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Report of the Committee on Agency Rule Making

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REPORT OF THE COMMITTEE ON
AGENCY RULE MAKING

The Committee on Agency Rule Making is new this year. The
time its chairman could devote to the Committee's work has been
too limited to permit carrying that work beyond the stage of pre-
liminary planning. The Committee's recommendation is, there-
fore, that the Committee be continued, and that the 1958-59 Com-
mittee give consideration to the suggestions that follow, which
result from the Committee's thought thus far.

Correspondence among the chairman and vice-chairmen of the
Committee has developed agreement that the Committee's func-
tions should be twofold: (1) to suggest improvements in agency
rule-making processes within the framework of existing statutes,
and (2) to propose such legislation as may be desirable for the
improvement of these processes. In connection with its second
function the Committee should consider, in the light of its further
studies, whether section 1003 of the proposed Code of Federal
Administrative Procedure can be improved as an over-all reform
measure.

The principal body of contemporary data relating to the proc-
cesses of Federal administrative agencies is in the responses of the
agencies to the 1956 questionnaire of the House Committee on
Government operations. Part I of the questionnaire dealt with
rule-making. The Committee should, we believe, proceed by
examining the responses to this Part with relation to such items
as may be thought by the Committee to involve procedural prob-
lems of especial significance at this time. To the extent that in-
formation concerning these problems appears to be lacking, the
Committee might proceed to make first-hand inquiries of its own.

In the judgment of the Committee, questions 6, 8, and 9 of
Part I of the questionnaire addressed to the agencies bear most
closely on the problems that should receive Committee attention
as soon as feasible. Involving, as they do, the extent and manner
of submissions by outside interests to the agencies in connection
with rule-making in situations where the requirements of the
Administrative Procedure Act are minimal or are lacking entirely,
these questions have elicited information which may point in the
direction of future progress.

RALPH F. FUCHS, Chairman