

**[ORAL ARGUMENT NOT SCHEDULED]**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

IN RE: COMPETITIVE ENTERPRISE  
INSTITUTE, NATIONAL CENTER FOR  
TRANSGENDER EQUALITY, THE  
RUTHERFORD INSTITUTE, LAWSON  
BADER, and MARCSCRIBNER,

Petitioners.

No. 15-1224

**SCHEDULE FOR ISSUANCE OF FINAL RULE**

Pursuant to the Court's Order of October 23, 2015, respondents Secretary of Homeland Security and Department of Homeland Security hereby "submit to the court a schedule for the expeditious issuance of a final rule within a reasonable time." *Id.*

1. On November 9, 2015, the Transportation Security Administration ("TSA") submitted to the Secretary the draft of the final rule at issue in this case.

2. On November 19, 2015, the Secretary completed his review and transmitted the draft of the final rule to the Office of Management and Budget ("OMB").

3. Under Executive Order 12866, to the extent permitted by law, OMB typically has ninety (90) calendar days to coordinate and complete interagency

review of the draft of the final rule. *See id.* at § 6(b)(2). Given this framework, respondents anticipate the interagency review process will finish no later than February 18, 2016, at which point the final rule will be returned to TSA to commence the logistical process that culminates in publication of the final rule in the Federal Register; that process generally takes no more than fourteen (14) days.

4. Accordingly, respondents anticipate that barring unexpected delays, the final rule will be published in the Federal Register by March 3, 2016. In the event that any such delays arise, respondents will promptly notify the Court.

Respectfully submitted,

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NOVEMBER 2015

**CERTIFICATE OF SERVICE**

I hereby certify that on November 23, 2015, I electronically filed the foregoing Schedule for Issuance of Final Rule with the Clerk of the Court by using the appellate CM/ECF system.

I certify that the participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

/s/ John S. Koppel  
JOHN S. KOPPEL