

### **Comment from John Cooney**

I have one recommendation for you to consider, which would involve adding an insert at the end of line 50.

ACUS usually provides in the preamble a short description of the project that led to its recommendation. That summary makes the point that ACUS has researched how other agencies have approached the same issue and identified steps they have found useful, information which may be of use to agencies that are not as far along in working their way up the learning curve.

I recommend that you consider adding a couple of sentences after line 50 to describe Jack's work -- something along the lines of:

To help the agencies that are in the initial stages of thinking through new procedures for appointing ALJs under the Executive Order, ACUS researchers interviewed the staff of agencies that are well along in the development of their appointment procedures, to obtain an understanding of the thought process those agencies went through and a description of issues these agencies faced which might be of use to agencies that have not progressed as far in this process. The following recommendations are based on ACUS' s understanding, based on those discussions, as to significant issues that other agencies are likely to face in designing their appointment procedures and their experience in addressing those questions that may be of value to other agencies which may encounter similar questions as they pursue the design process.

John Cooney