

Comment from Senior Fellow Michael E. Herz on *Clarifying Statutory Access to Judicial Review of Agency Action*

May 3, 2021

Line 18 – replace “provides a set of drafting recommendations for Congress as” with “recommends a set of drafting principles [or: guidelines] for Congress when”

Line 21 – replace “listed” with “described”

FN 8 – Replace with: “If the relevant judicial review statute is silent with regard to computing or extending the time within which to seek review the FRCP and FRAP [apply/control].”

Line 44 – replace “with” with “upon”

Line 69 – “provides that Congress should understand” is pretty awkward. Perhaps “Rec 3 reminds Congress that . . .” Or “Rec 3 serves to remind Congress that . . .” Or just “Rec 3 notes that . . .”

Lines 89-90 – replace “these potential problems” with “the lack of simultaneous service”

Line 99 – insert “directly” after “petitions for review”