



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

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Hawaii Attorney General Joins Call for Federal Government to Prioritize COVID-Related Rulemaking and to Freeze Non-Urgent Rules

HONOLULU – Hawaii Attorney General Clare E. Connors today joined a coalition of 19 Attorneys General in calling on the Trump Administration to focus on the COVID-19 pandemic, its impact and to freeze most other pending rulemaking activity.

In a [letter](#) today to the Acting Director of the federal Office of Management and Budget (OMB), the Attorneys General note that state and local governments across the nation remain focused on responding to the COVID-19 pandemic and combating spread of the deadly novel coronavirus. “Life in our communities has been upended by the need to maintain social distancing,” the letter states.

Against that backdrop, the letter urges the federal government to halt most non-COVID-related rulemaking processes. It also asks the Administration to consider reopening certain already-closed rule comment periods “at an appropriate time and for an appropriate duration.” The reopened comment periods would allow federal agencies to receive new input from state and local governments, businesses and others impacted by the COVID-19 crisis, including input on the pandemic’s economic effect.

“The entire state is focused on addressing COVID-19 while maintaining the health and welfare of our people,” said Attorney General Connors. “I urge the federal government to do the same and delay actions on subjects that are unrelated to COVID-19. This will help our state concentrate its resources appropriately during this time.”

Among the rule proposals that could be postponed if the federal government were to prioritize rulemaking related to COVID-19 are proposals that would eliminate or roll back protections against predatory lending, housing discrimination, sexual harassment and violence in education, and discrimination against LGBTQ+ individuals in federally funded programs. Other proposals that could be delayed—including cutbacks in the Supplemental Nutrition Assistance Program or food stamps—would affect far more

Americans today than when they were originally proposed because of the recent economic downturn.

Beyond calling on the federal government to dedicate itself to rules related to COVID-19, the Attorneys General call for a general freeze on all new and pending rules other than those that address emergency situations or other urgent circumstances relating to health, safety, financial, or national security matters, or that are required by statutory or judicial deadlines.

The Trump Administration adopted the same kind of freeze on the President's first day in office, the letter notes.

The letter goes on to observe that federal agencies already have taken some steps to prioritize resources to focus on COVID-19, and that some federal agencies have already extended rulemaking comment periods in response to the pandemic.

The letter concludes by noting that the requested freeze is important to ensure the federal government does not take rulemaking steps that would call for action by state or local governments, businesses, other organizations and the public at a time when their "ability to meet and communicate with each other has been limited" by the COVID-19 pandemic.

Today's letter is led by New Jersey Attorney General Gurbir S. Grewal. In addition to Attorney General Connors, Attorneys General for the following jurisdictions have signed the letter: Colorado, Connecticut, Delaware, District of Columbia, Iowa, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, and Virginia.

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For more information, contact:

Krishna F. Jayaram
Special Assistant to the Attorney General
(808) 586-1284
Email: atg.pio@hawaii.gov
Web: <http://ag.hawaii.gov>
Twitter: @ATGHlgov