



June 22, 2026

Luis Perez  
Director for Disability Rights Section  
Civil Rights Division  
U.S. Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530-0001

RIN 1190-AA82: Docket No. [CRT150](#); AG Order No. 6742-2026

Dear Director Perez:

We write in opposition to the U.S. Department of Justice’s Interim Final Rule (IFR) extending the implementation deadline by one year for the Americans with Disabilities Act (ADA) Title II digital accessibility regulations finalized in 2024. We also have serious concerns with any considerations to open up the existing regulations as stated in the IFR<sup>1</sup> as it would cause further confusion in the field and jeopardize accessible systems. We are members of the cross-sector Coalition on Accessibility in Higher Education which was created to elevate the needs of students with disabilities to further their access and success in higher education.

This delay, made only four days before the Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities was scheduled to go into effect for covered entities, including large institutions of higher education with 50,000 or more students, undermines the key goal of providing access to critical information for people with disabilities. While the Department could have used the first year this rule was in effect to provide technical assistance and implementation support towards those not yet in compliance, it chose to put the concerns of entities ahead of the rights of individuals with disabilities. Further, the ADA clearly states that Title II entities cannot discriminate against people with disabilities. While the 2024 final rule clarified the need for accessible web and app content, the requirement for such content to be accessible remains in law.

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<sup>1</sup> The IFR states “While this IFR is limited to extending the 2024 final rule’s compliance dates, the Department plans to engage in future rulemaking processes related to the substantive requirements of the 2024 final rule. During the extension period, the Department will consider issuing an NPRM providing members of the public with an opportunity to comment on the substance of the 2024 final rule and any changes proposed by the Department. If the Department does not issue such an NPRM and if circumstances suggesting further delays of this deadline do not exist, the Department fully anticipates implementing the regulation at the new deadline.”



Contrary to the Department’s rationale related to litigation, the 2024 final rule did not create new accessibility requirements. Instead, the rule clarified and set a standard for digital accessibility which was already required under the ADA. Digital advancements since the 1990 passage of the ADA, including the proliferation of the Internet and home-based computing, made clarification necessary to ensure access to people with disabilities. Since the 2024 finalization of the rule, many institutions - public and private - have proactively adopted policies and practices that make their institutions more accessible to all students and fully compliant with the rule. The IFR references the 2025 letter<sup>2</sup> from the Association on Higher Education and Disability and signed by 32 accessibility organizations, including many of us, rejecting any efforts to delay, rescind, or modify the 2024 final rule – a record cited by the Department itself that institutions are capable of making progress toward compliance that has been disregarded.

The Department also asserts that technology has not developed at the anticipated pace under the 2024 rule, and therefore the necessary technology is not available to meet full accessibility requirements. We disagree with this position. The advancement of technology is never linear, nor should it be relied on in order for Americans to access their civil rights protections. To say Artificial Intelligence (AI) cannot yet achieve what was anticipated in 2024 completely discounts that AI has developed at a far faster pace than many experts anticipated and while there is still progress to be made in leveraging it for accessibility, its capabilities have made building accessible systems more seamless and affordable than ever.<sup>3</sup> For example, accessible tools such as alternative text, video description, speech to text, and screen readers have become more efficient with the proliferation of artificial intelligence (AI). Put simply, digital accessibility does not have substantial administrative and financial costs when designed to be accessible and the Department’s delay of the 2024 rule could in fact stifle innovation around accessibility that would have been driven by greater urgency should the rule have been allowed to go into effect. The Coalition on Accessibility in Higher Education recently released a playbook with a chapter dedicated to digital accessibility.<sup>4</sup> The information in the chapter demonstrates that many colleges and universities are already complying and have made their policies and practices public to be easily replicated by others.

Finally, we are very concerned that the Department states in this IFR that “during the extension period, the Department will consider issuing an NPRM providing members of the public with an opportunity to comment on the substance of the 2024 final rule and any changes proposed by the Department. If the Department does not issue such an NPRM

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<sup>2</sup>[https://www.nacacnet.org/wp-content/uploads/AHEAD\\_Letter-to-OMB\\_Protecting-Title-II-Web-Access-Rule\\_2025.07.pdf](https://www.nacacnet.org/wp-content/uploads/AHEAD_Letter-to-OMB_Protecting-Title-II-Web-Access-Rule_2025.07.pdf)

<sup>3</sup><https://www.digitallearninginstitute.com/blog/revolutionising-accessibility:-the-role-of-ai-in-assistive-technology>

<sup>4</sup>[https://www.chepp.org/wp-content/uploads/2026/05/CHEPP\\_ACCESSIBILITY-BY-DESIGN-PLAYBOOK.pdf](https://www.chepp.org/wp-content/uploads/2026/05/CHEPP_ACCESSIBILITY-BY-DESIGN-PLAYBOOK.pdf)



and if circumstances suggesting further delays of this deadline do not exist, the Department fully anticipates implementing the regulation at the new deadline.” As explicitly stated in this IFR, the 2024 final rule considered comments “expressing a wide range of views” and the Department concluded that the compliance dates “struck the appropriate balance” and that “there is more available technology to make web content and mobile apps accessible.” We are concerned that the Department is signaling potential reconsideration for the rule itself when it has already considered public comment in 2023 and justified the compliance timeline based on those comments.

While our priority remains with ensuring those with disabilities are able to access their civil rights, more accessible systems benefit everyone. It is commonly understood that when barriers to access are eliminated, everyone benefits - known as the curb-cut effect.<sup>5</sup> Like a physical “curb-cut”, this is true in digital spaces and widely recognized by technology companies who are increasingly prioritizing accessibility across their platforms.<sup>6</sup> In raising this, we hope the Department recognizes the delay of this rule not only harms the 1 in 4 people with disabilities<sup>7</sup> but all people who use digital platforms.

With this delay, the Department accepts inaccessible systems as a norm for students with disabilities when technological advancements have made it more affordable than ever to design and deliver accessible content. We urge the Department to not permit further delay or reopen the rule.

Thank you for your consideration of these comments on these matters.

Sincerely,

Accessible College LLC  
Autistic Self Advocacy Network  
Center for Higher Education Policy and Practice at SNHU  
Complete College America  
Florida International University Disabled Student Union  
Lead MN  
National Association for College Admission Counseling  
National Center for Learning Disabilities  
National Down Syndrome Congress

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<sup>5</sup>[https://www.chepp.org/wp-content/uploads/2026/05/CHEPP\\_ACCESSIBILITY-BY-DESIGN-PLAYBOOK.pdf](https://www.chepp.org/wp-content/uploads/2026/05/CHEPP_ACCESSIBILITY-BY-DESIGN-PLAYBOOK.pdf)  
(p.38)

<sup>6</sup> <https://www.forbes.com/lists/accessibility/>

<sup>7</sup> <https://www.cdc.gov/disability-and-health/articles-documents/disabilities-health-care-access.html>