

Committee on Regulation

Proposed Amendments to 4/21/2011 Draft Recommendation on Rulemaking Comments

Amendment: Proposed by ACUS Staff: The following text would be inserted as a footnote at the end of the last sentence in recommendation 3:

This recommendation is consistent with and builds upon past recommendations of the Conference. See Administrative Conference of the United States, Recommendation 76-3, Procedures in Addition to Notice & the Opportunity for Comment in Informal Rulemaking (1976) (recommending a second comment period in proceedings in which comments or the agency's responses thereto "present new and important issues or serious conflicts of data"); Administrative Conference of the United States, Recommendation 72-5, Procedures for the Adoption of Rules of General Applicability (1972) (recommending that agencies consider providing an "opportunity for parties to comment on each other's oral or written submissions").