2.3 Federal financial assistance recipients

Many universities, hospitals, and nonprofits receive federal grants. The terms of those grants increasingly require accessibility for any digital deliverables produced under the grant. This creates a 508-like obligation that does not flow from procurement but from grant terms.

### 2.4 State and local governments under Section 504

Section 504 of the Rehabilitation Act covers any entity that receives federal financial assistance. State and local governments that take federal money for any program are subject to 504, and 504 has its own digital accessibility expectations that often look very similar to 508.

## What Does It Actually Require?

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Stripped of legal language, Section 508 requires that federally controlled digital content be usable by people with disabilities. "Usable by people with disabilities" is defined through technical criteria, most of which come from WCAG 2.0 Level A and AA. The criteria fall into a few broad categories.

### 3.1 Visual access

People with low vision and color blindness need to be able to read content. This means text has to have sufficient contrast against its background, color cannot be the only way to convey information, and content has to be resizable without breaking the layout.

### 3.2 Screen reader access

People who are blind use screen readers to convert visual content into speech or braille. This means images need text alternatives, headings have to be programmatic and properly nested, form fields have to be labeled, and the content order has to make sense when read aloud.

### 3.3 Keyboard access

People with motor disabilities and people who use assistive input devices often cannot use a mouse. Every interactive element on the page has to be reachable and operable using only the keyboard, with a visible focus indicator showing where the user is.

### 3.4 Captions and audio descriptions

People who are deaf or hard of hearing need captions for video content. People who are blind need audio descriptions for video content where critical information is conveyed visually.

### 3.5 Document accessibility

PDFs, Word documents, Excel spreadsheets, and PowerPoint presentations have to be tagged, structured, and readable by assistive technology. Document accessibility is the single most common 508 failure category, because every organization has hundreds of documents and most of them were created without accessibility in mind.

## SECTION 4

# What Audits and Complaints Look Like

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Section 508 enforcement is less famous than ADA litigation but more frequent. The four mechanisms that produce real consequences:

### 4.1 Procurement evaluation

The most common touch point. A vendor submits a proposal, the contracting officer evaluates the accessibility documentation as part of the evaluation criteria, and weak documentation translates directly into a lower score. Many federal procurements list accessibility as an evaluation factor in the source selection plan.

### 4.2 Administrative complaints

A member of the public files a complaint with the agency, usually after being unable to access a federal website or service. The agency has to investigate, document the complaint, and respond. Patterns of complaints draw inspector general attention.

### 4.3 Inspector general reviews

Agency inspectors general periodically review accessibility compliance across the agency and its contractors. These reviews produce public reports that can affect contract continuity.

### 4.4 Department of Justice biennial reports

The DOJ issues biennial reports on Section 508 compliance across the federal government. The reports identify which agencies are doing well, which are not, and where the systemic issues are. Agencies that come out poorly face oversight from Congress.

## What Happens If You Ignore It

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### 5.1 Lost contracts

The most common consequence for vendors. Federal customers do not award contracts to vendors who cannot demonstrate accessibility conformance. The cost is not a fine; it is the contract itself.

### 5.2 Contract termination

For existing contracts, agencies can and do terminate when a vendor's product fails an accessibility audit. This is rare but it happens, especially when the failure is documented in a complaint and the vendor cannot remediate quickly.

### 5.3 Reputation

Accessibility failures involving federal contracts become public fast. A single news cycle about a federal agency's website being unusable for blind users is the kind of story that lasts for years and affects every other contract that vendor is bidding on.

### 5.4 Legal exposure under crossover laws

The same digital accessibility failures that create 508 exposure also create exposure under the ADA, Section 504, state accessibility laws (such as Unruh in California), and international standards (EN 301 549, WCAG-based laws in the EU). A 508 failure is rarely just a 508 failure.

## If This Feels Overwhelming, That's Normal.

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Section 508 is not technically complicated, but it is operationally messy. Most organizations have inherited accessibility debt from years of decisions that were made without considering accessibility at all. Cleaning that up is not a one-week project. It is a sustained discipline that rolls into the way the organization builds, procures, and maintains digital content.

The good news is that getting started is not that hard. The first 20 percent of the work surfaces 80 percent of the exposure. Once you can see the gaps, you can prioritize them. The teams that get this right are the ones who decide to start, not the ones who try to figure it all out before they take the first step.

### Schedule a Free Accessibility Scan

The fastest way to find out where you actually stand is to put your homepage in front of a qualified manual tester and get the answer. We will run a free accessibility scan of your site and give you a short report with the real findings, prioritized by severity. No vendor pitch. Just the answer to the question this primer surfaces.

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