

DEPARTMENT OF JUSTICE

8 CFR Ch. V

21 CFR Ch. I

27 CFR Ch. II

28 CFR Ch. I, V

Regulatory Agenda

AGENCY: Department of Justice.

ACTION: Regulatory agenda.

SUMMARY: The Department of Justice is publishing its 2026 Unified Agenda regulatory agenda pursuant to Executive Order 12866, “Regulatory Planning and Review,” 58 FR 51735, and the Regulatory Flexibility Act, 5 U.S.C. 601 to 612 (1988).

FOR FURTHER INFORMATION CONTACT: Robert Hinchman, Senior Counsel, Office of Legal Policy, Department of Justice, Room 4252, 950 Pennsylvania Avenue NW, Washington, DC 20530, (202) 514–8059.

SUPPLEMENTARY INFORMATION: This edition of the Unified Agenda of Federal Regulatory and Deregulatory Actions includes The Regulatory Plan, which appears in both the online Unified Agenda and in part II of the **Federal Register** that includes the Unified Agenda. The Department of Justice’s Statement of Regulatory Priorities is included in the Plan.

Beginning with the fall 2007 edition, the internet has been the basic means for disseminating the Unified Agenda. The complete Unified Agenda will be available online at www.reginfo.gov in a format that offers users a greatly enhanced ability to obtain information from the Agenda database. Members of the public who wish to comment on proposed regulations that are open for comment may do so at the government-wide website www.regulations.gov.

Because publication in the **Federal Register** is mandated for the regulatory flexibility agendas required by the Regulatory Flexibility Act (5 U.S.C. 602), the Department of Justice’s printed agenda entries include only:

Rules that are in the Agency’s regulatory flexibility agenda, in accordance with the Regulatory Flexibility Act, because they are likely to have a significant economic impact on a substantial number of small entities; and any rules that the Agency has identified for periodic review under section 610 of the Regulatory Flexibility Act.

Printing of these entries is limited to fields that contain information required by the Regulatory Flexibility Act’s Agenda requirements. Additional information on these entries is available in the Unified Agenda published on the internet. In addition, for fall editions of the Agenda, the entire Regulatory Plan will continue to be printed in the **Federal Register**, as in past years, including the Department of Justice’s regulatory plan.

Daniel E. Burrows,

Assistant Attorney General, Office of Legal Policy.

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CIVIL RIGHTS DIVISION—FINAL RULE STAGE

Sequence No.	Title	Regulation Identifier No.
278	Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities.	1190–AA82

CIVIL RIGHTS DIVISION—LONG-TERM ACTIONS

Sequence No.	Title	Regulation Identifier No.
279	Nondiscrimination on the Basis of Disability in State and Local Government Services (Section 610 Review).	1190–AA80
280	Nondiscrimination on the Basis of Disability in Public Accommodations and Commercial Facilities (Section 610 Review).	1190–AA81
281	Rebuttable Presumption of Compliance for Small Businesses for Readily Achievable Barrier Removal	1190–AA84

Department of Justice (DOJ)	Final Rule Stage
Civil Rights Division (CRT)	

278. NONDISCRIMINATION ON THE BASIS OF DISABILITY; ACCESSIBILITY OF WEB INFORMATION AND SERVICES OF STATE AND LOCAL GOVERNMENT ENTITIES

Legal Authority: 5 U.S.C. 301; 28 U.S.C. 509 to 510; 42 U.S.C. 12134; PL 101–36

Relevant Executive Orders: 12866; 13563

Abstract: The Americans with Disabilities Act (ADA) states that “no qualified individual with a disability shall, by reason of such disability, be

excluded from participation in or be denied the benefits of services, programs, or activities of a public entity, or be subjected to discrimination by any such entity.” 42 U.S.C. 12132. However, some public entities’ (*i.e.*, State and local governments’) websites and mobile apps do not fully enable users with disabilities to access the public entity’s services, programs, and activities. Accordingly, on April 24, 2024, the Department published a final rule revising its regulations implementing title II of the (ADA) to provide technical standards to assist public entities in complying with their existing obligations to make their websites and mobile apps accessible to individuals with disabilities. (89 FR 31320)

The Department is considering whether to extend the deadlines for

implementation of the final rule then publish a Notice of Proposed Rulemaking (NPRM) to reconsider whether some of the regulatory provisions imposed by the April 24, 2024 rule could be made less burdensome.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/00/26	
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes

Agency Contact: Roberta Stinar Kirkendall, Special Legal Counsel, Disability Rights Section, Department of Justice, Civil Rights Division, 950

Pennsylvania Avenue NW, Washington, DC 20530

Phone: 202 353-5414
RIN: 1190-AA82

Department of Justice (DOJ)	Long-Term Actions
Civil Rights Division (CRT)	

279. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN STATE AND LOCAL GOVERNMENT SERVICES (SECTION 610 REVIEW)

Legal Authority: 5 U.S.C. 301; 28 U.S.C. 509 to 510; 42 U.S.C. 12134; PL 101-336

Relevant Executive Orders: 12866; 13563

Abstract: On September 15, 2010, the Department published a final rule revising its regulations implementing title II of the Americans With Disabilities Act (ADA) (75 FR 56164) to adopt enforceable accessibility standards under the ADA that were consistent with the minimum guidelines and requirements issued by the Architectural and Transportation Barriers Compliance Board (Access Board) and to update or amend certain provisions of the title II regulation so that they comported with the Department's legal and practical experiences in enforcing the ADA since 1991. Title II of the ADA relates to nondiscrimination on the basis of disability in State and local government services.

Section 610 of the Regulatory Flexibility Act (5 U.S.C. 610) requires agencies once every 10 years to review rules that have a significant economic impact upon a substantial number of small entities. Accordingly, pursuant to the requirements of section 610, the Department is planning to publish a Notice of Proposed Rulemaking (NPRM) to review its ADA title II regulations at 28 CFR 35.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes
Agency Contact: Roberta Stinar Kirkendall
Phone: 202 353-5414
RIN: 1190-AA80

280. NONDISCRIMINATION ON THE BASIS OF DISABILITY IN PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES (SECTION 610 REVIEW)

Legal Authority: 5 U.S.C. 301; 28 U.S.C. 509 to 510; 42 U.S.C. 12186(b); PL 101-336

Relevant Executive Orders: 12866; 13563

Abstract: On September 15, 2010, the Department published a final rule revising its regulations implementing title III of the Americans With Disabilities Act (ADA) (75 FR 56236) that established requirements for the design and construction of accessible facilities that were consistent with the ADA Accessibility Guidelines (ADAAG) published by the U.S. Architectural and Transportation Barriers Compliance Board (Access Board). Title III of the ADA relates to nondiscrimination on the basis of disability in public accommodations and commercial facilities.

Section 610 of the Regulatory Flexibility Act (5 U.S.C. 610) requires agencies once every 10 years to review rules that have a significant economic impact upon a substantial number of small entities. Accordingly, pursuant to the requirements of section 610, the Department is planning to publish a Notice of Proposed Rulemaking (NPRM) to review its ADA title III regulations at 28 CFR 36.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes
Agency Contact: Roberta Stinar Kirkendall
Phone: 202 353-5414
RIN: 1190-AA81

281. REBUTTABLE PRESUMPTION OF COMPLIANCE FOR SMALL BUSINESSES FOR READILY ACHIEVABLE BARRIER REMOVAL

Legal Authority: 42 U.S.C. 12186(b)
Relevant Executive Orders: 12866; 13771; 13777

Abstract: The Department of Justice is proposing to revise the regulations implementing title III of the Americans with Disabilities Act to establish specific criteria for determining when qualified small businesses are presumed to be in compliance with their obligation to remove readily achievable barriers in existing facilities.

Timetable:

Action	Date	FR Cite
NPRM	To Be Determined	

Regulatory Flexibility Analysis Required: Yes
Agency Contact: Roberta Stinar Kirkendall, Special Legal Counsel, Disability Rights Section, Department of Justice, Civil Rights Division, 950 Pennsylvania Avenue NW, Washington, DC 20530

Phone: 202 353-5414

RIN: 1190-AA84

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