UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

AARP,

Plaintiff,

v.

UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION,

Defendant.

Civil Action No. 16-2113 (JDB)

ORDER

Upon consideration of [48] AARP's motion to alter or amend the judgment, and the entire record herein, and for the reasons stated in the memorandum opinion issued on this date, it is hereby

ORDERED that [48] AARP's motion to alter or amend the judgment is **GRANTED**; it is further

ORDERED that the portions of EEOC's 2016 Regulations Under the Americans with Disabilities Act, 81 Fed. Reg. 31,126 (May 17, 2016), and 2016 Regulations Under the Genetic Information Nondiscrimination Act, 81 Fed. Reg. 31,143-01 (May 17, 2016), which are currently codified at 29 C.F.R. Sections 1630.14(d)(3) and 1635.8(b)(2)(iii), are **VACATED**, effective January 1, 2019; it is further

ORDERED that EEOC's 2016 Regulations Under the Americans with Disabilities Act, 81 Fed. Reg. 31,126 (May 17, 2016), and 2016 Regulations Under the Genetic Information Nondiscrimination Act, 81 Fed. Reg. 31,143-01 (May 17, 2016), are **REMANDED** to the agency

for further consideration consistent with the opinions issued on August 22, 2017 and on this date; it is further

ORDERED that, if EEOC proceeds with any notice of proposed rulemaking consistent with the opinions issued on August 22, 2017 and on this date, it shall issue such notice by not later than August 31, 2018, and shall file a copy of such notice with the Court on that date; and it is further

ORDERED that EEOC shall file a status report by not later than March 30, 2018 informing the Court of EEOC's schedule for its review of the rules, including any further administrative proceedings, and shall disclose this proposed schedule to plaintiff before filing it with the Court.

SO ORDERED.

/s/
JOHN D. BATES
United States District Judge

Dated: December 20, 2017