

# Administrative Conference of the United States Historical Supplement

*Compiled and Updated by David M. Pritzker\**

The Historical Supplement to this issue of the *George Washington Law Review* contains an overview of the history of the Administrative Conference of the United States, together with bibliographic material and a listing of all recommendations and formal statements adopted by the Conference during its statutory existence. Activities of the Conference commenced early in 1968, but were terminated on October 31, 1995, due to an absence of funding. Operations were resumed in 2010, when appropriated funds became available again.

## A BRIEF HISTORY OF THE ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

The Brief History presents a timeline of key events in the Conference's history, noting the temporary Conferences under Presidents Eisenhower and Kennedy, establishment of a permanent statutory basis in 1964, and the start of operations in 1968. The timeline traces the succession of Chairmen and significant developments under their leadership until funding was terminated in 1995. The timeline continues with the resumption of funding in 2010 and a vigorous program of research, development of recommendations, and assistance to federal agencies under the Conference's tenth Chairman, Paul Verkuil.

## BIBLIOGRAPHY

The Bibliography lists the reports, articles, and papers wholly or partially funded or sponsored by the Administrative Conference of the United States, or written by Conference Chairs and staff members, throughout its existence under Public Law 88-499 (August 30, 1964).<sup>1</sup>

Many of the reports were written by consultants performing research for the Conference in the process of developing recommendations. In addition, the Bibliography lists sourcebooks, guides, and manuals prepared by the staff of the Office of the Chairman, published transcripts of colloquia, seminars and other meetings, and pa-

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<sup>1</sup> Administrative Conference Act, Pub. L. No. 88-499 (1964) (codified at 5 U.S.C. §§ 591-596 (2012)).

pers prepared by committees or working groups. Frequently, consultant reports have been reprinted in law reviews and other publications, in some instances under a different title, which is also included in the entry. All known published versions are noted in each Bibliography entry. Entries for reports that led to a Conference recommendation or formal statement contain an annotation with additional information about the recommendation or statement.

Part I contains materials based on work of the Conference through 1995. (Some entries reflect continued publication activity beyond October 1995.) In Part I, published transcripts of meetings are listed separately, by date, at the end of the listing. Part II includes Conference materials from 2010 to mid-2015. A subject index and an author index are also provided, covering both Part I and Part II. Entries in Part II are identified in the indices by the designation "A" in the enumeration.

During the period 1968 through 1995, the Conference published a series of volumes identified as *Recommendations and Reports*, which contained official recommendations and formal statements, accompanied by the corresponding research reports. Four hardcover volumes, covering 1968 through 1977, are cited in the Bibliography as 1 ACUS through 4 ACUS. Starting in 1978, the series consisted of annual softcover volumes, cited in the Bibliography as 1978 ACUS, etc. All reports appearing in this series are listed in the Bibliography, but the *Recommendations and Reports* volumes themselves do not appear as separate publications. The Conference's Annual Reports published during this period, which also contained the texts of recommendations and formal statements adopted during the year, are not listed in the Bibliography.

#### ARTICLES ABOUT THE ADMINISTRATIVE CONFERENCE

This section of the Historical Supplement contains a chronological listing of articles about the Administrative Conference in its statutory era. The earliest of these articles pre-date passage of the Administrative Conference Act, addressing the authors' views of the Conference in prospect. The listing includes several articles published in a Symposium issue of the *Arizona State Law Journal* in 1998, after funding of the Conference was discontinued, which examined its contributions and accomplishments.

RECOMMENDATIONS AND STATEMENTS OF THE  
ADMINISTRATIVE CONFERENCE

The titles of all recommendations and formal statements adopted by the Administrative Conference are listed in this section, along with citations for those texts that were published in the Federal Register.<sup>2</sup>

The first thirty-five recommendations were originally numbered sequentially. Starting in 1973, recommendations were numbered by calendar year, then sequentially, *e.g.*, 73-1, and the original recommendations were renumbered accordingly. Starting in 2010, the year designations for recommendations now use four digits.

With the exception of a small number from the earliest years, all Conference recommendations and formal statements have been printed in the Federal Register. From 1968 through 1995, they were also printed in the *Annual Report of the Administrative Conference* for the year of adoption. Recommendations and statements of broad applicability and considered to be of continuing interest were reprinted in the Code of Federal Regulations (CFR) through 1993. Due to budgetary constraints, only the titles, not the texts, of recommendations were printed in the CFR in 1994 and 1995. For this reason, any cross-reference to a recommendation by CFR citation includes a year in which the text was printed in the CFR.

An additional source for the texts of Conference recommendations and formal statements through 1995 is the series of compilations of *Recommendations and Reports* in book form, which are described above under "Bibliography." Since the resumption of the Conference's activities in 2010, other than publication of recommendations and formal statements in the Federal Register, and consistent with current publication policies for federal agencies, the principal means of dissemination of the Conference's work product has been electronic, through its website at [www.acus.gov](http://www.acus.gov). Consistent with this practice, Part II of the Bibliography contains links to Conference research reports and other publications that are available on the website.

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<sup>2</sup> In some instances, the titles that were printed in the Federal Register varied in nonsubstantive ways from the Conference's official style.