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Proposed ADA Regulations Withdrawn from OMB Review

On January 21, 2009, the Department of Justice notified the Office of Management and Budget (OMB) that the Department has withdrawn its draft final rules to amend the Department's regulations implementing title II and title III from the OMB review process. This action was taken in response to a memorandum from the President's Chief of Staff directing the Executive Branch agencies to defer publication of any new regulations until the rules are reviewed and approved by officials appointed by President Obama. No final action will be taken by the Department with respect to these rules until the incoming officials have had the opportunity to review the rulemaking record. Incoming officials will have the full range of rule-making options available to them under the Administrative Procedure Act.

Withdrawal of the draft final rules does not affect existing ADA regulations. Title II and title III entities must continue to follow the Department's existing ADA regulations, including the ADA Standards for Accessible Design.

*Cited in Arizona v. Harkins Amusement
No. 08-16075 archived on May 7, 2010*

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