

## Memorandum 2004-29

**Judicial Review of Emergency Rulemaking  
(Comments on Tentative Recommendation)**

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In February, the Commission distributed its tentative recommendation on *Emergency Rulemaking Under the Administrative Procedure Act*. The tentative recommendation would address a technical ambiguity in the law governing the scope of emergency rulemaking procedures. It would also make related nonsubstantive technical changes.

We received no public comment on the proposed law. This is not surprising given the nonsubstantive nature of the proposed changes.

The staff recommends that the Commission adopt the tentative recommendation as its final recommendation.

Respectfully submitted,

Brian Hebert  
Assistant Executive Secretary