Lesson - Week Seven

Administrative Law

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| Administrative bodies at the federal, state and local levels permeate everything we do today. As we have witnessed, governments expand their roles most readily in response to a crisis. In 1946 Congress enacted the [Administrative Procedure Acts](http://www.law.cornell.edu/wex/administrative_procedure_act). The APA addresses the basic aspects of agency rulemaking and adjudication and the availability of judicial review. Most states have similar administrative procedure statutes.    The West article talks about stakeholders and public comment in the regulatory process. Check out <http://www.regulations.gov/#!home> . You will see on the right hand side of the page where you can participate in the public comment period. Explore some of the "trending" topics!  Some great resources are the Federal Register at <http://www.reginfo.gov/public/jsp/Utilities/additionalResources.jsp> which provides Federal Laws, Administrative Documents and Administrative Regulations.  The West article comments on the Current Unified Agenda. You can find more at <http://www.reginfo.gov/public/do/eAgendaMain> .  The Office of Information and Regulatory Affairs can be found at <http://www.reginfo.gov/public/jsp/Utilities/index.jsp>  and for additional resources:  <http://www.reginfo.gov/public/jsp/Utilities/additionalResources.jsp>  Please watch the short videos describing the 2011 FDA Food Safety Modernization Act, the rulemaking process and the interviews describing its implementation and compliance at <http://www.fda.gov/Food/GuidanceRegulation/FSMA/ucm249243.htm>  Legislatures can delegate legal authority to some agencies but they retain control of the funding, approval over some appointments, the ability to conduct hearings and the power to alternate the delegated authority. Agencies lie within the executive branch though so their actions can also be influenced by executive order or other policy directives. Take some time to familiarize yourself with the Whitehouse [website](http://www.whitehouse.gov/briefing-room/presidential-actions/executive-orders) for executive orders. Notice the format and type of issue they address.  Agencies have their own fact finding process. The process is similar to a trial but not completely. It is called an adjudication. Procedures vary widely between agencies. Please see the video by the Office of Administrative Hearings out of the Minnesota Office of Administrative Hearings. They take you step by step through an administrative hearing on the state level at <http://www.youtube.com/watch?v=imrPhyP8Fb4> . |
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