

October 25, 2019

Comment from David M. Pritzker, Special Counsel

Todd -- Thanks for sending the revised draft recommendation. I haven't read through the entire document yet, but my initial reaction concerns the lengthy appendix. ACUS has included appendices in several recommendations over the years, but they have typically contained "positive" information such as model rules or examples of what agencies should do (and on a few occasions related glossaries of terms). Most of the proposed appendix offers examples of what agencies should NOT do. That kind of information usually appears in the accompanying report and could be referenced in a footnote in the proposed recommendation. I have no problem with including the sample of a clearly written description that appears on the last page of the draft.