The Administrative Conference "is a public-private partnership designed to make government work better."

President Barack Obama
July 8, 2010

Paul R. Verkuil

Chairman

ACUS 2.0 Conference
November 29, 2010

ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

Our Mandate

Arrange for federal agencies, assisted by outside experts, cooperatively [to] study mutual problems, exchange information, and develop recommendations for action [so that] private rights may be fully protected and federal responsibilities may be carried out expeditiously in the public interest (1964).

Added in 2004

- Promote public participation and efficiency in rulemaking
  and with regard to rulemaking, adjudication, licensing, and investigation:
- Reduce unnecessary litigation
- Improve the use of science
- Improve the effectiveness of applicable laws

See 5 U.S.C. 591

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ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

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The membership of the Conference, also known as the Assembly, includes the Chairman, the Council, members from approximately 50 federal executive departments and agencies and independent regulatory boards and commissions, and 40 members of the public representing diverse views and backgrounds.

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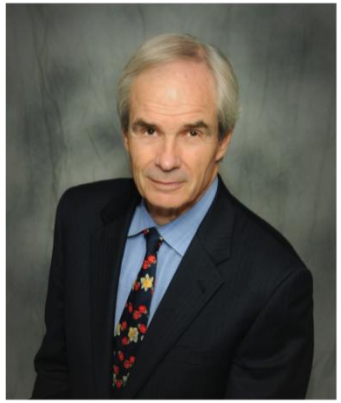
Senior Fellow (1991-95)

Council of Independent Regulatory Agencies

One Council of Independent Regulatory Agency Meeting on the Sunshine Act, and a second this week on use of social media for public comments.

- Commodity Futures Trading Commission
- Consumer Product Safety Commission
- Federal Communications Commission
- Federal Election Commission
- Federal Energy Regulatory Commission
- Federal Maritime Commission
- Federal Mine and Safety & Health Review Commission
- Federal Reserve Board
- Federal Trade Commission
- National Labor Relations Board
- Nuclear Regulatory Commission
- Occupational Safety & Health Review Commission
- Postal Regulatory Commission
- Securities and Exchange Commission
- Surface Transportation Board
- U.S. International Trade Commission

Staff



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Projects Underway

Federal Agency Preemption of State Law

- COMMITTEE ON REGULATION
- CHAIR: Russell Frisby
- CONSULTANT: Catherine Sharkey

Ethics for Government Contractor Employees

- COMMITTEE ON ADMINISTRATION
- CHAIR: John Cooney
- CONSULTANT: Kathleen Clark

All public meeting information and materials are available at www.acus.gov.

Projects Approved

- e-Rulemaking
- FACA in the 21st Century
- Government in the Sunshine Act
- Immigration Adjudication
- Methods of Collaborative Governance
- Rulemaking Comments
- Science in the Administrative Process

ACUS 2.0 IDEAS

Committees Tweaked

1. Adjudication
2. Administration and management
3. Collaborative governance
4. Judicial Review
5. Regulation
6. Rulemaking

Collaborative Governance

Balancing the Relationship Between Government and the Governed*

President Obama: Create "a system of transparency, public participation and collaboration…to promote efficiency and effectiveness in government."
Memo, Jan. 26, 2009

* See, Lisa Bingham, The Next Generation of Administrative Law: Building the Legal Infrastructure for Collaborative Governance, 2010 Wisc., L. Rev 297.

Collaborative Governance

1. Federal Collaborative Governance Statutes

   APA (rulemaking)

   FOIA

   FACA

   ADRA

   Req. Neg.

2. Public-Private Relationships

   Audited self-regulation

   Inspections, etc.

Collaborative (continued)

3. Federal-State Relationships

   Preemption memo – ACUS Rec.

4. Open Government Initiatives

   Online tools for civic engagement

   OSTP, GSA, Fed Reg.

   Knowledge sharing

Questions and your suggestions

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