

POLITICS

Jeff Sessions Cuts 25 "Guidance Documents," Including Some Obama-Era Anti-Discrimination Guidance

In announcing the move, the Justice Department stated the 25 documents were "unnecessary, inconsistent with existing law, or otherwise improper."

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The Justice Department wiped a wide swath of "guidance documents" off the books on Thursday, withdrawing 25 documents — including one addressing integration of people with disabilities in state and local government programs and another on standards for assessing citizenship status discrimination.

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The Justice Department, in announcing the move, stated the 25 documents were "unnecessary, inconsistent with existing law, or otherwise improper." Several — though not all of them — were issued during President Barack Obama's administration.

The move follows [a February executive order](#) from President Donald Trump seeking a broad review of regulatory actions across the federal government and [a follow-up November memo](#) from Attorney General Jeff Sessions focused on guidance documents — which the department [criticized](#) as being used to "evad[e] required rulemaking processes" too often.

"[A]ny guidance that is outdated, used to circumvent the regulatory process, or that improperly goes beyond what is provided for in statutes or regulation should not be given effect," Sessions said in a statement on Thursday. "That is why today, we are ending 25 examples of improper or unnecessary guidance documents identified by our Regulatory Reform Task Force led by our Associate Attorney General Rachel Brand."

The Justice Department formally announced that Sessions was withdrawing the more than two dozen "guidance" documents following [a Washington Post report](#) on the decision earlier Thursday evening.

The department did not state why each of the 25 were specifically selected to be withdrawn.

Ten of the withdrawn documents [relate to](#) the Americans With Disabilities Act; six are documents issued by the Bureau of Alcohol, Tobacco, Firearms and Explosives; and the remaining nine cover a range of topics — including a 2016 Obama-era effort highlighted in the Post's reporting "that asked local courts across the country to be wary of slapping poor defendants with fines and fees to fill their jurisdictions' coffers."

One of the [withdrawn ADA documents](#) addressed [the application of the "integration mandate"](#) in the part of the ADA addressing state and local governments. The chair of the US Commission on Civil Rights, Catherine Lhamon, criticized the move on Twitter.



Catherine E. Lhamon

@CatherineLhamon

DOJ says it needs further discussion about how to implement longstanding civil rights law. Americans deserve better.

[twitter.com/sbagen/status/...](https://twitter.com/sbagen/status/934111111111111111)

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Another withdrawn Obama-era document was [a 2012 letter](#) that provided "some general guidelines regarding compliance with the anti-discrimination provision of the Immigration and Nationality Act" regarding legal permanent residents.

The news comes as President Trump continues to focus on cutting regulations — along with this week's passage of the tax bill and judicial confirmations — as key accomplishments in his first year in office.

According to the list provided by the Justice Department on Thursday evening, the following "guidance documents" have been withdrawn in 2017:

1. ATF Procedure 75-4.
2. Industry Circular 75-10.
3. ATF Ruling 85-3.
4. Industry Circular 85-3.
5. ATF Ruling 2001-1.
6. ATF Ruling 2004-1.
7. Southwest Border Prosecution Initiative Guidelines (2013).
8. Northern Border Prosecution Initiative Guidelines (2013).
9. Juvenile Accountability Incentive Block Grants Program Guidance Manual (2007).
10. Advisory for Recipients of Financial Assistance from the U.S. Department of Justice on Levying Fines and Fees on Juveniles (January 2017).
11. Dear Colleague Letter on Enforcement of Fines and Fees (March 2016).
12. ADA Myths and Facts (1995).
13. Common ADA Problems at Newly Constructed Lodging Facilities (November 1999).
14. Title II Highlights (last updated 2008).
15. Title III Highlights (last updated 2008).
16. Commonly Asked Questions About Service Animals in Places of Business (July 1996).
17. ADA Business Brief: Service Animals (April 2002).
18. Prior Joint Statement of the Department of Justice and the Department of Housing and Urban Development Group Homes, Local Land Use, and the Fair Housing Act (August 18, 1999).
19. Letter to Alain Baudry, Esq., with standards for conducting internal audit in a non-discriminatory fashion (December 4, 2009).
20. Letter to Esmeralda Zendejas on how to determine whether lawful permanent residents are protected against citizenship status discrimination (May 30, 2012).
21. Common ADA Errors and Omissions in New Construction and Alterations (June 1997).
22. Common Questions: Readily Achievable Barrier Removal and Design Details: Van Accessible Parking Spaces (August 1996).
23. Website guidance on bailing-out procedures under section 4(b) and section 5 of the Voting Rights Act (2004).
24. Americans with Disabilities Act Questions and Answers (May 2002).
25. Statement of the Department of Justice on Application of the Integration Mandate of Title II of the Americans with Disabilities Act and *Olmstead v. L.C.* to State and Local Governments' Employment Service Systems for Individuals with Disabilities (October 31, 2016).

Chris Geidner is the legal editor for BuzzFeed News and is based in Washington, DC. In 2014, Geidner won the National Lesbian & Gay Journalists Association award for journalist of the year.

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Brett Amanda Huser · Boulder, Colorado

He's just living up to his middle name - Beaugard - by being a POS.

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Tayler Simone · Newark, Delaware

This is disturbing.... to say the least.

Like · Reply · 4 · Dec 22, 2017 4:34pm



John Westinghouse

Oh how I love to hear the liberals whine. Someday when liberals grow up, maybe they will look back and see just how stupid they were. It sure happened to me since I was a bleeding heart liberal after having my head filled with all that cr@p when in college. Trump 2020!!!

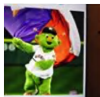
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Sina Tallio · Chief executive officer at Self-Employed

Okay, fine...but the more you don't deal with your problems, the more you'll have on your hands.

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Audrey Springsteen · Owner at Self-Employed

Congrats to Chris Geidner for winning such a prestigious award!

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Gene Woeller · Florida Southern College

Thank you Jeff, do more..... Get hillary.

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David Cooper

Once again T(rump) uses the hitler guide to dictatorship!

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Gene Woeller · Florida Southern College

You mean obama.

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Thomas McGuire · Huntington Woods, Michigan

Gene Woeller ---HONKIE!!!

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Cara Elizabeth

Literally every ADA related guidance was eliminated. This disabled person would cordially invite Jeff Sessions to fuck himself with a cactus.

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