

UPDATE

On July 14, the DOE posted an update including this change:

Due to the receipt of significant adverse comments, the U.S. Department of Energy (DOE) is extending the effective date of the direct final rule “Rescinding New Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities,” published on May 16, 2025.

As of July 14, 2025, the effective date of the direct final rule published May 16, 2025, at 90 FR 20783, is delayed until September 12, 2025.

<https://www.federalregister.gov/documents/2025/07/14/2025-13128/rescinding-new-construction-requirements-related-to-nondiscrimination-in-federally-assisted-programs>

Accessible building regulations are in danger.

- The Department of Energy (DOE) is rushing through a [rules change](#) that would remove [physical accessibility requirements currently in place](#) for new construction or alterations of buildings.
- It would affect all buildings to be used by or for recipients of federal assistance.
- They claim that [another rule prohibiting discrimination against “handicapped persons” in general](#) makes these specific accessibility requirements “unnecessary and unduly burdensome.” However, this rule provides no requirements or standards for physical accessibility.
- Accessible buildings are essential to the rights of people with disabilities to housing, health care, education, and equal participation in society. Lack of accessibility can lead to injury or death.

Action needed immediately!

- We need to flood them with our comments before **Monday June 16**.
- Comments may be a simple statement of opposition or [more extensive arguments](#). The main thing is to submit as many as possible by the deadline.
- The rules change is using an accelerated “Direct final rule” process to rush it through. This requires less time for comments and rigorous review, and is not meant to be used for a major rule change like this.
- If they receive “significant adverse comments” before this deadline, they are required to submit the change to a more rigorous review process with more opportunity for public comment. They have already been receiving a lot of adverse comments but more are needed.
- Comment here: <https://www.regulations.gov/commenton/DOE-HQ-2025-0015-0001> You have the option of commenting anonymously.

Assault on ADA and Section 504

- Disability rights are not optional! The Americans With Disabilities Act and Section 504 of the Rehabilitation Act of 1973 protect the rights of people with disabilities as a class, including requirements for physical accessibility .
- This is part of a strategy to undermine these protections by chipping away at the rules and regulations needed to implement and enforce them.

This would set a precedent for rushing through other major changes.

- Normally a change of this magnitude would require a much more rigorous review process and an extended public comment period. If they succeed in using this “Direct final rule” provision in this case they will use the same tactic for other attacks on existing protections.

Please [comment now](#) and pass this on to your friends and colleagues!