

Comment from Government Member Tristan L. Leavitt on *Quality Assurance Systems in Agency Adjudication*

November 2, 2021

My recommendation for the language in lines 103-108: “However, agencies that utilize review for such purposes should ensure that such review does not interfere with adjudicators’ qualified decisional independence and comports with applicable restrictions governing ex parte communications, internal separation of decisional and adversarial personnel, and decisionmaking based on an exclusive record.”

On lines 149-150, whatever the proposed language ends up being, this would be clearer if it read “communication information TO APPELLATE ADJUDICATORS about ...” Having that bolded phrase at the end makes it more confusing.