



**CONSORTIUM FOR CITIZENS
WITH DISABILITIES**

Assistive Technology and Section 508 of the Rehabilitation Act

In 1998, Congress amended the Rehabilitation Act of 1973 (29 U.S.C. 794d) to require federal agencies to make their electronic and information technology public content accessible to people with disabilities in Section 508. Inaccessible technology interferes with an individual's ability to obtain and use information quickly and easily. The requirements of Section 508 were put in place to eliminate barriers in information technology, to make available new opportunities for people with disabilities and to encourage development of technologies that will help achieve these goals.

Section 508 requires that when federal agencies develop, procure, maintain, or use electronic and information technology, federal employees with disabilities have access to and use of information and data that is comparable to the access and use by federal employees who are not disabled, unless an undue burden would be imposed. Section 508 also requires that individuals with disabilities, who are members of the public seeking information or services from a federal agency, have access to and use of information and data that is comparable to that provided to the public who are not disabled, unless an undue burden would be imposed. Section 508 does *not* directly apply to private sector entities or public agencies other than U.S. federal agencies. In addition, Section 508 does not apply to the Congress or to the Judiciary branch. It also does not (generally) apply to private or public agencies or establishments using federal funds.

While Section 508 does not directly apply to state and local governments, a number of states have passed laws or adopted policies that require electronic and information technology accessibility. Some state requirements are limited to web accessibility while others are broader and apply to all forms of information and communication technology (ICT).

ICT accessibility means that people with disabilities can use the web, mobile applications, software, or telephones directly with access features “built into” the product *or* they can use their assistive technology “added onto” those products to provide access. Millions of Americans have visual, auditory, physical, speech, cognitive, and neurological disabilities that impact their ability to use the web, software, smart phones, and other ICT. Ensuring accessibility is critical for these Americans to learn, work, and live independently.

The U.S. Access Board is responsible for developing accessibility standards for Section 508. In 2018 they issued a final rule that updated accessibility requirements covered by Section 508, and refreshed guidelines for telecommunications equipment subject to Section 255 of the Communications Act. The rule updated and reorganized the Section 508 Standards in response to market trends and innovations in technology. The refresh also harmonized requirements with guidelines and standards in the U.S. and abroad, including standards issued by the European Commission, and with the World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG 2.1), a globally recognized voluntary consensus standard for web content as well as ICT.

Resources are available at: <https://www.access-board.gov/webinars/about.html>

Comprised of over 120 national organizations, the mission of the Consortium for Citizens with Disabilities (CCD) is to engage in concerted advocacy for national 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; that enhances the civil rights and quality of life of all people with disabilities and their families; and that reflects the values of the Americans with Disabilities Act and all civil rights law. The CCD Technology and Telecommunications Task Force focuses on policy issues related to access to telecommunications and assistive technology in education, employment, and independent living.

www.c-c-d.org