The AIDA Act

A Legislative Framework for a National AI Disability Standard

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> **This Act would create no new substantive right.**
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> **It would give rights that already exist a shared set of questions and a form the next institution recognizes.**

Executive Summary

People with disabilities use general-purpose AI to read, write, remember, plan, and communicate around functional barriers. The author calls that use Artificially Intelligent Disability Assistance (AIDA). Federal law already defines assistive technology by what it does for a person, and the Americans with Disabilities Act and Section 504 already protect a person who needs a different means to meet the same standard. What no law supplies is a shared way to recognize when a use of AI is working as a disability tool. Nor does any law give the person a way to show standing that the next institution will recognize.

The result is that each institution decides alone. One university department admits AI as an approved accommodation, a second requires the accommodation to be printed in the dissertation, and a state court system bars a device at the door with no accommodation path stated in the rule. A person accommodated at one institution starts over at the next, with a new disclosure and a new file each time.

This framework proposes the Artificially Intelligent Disability Assistance Act, the AIDA Act, in two parts. Part 1 would establish in law three questions that show when AI is a disability tool. The answers would be read through considerations the Social Security Administration and the ADA regulation already use. Congress would recognize the questions as a method that agencies and institutions adopt to meet duties they already carry. Part 2 calls for a national acknowledgment built the way the parking placard is built, so that a recipient can see a person's standing without opening a medical file. Once an acknowledgment exists, its handling is a privacy matter, and that is where the Act would bind.

The two names do different jobs. The AIDA Act is the bill, and the AI Disability Standard is what the bill would establish: the three questions in Part 1, and the acknowledgment and recognition rule in Part 2.

The framework makes five design choices. It fixes the three questions and the recognition rule, because those are the parts a person and an institution need to be the same everywhere. It makes the privacy rule binding once an acknowledgment exists, and it puts two models to Congress for how far recognition is required. It gives Congress menus for the choice of issuer and for the Social Security question. The open design questions go to a rulemaking with the disability community at the table. It relies on the enforcement the ADA and Section 504 already carry and applies the good-faith rule Title I already has. For every recipient that rule does not reach, it offers other reasons to adopt. It creates no new penalty.

This is a policy framework and not bill text. The author is not a lawyer, the register is exploratory, and the framework carries the case against its own proposal in Section 11.

1. The Problem: Protections Without Shared Questions or a Recognized Form

1.1 Each institution decides alone

The record of institutional answers shows how far apart they sit. The University of Notre Dame's Department of Mathematics bars AI-generated content in comprehensive examinations, theses, and dissertations unless a listed condition holds, and one condition is that "Generative AI use is an approved accommodation under the Americans with Disabilities Act" (University of Notre Dame Department of Mathematics, n.d.). Its Department of Electrical Engineering permits the same accommodation and then requires the dissertation to state it in print (University of Notre Dame Department of Electrical Engineering, 2025). The New York State Unified Court System's memorandum of July 1, 2026 prohibits smart glasses for "all individuals entering court facilities," and it states no exception for disability or assistive technology (New York State Unified Court System, 2026).

The integrity profession has described the same gap from the inside. An academic integrity lead at the Open University wrote in April 2026 that "We are, in effect, policing the very accommodations we prescribed" (Oldham, 2026). None of these rules travels with the person, and none tells the next institution what the last one found.

1.2 Three punishments, each tied to a protection that already exists

The third paper in the AIDA series names three forms of punishment for using AI as a disability tool: refusal, algorithmic punishment, and the harm of being made to label the work as AI (Puglisi, 2026c, Standpoint). Refusal is a rule that bars the tool. Algorithmic punishment is a detector's score or a ranking system's penalty applied to how the work reads. The label is a requirement to mark the work, and the research on it reports a cost. Schilke and Reimann (2025) ran 13 preregistered experiments and found that people who disclose AI use are trusted less. Raj, Berg, and Seamans (2026) found AI-labeled creative

writing devalued by 6.2 percent on average across 16 experiments. Neither study tested users with disabilities, and the series says so.

Detector evidence is specific to the detector and the population. Liang and colleagues (2023) found that detectors "consistently misclassify non-native English writing samples as AI-generated." The comparisons for autistic writers are disputed between a peer-reviewed study and a vendor-supported replication, and the third paper reports both findings at full strength (Puglisi, 2026c, Section 1.3).

1.3 The person discloses again at every door

Each disclosure sits where the institution keeps it. In 2026 a spreadsheet of reasonable accommodation requests left the Department of Labor's network, carrying categories of functional limitation for nearly 3,150 employees (Heckman, 2026a; 2026b). That file existed in one agency. A person accommodated at five institutions has five such files, and nothing today lets one finding of standing serve the next request.

1.4 Federal AI policy is silent on the person who uses AI

The third paper searched five presidential instruments on AI issued since January 2025 and found that none names disability, assistive technology, or accommodation in its text (Puglisi, 2026c, Section 2.2). State AI laws regulate AI used on people, and one pending bill names the person's own use. H.R. 10515 would add a requirement to each state vocational rehabilitation plan. The plan would describe how the program will enable individuals with disabilities to "use artificial intelligence" and to take part in occupations that AI augments (H.R. 10515, 2026). It sets out no questions and no credential, and a bill tracker consulted on November 17, 2026 showed no action after its September 21, 2026 referral to committee (Quiver Quantitative, n.d.).

1.5 Who carries the cost

For the person: every new school, employer, court, and platform is a new explanation, a new disclosure, and a new file. The person who follows the rule and declares the use is the one who is graded down, ranked down, or marked.

For the institution: an AI rule written for everyone becomes an accessibility question the drafters did not see. The institution has no shared test to apply and no way to tell a disability tool from a convenience without asking for a medical file it does not want to hold.

For the nation: the ADA's findings name the goals as "equality of opportunity, full participation, independent living, and economic self-sufficiency" (42 U.S.C. § 12101(a)(7)). At the end of September 2026, 6,958,832 people were in current pay as disabled workers under Social Security Disability

Insurance (Social Security Administration, 2026f). A person who can work with a tool should not be refused the tool, and a person who tries should not be punished for trying.

2. Foundation and Precedent

2.1 Congress has built this kind of instrument before

In 1988 Congress enacted Public Law 100-641, and the Department of Transportation answered with a uniform system for disability parking, published in 1991 and codified at 23 C.F.R. Part 1235. The part's stated purpose is to "provide guidelines to States for the establishment of a uniform system" (23 C.F.R. § 1235.1). Its reciprocity section begins, "The State system shall recognize removable windshield placards," and reaches placards and plates "issued by issuing authorities of other States and countries" (23 C.F.R. § 1235.8).

The Congressional Research Service described the legal character of that system in 2010. It called the federal law and guidelines "merely hortatory," reported that Congress "has never required states to comply," and found that "nearly all states have adopted at least some portion of the Department of Transportation's Uniform System" (Congressional Research Service, 2010). A federal standard that states were free to decline was adopted, at least in part, by nearly all of them.

The placard is the model for a reason the third paper states plainly. A parking placard creates no space. The law reserves the space, and the placard is how the attendant knows the driver may use it (Puglisi, 2026c, Standpoint). The AIDA Act asks Congress to do for AI as a disability tool what it did for the reserved space in 1988.

2.2 Every part of the Standard already exists in federal practice

What the Standard needs	Where it already exists	What that system supplies	Authority
A definition of the tool by its use	Assistive Technology Act	A device is assistive when it "is used to increase, maintain, or improve functional capabilities of individuals with disabilities"	29 U.S.C. § 3002(4)
A comparator for limitation	ADA regulation	Limitation is considered "as compared to most people in the general population"	29 C.F.R. § 1630.2(j)(1)(ii)
The costs that count	ADA regulation	The "difficulty, effort, or time required," the "pain experienced," and "the length of time a major life activity can be performed"	29 C.F.R. § 1630.2(j)(4)(ii)

What the Standard needs	Where it already exists	What that system supplies	Authority
Functional domains and attention to sustained function	Social Security Administration	Four areas of mental functioning, rated by whether the person functions "independently, appropriately, effectively, and on a sustained basis"	Social Security Administration (n.d.-b)
A federal determination other programs accept	SSDI award	ABLE accepts it for a disability that began before age 46, and vocational rehabilitation presumes the beneficiary eligible	26 U.S.C. § 529A(e); 34 C.F.R. § 361.42(a)(3)(i); ABLE National Resource Center (2026)
Certification with the diagnosis kept by the person	ABLE account	Certification under penalties of perjury, with the diagnosis retained and produced only on request	26 C.F.R. § 1.529A-2(e)(1)
A purpose limit on the certification	ABLE account	Congress wrote that "No inference may be drawn" from the certification for Social Security eligibility	26 U.S.C. § 529A(e)(2)(B); 26 C.F.R. § 1.529A-2(e)(5)
An entitlement-only face, an expiry, and reciprocity	Parking placard	An identification number, an expiration date, the issuer's seal, a six-month temporary tier, and recognition across states	23 C.F.R. §§ 1235.2, 1235.4, 1235.5, 1235.8
Discreet presentation with no exemption	TSA Notification Card	The card "does not exempt me from screening"	Transportation Security Administration (n.d.)
A limit on what is disclosed	HIPAA Privacy Rule	The minimum necessary standard, taken as a model because HIPAA itself reaches health plans, clearinghouses, and covered providers	45 C.F.R. §§ 160.102, 164.502(b)
A gate on function and conduct	Service-animal rule	Two questions, with no documentation required	28 C.F.R. §§ 35.136(f), 36.302(c)(6)
Protection for the employer that acts in good faith	Title I damages provision	Damages are barred where the employer shows good-faith efforts to accommodate, made in consultation with the person	42 U.S.C. § 1981a(a)(3)
A floor that leaves stronger law standing	ADA construction clause	Nothing in the ADA limits a federal or state law that gives greater or equal protection	42 U.S.C. § 12201(b)
A channel in every state and territory	Assistive Technology Act	Formula grants to 56 state and territory assistive technology programs	29 U.S.C. § 3003; Association of Assistive Technology Act Programs (n.d.)

The Standard invents none of these parts. It assembles them for one purpose, and the third paper states for each one what it takes and what it leaves behind (Puglisi, 2026c, Section 4).

2.3 The limit of the placard analogy

The analogy has a limit, and the framework keeps it. A placard invokes an entitlement a legislature settled before the car was parked, and the space is the same for every holder. An accommodation claim is settled one case at a time, by individualized assessment, and the means differs with the person and the task (Puglisi, 2026c, Section 2.1). The acknowledgment in Part 2 therefore settles standing and nothing else. Whether a particular use is a disability tool is decided by the three questions in Part 1, and whether the institution must grant the means is decided by the law that already reaches it.

2.4 One jurisdiction has already moved

Spain's Ley 4/2026 entered into force on October 23, 2026. It gives persons with disabilities a right to benefit from AI systems. At Article 7.6 of the general disability law as amended, it also gives a right to use the support products they need without being required to give them up or deactivate them (BOE, 2026). The third paper reads the Spanish text as a legislature's confirmation that the issue is real and that the protection should be named (Puglisi, 2026c, Section 2.3). The Spanish law names the right and leaves open how need is shown, which is the question Part 1 answers.

3. Part 1: The Three Questions

Part 1 would establish in law how to recognize when a use of AI is a disability tool. The Act would fix the three questions and offer them for adoption, so that a person's answer and an institution's review mean the same thing in every state and every sector.

The questions are not a ruler, and they neither score a person nor rank a disability. The Standard covers every kind of disability, physical and mental, and the third paper holds that disability "runs from functional, to partial, to complete, and the standard covers the full range" (Puglisi, 2026c, Section 4.1). Much of that range is gray area, where no single line fits every person. The answers are therefore considered case by case, through the individualized assessment the law already requires.

3.1 The root: a tool is defined by its use

"Assistive technology is defined by what it does for a person, whoever made it and however it was marketed" (Puglisi, 2026a, Section 3). The three questions therefore never ask about the product. They rest on one root question, which the third paper states as whether "the use fit a purpose that offsets a disability, physical or mental" (Puglisi, 2026c, Section 4.1).

3.2 The three questions

The first paper in the series answers the root question with a three-question functional test, which the author calls the AIDA Functional Test (Puglisi, 2026a, Section 6.1). The Act would adopt the three questions as written.

	The question as published	The question in plain words
1. The barrier	"A disability creates an identifiable functional barrier."	What can the person not do the usual way?
2. The match	"A particular AI capability directly reduces or bypasses that barrier."	What does the AI do about that barrier?
3. The gain	"The intervention increases, maintains, or improves the person's functional capability."	What can the person now do, keep doing, or do better?

Each question has a rule for what a sufficient answer names. The barrier is named as a function: "A diagnosis alone is too broad to meet the prong." The match is specific, so that "Voice input answers a typing barrier, visual description answers a seeing barrier, and task decomposition answers a sequencing barrier." The gain uses the statute's three verbs, and it covers "restoring access to a capability the person holds, sustaining a capability that would otherwise erode under load, and expanding a capability the disability had constrained" (Puglisi, 2026a, Section 6.1).

3.3 How the answers are considered

The Act would fix four considerations, each taken from federal text already in force.

1. **Sustain and cost.** The question is never whether the person can do the task at all. "A person can meet a standard and still be unable to sustain it, or sustain it only at a cost others do not pay" (Puglisi, 2026c, Section 4.1). The Social Security Administration already rates function by whether it is sustained, and the ADA regulation already names effort, time, pain, and duration as the costs that count.
2. **The comparator.** Limitation is considered against "most people in the general population," and the impairment "need not prevent, or significantly or severely restrict" the activity (29 C.F.R. § 1630.2(j)(1)(ii)).
3. **The domains.** The considerations reach physical function and the four areas the Social Security Administration uses for mental function: understand, remember, or apply information; interact with others; concentrate, persist, or maintain pace; and adapt or manage oneself (Social Security Administration, n.d.-b).
4. **Success is not evidence against the person.** The ADA requires limitation to be assessed without regard to the help a person already uses, and the statute lists the "use of assistive technology" as

part of that help (42 U.S.C. § 12102(4)(E)(i)). A person who performs well with the tool has shown that the tool works.

How the gray area is considered, between the Social Security Administration's level and no limitation at all, is the first question the rulemaking in Section 5.4 would take up.

3.4 What the three questions do not cover

The three questions have a boundary an ordinary institution can apply. A report written by AI on a subject the person never studied, and submitted unread, does not meet the second and third questions, because the AI "answers the absence of subject knowledge, which no disability created" (Puglisi, 2026a, Section 6.3). Substitution for a capability is outside the Standard, and so is treatment. The series separates organizing communication during psychological stress from offering therapy, and it makes no claim for the second.

Delegation is a different matter from substitution. The first paper holds that for some people "delegation to an agent is itself the accommodation." It works the line between the two through seven cases it presents as hypothetical (Puglisi, 2026a, Sections 6 and 8).

3.5 The record

The Act would fix two rules for the record. The person answers the three questions in the person's own words, and no diagnosis is stated. The institution answers with a decision by a named human, recorded as accept, modify, or reject with its basis and its date. A detector score, a flag, or an impression may be held in the file as an unverified input, and it is never recorded as a finding (Puglisi, 2026c, Section 4.7).

3.6 What the three questions do not decide

Three yes answers establish that the use is a disability tool, and they do not grant the accommodation. The institution keeps every defense the law gives it, including undue hardship, fundamental alteration, essential functions, and direct threat, and it may choose an equally effective alternative where the law allows. Where a rule assesses the very skill the tool would supply, that defense is the institution's to show, case by case. The three questions also leave aside who answers for a consequential output. The first paper treats that as a separate governance screen, and "a use that fails it is still assistive" (Puglisi, 2026a, Section 6.2).

4. Part 2: The National Acknowledgment

Part 2 calls for the national acknowledgment the parking placard already has: a form of standing that one issuer provides and every adopting institution recognizes.

4.1 The acknowledgment

The acknowledgment would show entitlement only. Its face would carry an identification number, an expiration date, and the issuer's mark, with no diagnosis, on the model of the placard's face (23 C.F.R. § 1235.2). It would carry no disability symbol. A placard is read from a distance in a parking lot, while an acknowledgment walks into the interview, the classroom, and the venue with the person, where anything printed on it is read at arm's length by someone who knows the holder's name (Puglisi, 2026c, Section 4.4).

4.2 Two paths to an acknowledgment

The automatic path. Receipt of Social Security Disability Insurance would qualify a person automatically, as ABLE and vocational rehabilitation already accept it. ABLE ties its route to a disability that began before age 46, and the Standard takes the route without the onset age (26 U.S.C. § 529A(e)). The path would hold through the Social Security Administration's work incentive periods, as ABLE's does. "Automatic qualification settles standing and nothing else; the use still has to meet the test" (Puglisi, 2026c, Section 4.1).

The functional path. A person without that award would certify under penalty of perjury, on the ABLE pattern. A diagnosis sits behind the certification, as a physician's certification sits behind a placard. The issuer sees it at certification and keeps "the certification, the functional domain, and the clinician's name and date," and the person keeps the diagnosis. "No issuer holds a medical file" (Puglisi, 2026c, Section 4.1).

4.3 The recognition rule

The Act would fix the recognition rule in six parts. Parts 2 and 3 are written for the adopting recipient, and Section 5.2 puts to Congress whether they should also reach the entities the ADA and Section 504 already bind.

1. **Optional for the person.** No one needs an acknowledgment to request an accommodation, and no recipient may demand one as the price of considering a request. A person who declines it keeps every protection the law gives.
2. **Sufficient on standing.** A recipient that adopts the Standard accepts a current acknowledgment as evidence of standing without opening a medical file.
3. **Reciprocal.** An acknowledgment issued by any authorized issuer is recognized by every adopting recipient in every state, on the model of 23 C.F.R. § 1235.8, so that the person does not start over.

4. **Private.** The acknowledgment is presented to the function that applies the rule, never to the reader of the work. Private presentation is the standard, and a public statement of the accommodation is the exception the institution must justify.
5. **No inference.** Within the Standard, an acknowledgment issued to invoke an accommodation is not evidence of capacity for work. The rule binds the issuer and every adopting recipient, and Section 5.6 puts to Congress whether it should also bind the Social Security Administration. The Supreme Court has already recognized that a benefits claim and an accommodation claim can both be true (*Cleveland v. Policy Management Systems Corp.*, 1999).
6. **Dated.** An acknowledgment expires and renews, and a temporary tier serves needs that end.

4.4 What the acknowledgment settles, and what a recipient may still ask

A request moves through three stages, and the acknowledgment speaks to the first one only.

Stage	What is settled	What settles it
Standing	That the person may invoke the protections	A current acknowledgment, or the documentation rules the law already has
The assistive relationship	That this use of AI is a disability tool	The three questions, answered in the person's own words
The institution's decision	Whether the means is granted, or an equally effective alternative is offered	A named human, with every defense the law gives

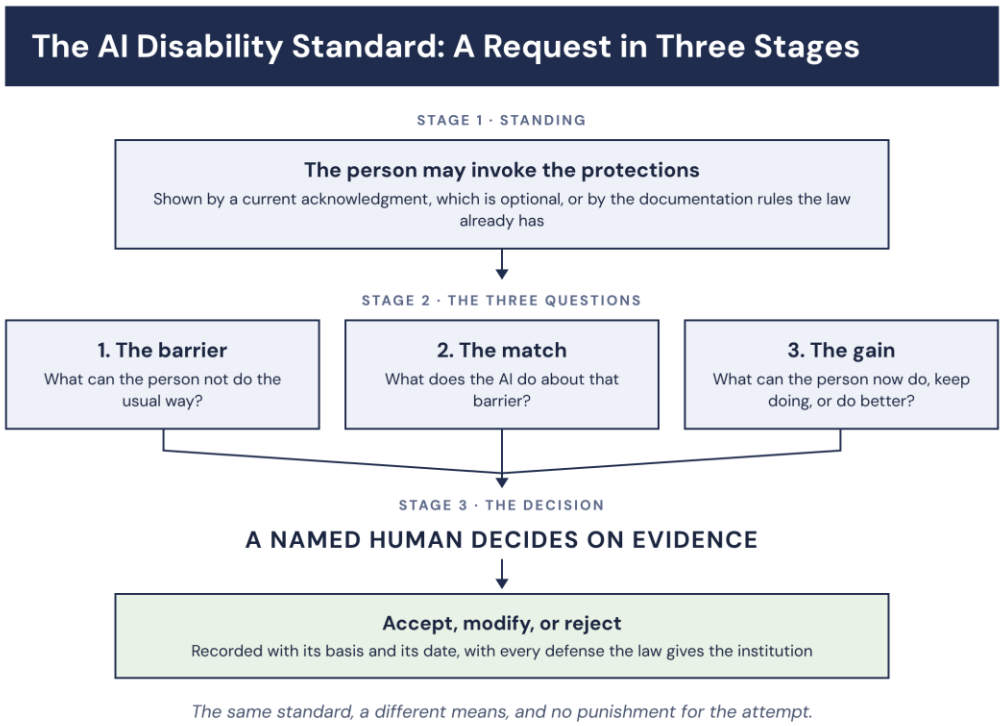


Figure 1. *A request moves through three stages, and the acknowledgment speaks to the first one only.*

An adopting recipient that receives a current acknowledgment asks for no further proof of disability. It may still ask what the three questions ask, because the acknowledgment says nothing about the use. A person who holds no acknowledgment stays where the law stands today. Under that law an employer may ask for reasonable documentation only "when the disability and/or the need for accommodation is not obvious" (Equal Employment Opportunity Commission, 2002).

4.5 The privacy rule

An acknowledgment that carries no diagnosis still tells its reader something about the holder. Its handling is therefore a privacy matter, and this is the part of the Act that would bind from the day an acknowledgment exists. The model is HIPAA's minimum necessary standard (45 C.F.R. § 164.502(b)). The Act would write that standard as its own rule, because HIPAA reaches health plans, clearinghouses, and covered providers, and it reaches few of the recipients named here (45 C.F.R. § 160.102).

The Act would fix four privacy rules, and the series already holds each one.

1. **Minimum record.** The issuer sees the diagnosis at certification and keeps only the certification, the functional domain, and the clinician's name and date. The person keeps the diagnosis.
2. **Separate file.** A recipient keeps the acknowledgment and the decision in a separate confidential file, as the ADA already requires of medical information in employment (29 C.F.R. § 1630.14(c)(1)).
3. **Purpose limit.** The third paper's notice asks that it be used for the accommodation decision only. Any other use the law does not require of the recipient would need the person's written authorization (Puglisi, 2026c, Section 3.1). The Act would apply the same limit to the acknowledgment.
4. **No public label.** No recipient may require the holder to state the accommodation in the work, or to the reader of the work.

The Department of Labor incident in Section 1.3 is the reason these rules are fixed in the Act and not left to practice. Retention and deletion periods and breach notice are design questions, and so is verification that does not log where a person presents an acknowledgment. They go to the rulemaking under question 5.

4.6 What is available today, and what only Congress can supply

The third paper assembles the instrument in eight steps and observes that the person's notice, the institution's decision, and the record on both sides are available today, before any issuer exists. What the person lacks is an acknowledgment any recipient will take at face value and recognition of it by the next recipient. Those two steps are what one person and one institution cannot build alone (Puglisi, 2026c, Section 6).

5. Legislative Actions for Congress

5.1 Establish the three questions in law

Congress would recognize the three questions and the four considerations of Part 1 as the method for considering a request to use AI as a disability tool. It would direct the lead agency to publish that method for adoption. The method is a guide to compliance with law already in force. It fits wherever the ADA or Section 504 already places an accommodation or modification duty on the recipient, and Congress would press agencies and organizations to adopt it there. It would add no duty, and it would give the existing individualized assessment a common form.

5.2 Direct a uniform system of acknowledgment and recognition

Congress would direct a uniform system for acknowledging standing, with the recognition rule of Section 4.3 and the privacy rule of Section 4.5 as its fixed content. The privacy rule would bind every issuer and every recipient that receives an acknowledgment, under either model below. How far recognition itself is required is a choice this framework puts to Congress.

Congress retains full authority over the recognition model. The two below are presented as a menu, not a prescription.

Model	What would bind	What it offers	What it risks
A. Recognition by adoption	The privacy rule. Recognition binds only the recipients that adopt the Standard	The 1988 parking path: a federal standard, offered to every state and institution, that becomes national practice through adoption	Uneven coverage. The parking guidelines were adopted in part, state by state
B. Recognition required where the law already reaches	The privacy rule, and recognition by the employers, public entities, public accommodations, and funded programs the ADA and Section 504 already bind	One answer for the person at every covered door	A new procedural duty on covered entities, which Congress would have to write

Under either model the acknowledgment settles standing and decides no accommodation. Adoption stays open to every recipient the law does not reach, and Section 5.5 gives those recipients reasons to adopt.

5.3 Choose the issuer from a menu

Congress retains full authority over the choice of issuer. The options below are presented as a menu, not a prescription. Four are drawn from the third paper's fourth question to the community, and the states option comes from the parking model and question 7.

Issuer option	Existing model	What it offers	What it risks
A federal agency	The SSDI award, which other federal programs already accept	One national determination and one face	A central record of people with disabilities who use AI, which the third paper calls a target
The states, under federal guidelines	The parking placard under 23 C.F.R. Part 1235, and the 56 state and territory programs the Assistive Technology Act already funds (29 U.S.C. § 3003)	A working system of state issuers with reciprocity, and a program in every state and territory that already works on assistive technology	Uneven adoption, and the placard's misuse record
A standards body	A published standard that institutions adopt	Independence from any one agency or vendor	No public authority behind the certification
The institutions' own accommodation offices	An accommodation already approved by an employer or school	The finding is made where the need is known	The first disclosure still falls on the person at each new issuer unless reciprocity holds
The platforms jointly	None named in the series	Reach to the recipients no statute binds	The recipients of the notice would hold the standing record

Review of this package raised two designs that sit beside the menu, and both go to the rulemaking under questions 5 and 25. One is verification that works offline, so that no issuer learns where a person presents an acknowledgment. The other is a published specification with no central issuer, paired with a public list that names adopting institutions and never people.

5.4 Convene a rulemaking with the disability community

Congress would direct the lead agency to settle the open design questions by rulemaking with the disability community at the table. Federal law already provides the procedure. Its stated purpose is to "establish a framework for the conduct of negotiated rulemaking," and it lets an agency seat a committee that represents the interests a rule would affect (5 U.S.C. §§ 561, 565). The docket would be the 28 questions the third paper asks and does not settle, including how the gray area is considered, which other determinations qualify automatically, who may certify, where records live, and how misuse is addressed without adding burden for the people the Standard serves (Puglisi, 2026c, Section 9). Document 4 routes each question.

Two features of that procedure shape the design. A committee is limited to 25 members unless the agency head finds that more are needed (5 U.S.C. § 565(b)). Consensus means unanimous concurrence unless the committee agrees to another definition (5 U.S.C. § 562(2)). Document 4 names 17 classes of participant beside the disability community. The Act would therefore state a minimum share of seats for people with disabilities and their organizations, with the number left to Congress. It would also let the

lead agency run the docket in tiers, so that a dispute over devices or platforms does not hold up the questions on eligibility and records.

The American Foundation for the Blind's guiding principles already ask that schools and employers consult the disability community when developing policies on AI as a reasonable accommodation (American Foundation for the Blind, 2025). The rulemaking would make that consultation the method.

5.5 Preserve existing enforcement, and give institutions a reason to adopt

The Act would create no new penalty and no new cause of action. A person refused or punished would use the routes the law already gives: a charge with the Equal Employment Opportunity Commission under Title I, a complaint to the Department of Justice or the designated agency under Title II and Section 504, and a private suit where the statute allows one.

The Act would then state what it means to follow the Standard. An institution follows it by meeting all seven of the conditions below.

1. Its AI policies carry an accommodation path, in the words of the second paper's model clause or their equivalent.
2. It evaluates each request through its accommodation process using the three questions and the four considerations.
3. It accepts a current acknowledgment as evidence of standing, and it never demands one.
4. It takes no adverse action on a detector score, a flag, or an impression until a named human has decided on evidence.
5. It records each decision as accept, modify, or reject, with its basis and its date.
6. It keeps the accommodation in a separate confidential file and compels no public label of it.
7. It gives the person a path to appeal.

The safe harbor is the one Title I already has. The Act would write no new limit on damages. Title I already bars damages where an employer shows good-faith efforts, made in consultation with the person, to identify and make a reasonable accommodation (42 U.S.C. § 1981a(a)(3)). For a request to use AI as a disability tool, an employer that meets the seven conditions would hold a record of those efforts. That record limits monetary exposure only, and only where Title I already does. It would not bar an order to consider or grant an accommodation. It would not serve an employer that retaliates, discloses the accommodation, demands an acknowledgment, or acts on a reading alone.

Other recipients need other reasons. The third paper maps the remedy each class of recipient faces today (Puglisi, 2026c, Section 2.5). A limit on damages would mean little to a public accommodation, which faces no damages in a private suit, and nothing to a platform.

Recipient	Remedy today, as the third paper maps it	What the Act would offer
Employer under Title I	Damages within statutory caps, barred where good-faith efforts are shown	The seven conditions as the record of those efforts
Public entity under Title II, or funded program under Section 504	Injunctive relief, and damages where the forum's standard for them is met	The non-monetary paths below
Public accommodation under Title III	Injunctive relief and fees in a private suit, with money damages only in the Attorney General's action	The non-monetary paths below
Platform or publisher in the United States	No accommodation cause of action located	Adoption by choice, and public credit for it

Congress retains full authority over the non-monetary paths. The options below are presented as a menu, not a prescription.

- **Procurement.** Federal agencies ask contractors to carry the accommodation path, as Section 7 already proposes.
- **Grant terms.** Programs that already fund schools, agencies, and service providers ask the same of grantees.
- **Weight in complaint review.** An agency that receives a complaint may consider a recipient's record under the seven conditions.
- **Public credit.** The lead agency publishes a list of adopting institutions, which names institutions and never people.

5.6 Put the Social Security question to Congress

Within the Standard, the no-inference rule binds the issuer and the recipients that adopt it. It does not bind the Social Security Administration, and the third paper asks who carries the question to that agency (Puglisi, 2026c, Section 9). This framework moves that part of question 14 from the rulemaking docket to Congress, because a person who fears a benefits review has reason not to ask for an acknowledgment.

Congress retains full authority over this choice. The options below are presented as a menu, not a prescription, and other routes stay open.

Option	Precedent	What it offers	What it leaves open
A statutory no-inference rule	Congress wrote one for ABLE, barring any inference from a disability certification for benefits under titles II, XVI, or XIX of the Social Security Act (26 U.S.C. § 529A(e)(2)(B))	A rule that does not move with an administration	How the rule reads work a person does with the tool
A direction to the agency to settle it by its own rule	The agency already counts subsidies and special conditions when it reads work (Puglisi, 2026c, Section 9)	The agency's own expertise and its own record	A rule the agency can later change
Evidence first	Phase 3, which pilots the automatic path	Data on whether holders face reviews	The fear stays in place during the pilot

The ABLE rule and the Standard's rule point in different directions. ABLE's bars a certification from proving eligibility for benefits, and the Standard's would bar an acknowledgment from proving capacity for work. The precedent is narrower and still useful, because Congress has already fixed in statute what a disability certification may be used to infer. Other precedents and other routes may surface in the hearings and the rulemaking, and this menu closes none of them.

5.7 Add a savings clause and defined terms

The Standard would set a floor, and nothing in it would displace a stronger protection in state law or a more generous institutional policy. The Act would say so in a savings clause on the model of the ADA's own. Under that clause nothing in the ADA limits a federal or state law that gives greater or equal protection (42 U.S.C. § 12201(b)).

The Act would also define its terms once. Document 4 carries the working definitions of recipient, adopting recipient, issuer, and standing. For artificial intelligence the Act can borrow the definition Congress already wrote at 15 U.S.C. § 9401, as H.R. 10515 does (H.R. 10515, 2026).

6. Administrative Implementation for Federal Agencies

Agency	Role under the AIDA Act
Lead agency, designated by Congress	Publish the three questions of Part 1. Convene the rulemaking of Section 5.4. Publish the acknowledgment's specification and the recognition rule. The Department of Justice writes the Title II and Title III regulations the three questions rest on, and the Equal Employment Opportunity Commission writes the Title I regulations
Department of Justice	Apply the three questions in Title II and Title III guidance. Receive complaints under the existing procedure at 28 C.F.R. § 35.170
Equal Employment Opportunity Commission	Apply the three questions in Title I guidance on reasonable accommodation. Process charges under the existing procedure

Agency	Role under the AIDA Act
Departments of Education and Health and Human Services	Apply the three questions to funded programs under Section 504
Social Security Administration	Confirm entitlement for the automatic path. Sit in the rulemaking on the benefits questions, which ask how work done with AI as an accommodation is read. Carry out what Congress decides under Section 5.6
Rehabilitation Services Administration	Provide technical assistance through state vocational rehabilitation agencies
State assistive technology programs	Carry the three questions and the model clause to people and institutions through the 56 state and territory programs the Assistive Technology Act already funds (29 U.S.C. § 3003). Serve as a Phase 0 channel
Office of Management and Budget	Direct federal agencies to carry the accommodation path in their own AI use policies, and in the technology they procure under Section 508, which binds federal departments and agencies (29 U.S.C. § 794d)
States	Serve as issuers where Congress chooses that option. Adopt the recognition rule in state programs

7. Funding Mechanisms and Appropriations Placement

Congress retains full authority over funding mechanism selection, and the following options are presented as a menu, not a prescription. This framework states no appropriation figure, because no cost estimate has been made. Phase 0 runs on existing resources, which is not the same as no cost, and Congress would ask for a cost estimate before it releases Phase 1 funds.

Mechanism	How it works	Precedent and fit
Phased, milestone-gated appropriation	Funding is released in phases tied to documented milestones. Phase 0 requires no new appropriation	Lets Congress review the rulemaking record and the pilot data before committing further resources
Existing program channels	Technical assistance runs through programs that already serve the population, including state vocational rehabilitation and the state assistive technology programs	H.R. 10515 would place AI-related technical assistance in the vocational rehabilitation channel
State issuance under federal guidelines	States issue under a federal specification, as they issue placards	23 C.F.R. Part 1235
Standards adoption by procurement and policy	Federal agencies carry the accommodation path in their own AI policies and ask the same of contractors and grantees	Lower federal cost, with slower and less uniform adoption

7.1 Phased placement

Phase	Activity	Appropriation	Phase gate
0	Volunteer agencies and institutions adopt the model clause and the three questions in their existing accommodation processes. Persons serve notice and report outcomes on the rubric in Section 8, and pilot sites may keep the optional outcome record	None. Existing resources	Baseline data on how requests are met
1	Lead agency designated. Three questions published. Rulemaking convened with the disability community	Initial appropriation for the rulemaking	A proposed rule on the gray area, the qualifiers, the certifiers, and the record
2	Congress selects the issuer and the recognition model from the menus. Acknowledgment specification published, including the privacy rule and the accessibility of the acknowledgment to its holder	Released on the Phase 1 gate	A specification a person can hold and a recipient can read
3	Automatic path piloted for SSDI recipients who ask for an acknowledgment	Released on the Phase 2 gate	Issuance, renewal, and recognition data from the pilot
4	Functional path opened. Reciprocity tested across states and recipient classes	Released on the Phase 3 gate	Recognition by a second recipient without a new disclosure
5	Report to Congress. Review of the Standard against the record	Released on the Phase 4 gate	Findings on adoption, refusal, misuse, and privacy

8. Reporting and Transparency

To replace anecdotes with evidence, the lead agency would report to Congress on one rubric. The third paper already states it for the notices people serve today: the recipient class, the date sent and the channel, the register used, the response and its date, whether a named person decided, the outcome, and any adverse action within six months. Outcomes are recorded as granted, equally effective alternative, lawful denial with the reason stated, or no response (Puglisi, 2026c, Section 10).

The reports would be aggregate. They would carry no name, no diagnosis, and no copy of any notice. For the person, the first paper asks that research look at the human functional outcome, in the person, and not at a model's score (Puglisi, 2026a, Section 14). Pilot sites could therefore keep a second, optional record of those outcomes, which Document 4 sets out, without changing the rubric that people who serve notice report on.

9. Why Legislation Is Required

The notice works today wherever a statute already reaches the recipient, and it cannot do three things without Congress.

First, no person and no institution can create recognition by the next institution. Reciprocity is a property of a system, and the parking placard has it because a federal standard came first.

Second, a method that rests on guidance alone can be withdrawn. The Equal Employment Opportunity Commission's 2022 technical assistance on AI and the ADA went offline in January 2025 (Cooley LLP, 2025; Olive, 2026). In September 2026 a federal court vacated six provisions of the 2024 Section 504 rule on the joint motion of the agency that wrote it and the states that sued it (*Texas v. Kennedy*, 2026). Three questions fixed in statute do not move with an administration.

Third, each institution that writes its own answer writes a different one. Four publishers with policies in force this year have answered the disclosure question four different ways (Puglisi, 2026c, Section 1.4). A national standard gives the institution one test to apply and gives the person one answer to carry.

The framework states one limit plainly. No federal law binds a platform or a publisher to honor a notice about AI use, and this Act would not change that. The circuits are split on whether an online-only platform is a place of public accommodation, and two further limits sit beside that split. One is the First Amendment protection of a platform's editorial choices about third-party speech, and the other is Section 230 of the Communications Decency Act (*Moody v. NetChoice, LLC*, 2024; 47 U.S.C. § 230(c); Puglisi, 2026c, Section 2.2). The Standard would be open to their adoption, and the reasons to adopt are the non-monetary paths in Section 5.5.

10. What the Act Would Not Do

- It would create no new substantive right, because every protection it relies on exists already. What it adds is procedure, and Section 5.2 shows which parts would bind.
- It would exempt no one from the standard. The person is held to the same standard by a different means.
- It would not cover substitution, and it would not treat.
- It would not make refusal unlawful. The institution keeps the defenses the law gives it and carries the burden of showing them.
- It would make the acknowledgment no one's prerequisite.
- It would label no one in public.

- It would reserve the tool for no one. Where the tool is open to all, the position of the user with a disability is restored, not raised.
- It would make no claim about medical recovery. That determination stays with the Social Security Administration under its own rules.
- It would not by itself protect a person from retaliation, which the ADA already bars (42 U.S.C. § 12203). The third paper holds that "A notice is such a request, and an adverse action that follows it is the first fact a retaliation claim records" (Puglisi, 2026c, Section 7).
- It would not reach the public. An acknowledgment does nothing on a train, in a gym, or on a street.

11. The Case Against, Carried

A proposal for a document that people with disabilities would carry owes its readers the case against it. The third paper gives that case a full section and answers none of it there: "Every objection below is left standing" (Puglisi, 2026c, Section 8). The objections run against the eligibility model, against certification and documentation, against the credential and the record, against private presentation, against the premise that AI is assistive technology, against a credential overriding institutional rules, and against a disability-specific path at all.

Three of them bear directly on this Act. Macfarlane's objection is that a documentation requirement sorts people by their access to medical care. Obtaining documentation costs doctors' fees and time away from work that many people cannot spare (Macfarlane, 2021; 2025). A coalition led by the Autistic Self Advocacy Network and the American Civil Liberties Union wrote in 2025 of "a long and troubled history with governmental efforts to find and track disability" (American Civil Liberties Union et al., 2025). The Committee on the Rights of Persons with Disabilities holds that the accommodation duty does not depend on a request or on proof of status (Committee on the Rights of Persons with Disabilities, 2018).

Review of this package added three objections, and they are carried the same way. One holds that any limit on remedies weakens the law. The American Civil Liberties Union opposed H.R. 620, the notice and cure bill the House took up in 2018, for shifting the burden from compliance to notice (American Civil Liberties Union, 2018). The Act now adds no limit beyond the one Title I already has, and the objection stands against any later widening. A second holds that the Act asks too little, and that it should set a statutory floor on what a person must show and a separate claim for retaliation. A third holds that Part 2 should wait until the Phase 0 evidence is in.

The framework does not resolve these objections. It keeps the acknowledgment optional, keeps the diagnosis with the person, puts the issuer and the record to Congress and the rulemaking, and seats the

people who raised the objections at the table. The third paper's closing instruction governs: the community that would hold it should design it, or reject it and say what should stand in its place (Puglisi, 2026c, Section 11).

12. Immediate Actions

12.1 Congress

These actions are written for the Congress that convenes in January 2027. The framework can move as a standalone bill or as language in a larger vehicle, and that choice is Congress's.

- Hold hearings on AI as a disability tool, with testimony from people with disabilities who use AI, accommodation officers, and the organizations named in the third paper.
- Request a Government Accountability Office review of whether federal agency AI use policies carry an accommodation path.
- Authorize Phase 0 pilots in volunteer agencies, which require no new appropriation.
- Direct the designation of a lead agency and the convening of the rulemaking.
- Choose between the two recognition models of Section 5.2, and take up the Social Security question of Section 5.6.

12.2 Agencies

- Add the accommodation path to agency AI use policies now, using existing authority.
- Apply the three questions in existing accommodation processes and record each decision as accept, modify, or reject.
- Report Phase 0 outcomes on the rubric in Section 8.

12.3 Institutions and platforms

- Adopt the second paper's model clause in every AI policy.
- Take no adverse action on a detector score or a flag until a named human has decided on evidence.
- Keep the accommodation out of the work and in a confidential file.

13. Closing Statement

The law did not change when the tool did. A person who uses AI to offset a disability holds the same protections that person held before the tool existed, and most of the institutions that punish the use have not been told that the protections reach it.

Congress answered a version of this problem in 1988, and it did so without building a parking lot or issuing a single placard. It directed a uniform system, and the placard became the way an attendant knows that a driver from another state may use the space. The AIDA Act follows that path. It fixes the three questions, calls for an acknowledgment the next institution recognizes, and leaves the design of the acknowledgment to the people who would hold it.

The framework does not claim to be the complete answer. The first paper works the three questions through seven cases it presents as hypothetical, the third paper reports no outcome data on its notice, and no issuer of the acknowledgment exists yet. Phase 0 exists so that evidence comes before appropriation. What the framework holds as its own is the position of the series: "the same standard, a different means, and no punishment for the attempt" (Puglisi, 2026c, Section 11).

Related Documents

This legislative framework is part of the AIDA Act Congressional Package:

- **Document 1: Summary Flyer** (the ask in one page)
- **Document 2: Same Standard, Different Means** (the policy brief and the case for acting)
- **Document 3: The AIDA Act** (this legislative framework)
- **Document 4: Methods Addendum** (the specification of the three questions and the acknowledgment, the rulemaking docket, and the dissent register)

Supporting papers:

- *When AI Becomes Assistive Technology: Artificially Intelligent Disability Assistance (AIDA)*
- *When AI Policy Becomes an Accessibility Barrier: ADA Exposure from Restrictions on Artificially Intelligent Disability Assistance (AIDA)*
- *A Call for an AI Disability Standard: Notice and Validation for People Who Use AI as a Disability Tool, Under Protections That Already Exist*

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Disclaimer

The author is not a lawyer, and this framework does not provide legal advice. It is policy analysis based on public sources, cited materials, and human-AI review. It is not bill text, a legal opinion, or a compliance determination, and a reader considering legislation or a notice should consult qualified counsel.

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