



## **ADMINISTRATIVE CONFERENCE OF THE UNITED STATES**

### **Notice of Public Meeting of the Assembly of the Administrative Conference of the United States**

**AGENCY:** Administrative Conference of the United States.

**ACTION:** Notice.

**SUMMARY:** The Assembly of the Administrative Conference of the United States will meet during a one-day hybrid plenary session to consider four proposed recommendations and to conduct other business. Written comments may be submitted in advance, and the meeting will be accessible to the public.

**DATES:** The meeting will take place on Thursday, December 14, 2023, from 9 a.m. - 5 p.m. The meeting may adjourn early if all business is finished.

**ADDRESSES:** For those attending in person, the meeting will be held at The George Washington University Law School in the Jacob Burns Moot Court Room, 2000 H Street, NW, Washington, DC 20052. There will be a virtual attendance option. Information on how the public can access the meeting will be available on the agency's website prior to the meeting at <https://www.acus.gov/event/80th-plenary-session>.

**FOR FURTHER INFORMATION CONTACT:** Shawne McGibbon, General Counsel (Designated Federal Officer), Administrative Conference of the United States, Suite 706 South, 1120 20th Street, NW, Washington, DC 20036; telephone 202-480-2080; email [smcgibbon@acus.gov](mailto:smcgibbon@acus.gov).

**SUPPLEMENTARY INFORMATION:** The Administrative Conference of the United States makes recommendations to federal agencies, the President, Congress, and the Judicial

Conference of the United States regarding the improvement of administrative procedures (5 U.S.C. 594). The membership of the Conference, when meeting in plenary session, constitutes the Assembly of the Conference (5 U.S.C. 595).

*Agenda:* Four proposed recommendations will be considered by the Assembly. In addition, there will be updates on past, current, and pending Conference initiatives, as well as other business.

Summaries of the recommendations appear below:

*Best Practices for Adjudication Not Involving an Evidentiary Hearing.* This proposed recommendation examines the wide range of procedures that agencies use when adjudicating cases in programs in which there is no legally required opportunity for an evidentiary hearing. It offers a set of broadly applicable best practices that account for the diversity of matters that agencies decide through truly informal adjudication and promote fairness, accuracy, and efficiency.

*Identifying and Reducing Burdens in Administrative Processes.* This proposed recommendation examines best practices, such as public engagement, that agencies can use to identify unnecessary burdens that members of the public face when they engage with administrative programs or participate in administrative processes. It also recommends strategies agencies can use to reduce unnecessary burdens, such as simplifying processes, digitizing services, and collaborating with other agencies and nongovernmental organizations.

*Improving Timeliness in Agency Adjudication.* This proposed recommendation examines strategies—including procedural, technological, personnel, and other reforms—that agencies have used or might use to address backlogs or delays in administrative adjudication. It identifies best practices to help agencies devise plans to promote timeliness in administrative adjudication, in accord with principles of fairness, accuracy, and efficiency.

*User Fees.* This proposed recommendation identifies best practices for agencies and Congress to consider in designing and implementing user fees in administrative programs. It addresses how

Congress and agencies might determine when user fees are appropriate; how agencies might determine fair and reasonable user fees for specific programs, including whether there are reasons for waivers, exemptions, or reduced rates; when and how agencies should engage with the public in determining or modifying user fees; and how agencies should review their user fee programs.

Additional information about the proposals and the agenda, as well as any changes or updates to the same, can be found at the 80th Plenary Session page on the Conference's website prior to the start of the meeting at: <https://www.acus.gov/event/80th-plenary-session>.

*Public Participation:* The Conference welcomes the virtual attendance of the public at the meeting. Members of the public wishing to view the meeting are asked to RSVP online at the 80th Plenary Session webpage shown above no later than two days before the meeting to ensure adequate bandwidth and accessibility. A link to a livestream of the meeting will be posted the morning of the meeting on the 80th Plenary Session webpage. A video recording of the meeting will be available on the Conference's website shortly after the conclusion of the event at [https://youtube.com/channel/UC1Gu44Jq1U7XsGdC9Tfl\\_zA](https://youtube.com/channel/UC1Gu44Jq1U7XsGdC9Tfl_zA).

*Written Comments:* Persons who wish to comment on any of the proposed recommendations may do so by submitting a written statement either online by clicking "Submit a comment" on the 80th Plenary Session webpage shown above or by mail addressed to: December 2023 Plenary Session Comments, Administrative Conference of the United States, Suite 706 South, 1120 20th Street, NW, Washington, DC 20036. Written submissions must be received no later than 10:00 a.m. (EDT), Friday, December 8, 2023, to ensure consideration by the Assembly.

(Authority: 5 U.S.C. 595)

**Dated:** November 21, 2023.

**Shawne McGibbon,**

*General Counsel.*

