



## **Request for Proposals—February 3, 2022**

### **Disclosure of Agency Legal Materials**

The Administrative Conference of the United States (ACUS) is accepting proposals from individuals interested in serving as a consultant on a multi-member research team producing a jointly authored report considering whether reforms to the key statutes governing the disclosure of agency legal materials are warranted and, if so, offering proposed reforms.

#### **Project Description and Consultant Responsibilities**

A team of research consultants will prepare a report addressing whether the main statutes governing disclosure of agencies' legislative rules, guidance documents, adjudicative decisions, and other important legal materials should be amended to consolidate and harmonize their overlapping requirements, account for technological developments, correct certain statutory ambiguities and drafting errors, and address other potential problems that may be identified. If warranted, the report will recommend statutory reforms to provide clear standards as to what legal materials agencies must publish and where they must publish them (whether in the *Code of Federal Regulations*, *Federal Register*, on their websites, and/or elsewhere). The objective of any such amendments will be to ensure that agencies provide ready public access to important legal materials in the most efficient way possible.

The consultant team will work together to prepare a draft report, with individual consultants drafting components based on expertise and interest. There will be a lead research consultant who will create a plan for drafting the report, coordinate the drafting of the various report components, and review and finalize the report, which will list all consultants as authors. The draft report will be completed by early September 2022, and consultants will thereafter be expected to work with ACUS staff and committees as ACUS develops recommendations from the report in time for ACUS's December 2022 plenary session.<sup>1</sup> Consultants other than the lead consultant will receive a \$4,000 consulting fee, plus a budget for related expenses. The lead consultant will receive a \$6,000 consulting fee, plus a budget for related expenses.

#### **Submitting a Proposal and Evaluating the Proposal**

If you are interested in serving as a consultant for the report, send an email to Todd Rubin at (trubin@acus.gov) with the phrase "ACUS Project Proposal" in the subject line. Attach your curriculum vitae to the email, along with a short (ideally no more than one page) statement describing any prior work on related topics and briefly identifying what you see as the primary

---

<sup>1</sup> Plenary dates are subject to Council approval.

issues that the report should address. Please also indicate whether you are interested in serving as the lead consultant. **All responsible sources must submit a proposal by 5:00 p.m. Eastern Time on February 25, 2022, to be guaranteed consideration by the agency.**

Proposals will be evaluated based on quality, clarity, and the proposer's qualifications. ACUS has a strong preference for consultants who have previously authored scholarly work on federal transparency laws and related topics.