

LAW 5010: Admin Rulemaking: Reg Proc

Administrative agencies serve a vital role in our government. Agencies establish legislative policy by interpreting statutes and promulgating rules that have the force and effect of law. To promulgate regulations, agencies are required to follow the specific procedures of the Administrative Procedure Act ("APA"). The APA requires that agencies give notice of proposed regulations to the public via the Federal Register. Furthermore, agencies are required to give interested persons an opportunity to participate in the rulemaking process through submission of written "Comments". Agencies are also required to consider Comments submitted by the public when promulgating the final regulation. The purpose of this course is to familiarize students with these regulatory procedures and to introduce the role of the policy attorney in the administrative rulemaking scheme. Policy attorneys may work directly for government agencies and draft regulations, write Federal Register notices, and hold regulatory hearings. Alternatively, policy attorneys may work for public interest groups, or at private sector firms representing clients such as businesses and trade associations. These policy attorneys must develop a thorough understanding of all agency regulations that affect their interest groups or clients; furthermore, they must constantly monitor proposed regulations and serve as advocates before administrative agencies. Policy attorneys frequently submit Comments to agencies on behalf of their interest group or clients, and often testify before agencies and before Congress. All of these skills will be developed through this course. The principal writing assignment for this course is a single-spaced Comment (8 pages minimum) that will be submitted to the requesting agency. Students must synthesize their position in a well-written, concise, and persuasive Comment. ****Learning Goals:****At the conclusion of this course students will: 1) Have a deep appreciation of the vital role that agencies play in our government; 2) Understand how federal agencies promulgate regulations; 3) Understand how federal agencies are defined and how they relate to the other three branches of our government; 4) Understand the Administrative Procedure Act, the Code of Federal Regulations, and the Federal Register; 5) Learn how to research and monitor agency rules; 6) Learn how to draft and submit Comments to federal administrative agencies; 7) Understand the administrative regulatory hearing process; and 8) Develop public speaking and advocacy techniques that specifically focus on testifying before administrative agencies and before Congress. ****Exam Info: No Exam**

Credits: 2.0