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May 5, 2026

The Honorable Bill Cassidy
Chairman
The Honorable Bernie Sanders
Ranking Member
Committee on Health, Education, Labor, and Pensions
United States Senate

The Honorable Jim Jordan
Chairman
The Honorable Jamie Raskin
Ranking Member
Committee on the Judiciary
House of Representatives

Subject: *Department of Justice: Extension of Compliance Dates for Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities*

Pursuant to section 801(a)(2)(A) of title 5, United States Code, this is our report on a major rule promulgated by the Department of Justice (DOJ) entitled “Extension of Compliance Dates for Nondiscrimination on the Basis of Disability; Accessibility of Web Information and Services of State and Local Government Entities” (RIN: 1190-AA82). We received the rule on April 20, 2026. It was published in the *Federal Register* on April 20, 2026. 91 Fed. Reg. 20902. The effective date of the rule is April 20, 2026.

This rule revises the regulations implementing title II of the Americans with Disabilities Act to extend compliance dates for requirements for web content and mobile application accessibility that were adopted on April 24, 2024. 91 Fed. Reg. at 20902. According to DOJ, the compliance date for state and local government entities with a total population of 50,000 or more is extended from April 24, 2026, to April 26, 2027. *Id.* The compliance date for public entities with a total population of less than 50,000 or any special district government, is extended from April 26, 2027, to April 26, 2028. *Id.*

The Congressional Review Act (CRA) requires a 60-day delay in the effective date of a major rule from the date of publication in the *Federal Register* or receipt of the rule by Congress, whichever is later. 5 U.S.C. § 801(a)(3)(A). The 60-day delay in effective date does not apply, however, if the agency finds for good cause that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, and the agency incorporates the finding and a brief statement of its reasons in the rule. 5 U.S.C. §§ 553(b)(B), 808(2). Here, DOJ found good cause to waive notice and comment procedures and incorporated a brief statement of reasons. According to DOJ, notice and comment is unnecessary because it solicited comments on its 2023 notice of proposed rulemaking, 88 Fed. Reg. 51948 (Aug. 4,

2023), that included consideration of a longer time frame for compliance with the rule. 91 Fed. Reg. at 20909. In addition, DOJ stated in the rule that circumstances outside of its and covered entities' control make these regulatory amendments needed to ensure state and local government entities have sufficient time to achieve compliance with the requirements of the 2024 final rule, 89 Fed. Reg. 31320 (Apr. 24, 2024), and to alleviate litigation risk to public entities. 91 Fed. Reg. at 20909.

Enclosed is our assessment of DOJ's compliance with the procedural steps required by section 801(a)(1)(B)(i) through (iv) of title 5 with respect to the rule. If you have any questions about this report or wish to contact GAO officials responsible for the evaluation work relating to the subject matter of the rule, please contact me at (202) 512-8156.

A handwritten signature in black ink that reads "Shirley A. Jones". The signature is written in a cursive, flowing style.

Shirley A. Jones
Managing Associate General Counsel

Enclosure

cc: Jonas Geissler
Deputy Assistant General Counsel, Civil Rights Division
Department of Justice

REPORT UNDER 5 U.S.C. § 801(a)(2)(A) ON A MAJOR RULE
ISSUED BY THE
DEPARTMENT OF JUSTICE
ENTITLED
“EXTENSION OF COMPLIANCE DATES FOR NONDISCRIMINATION
ON THE BASIS OF DISABILITY; ACCESSIBILITY OF WEB INFORMATION AND SERVICES
OF STATE AND LOCAL GOVERNMENT ENTITIES”
(RIN: 1190-AA82)

(i) Cost-benefit analysis

The Department of Justice (DOJ) provided an estimate of the cost savings generated by this rule. 91 Fed. Reg. 20902, 20910 (Apr. 20, 2026). According to DOJ, the rule will result in an estimated \$2.775 billion in present-value cost savings over a 10-year horizon (7 percent discount rate), or \$395 million annualized. *Id.* DOJ stated that small entities (typically governments with populations below 50,000) account for more than half of all cost savings. *Id.* DOJ noted that it was unable to calculate the impact of the rule on net benefits. *Id.* at 20911.

(ii) Agency actions relevant to the Regulatory Flexibility Act (RFA), 5 U.S.C. §§ 603–605, 607, and 609

According to DOJ, this rule does not require a regulatory flexibility analysis under RFA because DOJ for good cause found that notice and comment procedures for the rulemaking would be impracticable, unnecessary, or contrary to the public interest. 91 Fed. Reg. at 20911.

(iii) Agency actions relevant to sections 202–205 of the Unfunded Mandates Reform Act of 1995, 2 U.S.C. §§ 1532–1535

According to DOJ, this rule is not subject to the provisions of the Unfunded Mandates Reform Act because the Act excludes from coverage any proposed or final federal regulation that establishes or enforces any statutory rights that prohibit discrimination on the basis of race, color, religion, sex, national origin, age, handicap, or disability. 91 Fed. Reg. at 20912; 2 U.S.C. § 1503(2).

(iv) Other relevant information or requirements under acts and executive orders

Administrative Procedure Act, 5 U.S.C. §§ 551 *et seq.*

DOJ stated that it promulgated this rule without prior public notice and comment pursuant to 5 U.S.C. § 553(b)(B). 91 Fed. Reg. at 20908–09. According to DOJ, notice and comment is unnecessary because it solicited comments on its 2023 notice of proposed rulemaking, 88 Fed. Reg. 51948 (Aug. 4, 2023), that included consideration of a longer time frame for compliance with the rule. 91 Fed. Reg. at 20909. In addition, DOJ stated in the rule that circumstances outside of its and covered entities’ control make these regulatory amendments needed to ensure state and local government entities have sufficient time to achieve compliance with the requirements of the 2024 final rule, 89 Fed. Reg. 31320 (Apr. 24, 2024), and to alleviate litigation risk to public entities. 91 Fed. Reg. at 20909. Further, DOJ stated that the rule is effective immediately without a delayed effective date pursuant to 5 U.S.C. § 553(d)(1), which

exempts substantive rules that grant or recognize an exemption or relieve a restriction from the Administrative Procedure Act's delayed effective date requirement. *Id.*

Paperwork Reduction Act (PRA), 44 U.S.C. §§ 3501–3520

DOJ determined that this rule contains no additional information collection requirements under the Act. 91 Fed. Reg. at 20912.

Statutory authorization for the rule

DOJ promulgated this rule pursuant to section 301 of title 5; sections 509 and 510 of title 28; and sections 12134, 12131, and 12205a of title 42, United States Code.

Executive Order No. 12866 (Regulatory Planning and Review)

DOJ stated that the rule is economically significant under the Order and that it was submitted to the Office of Management and Budget for review. 91 Fed. Reg. at 20909.

Executive Order No. 13132 (Federalism)

According to DOJ, this rule does not have sufficient federalism implications to warrant the preparation of a federalism summary impact statement under the Order. 91 Fed. Reg. at 20911.