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**Background Materials for Agenda Item C.,
"Improving the Environment of Agency Rulemaking."**

OFFICE OF
THE CHAIRMAN

- A. *Improving the Environment of Agency Rulemaking* by Professor Jerry Mashaw
- B. *Some Thoughts on 'Deossifying' the Rulemaking Process* by Professor Thomas McGarity
- C. *Judicial Review of Questions of Law and Policy* by Judge Stephen Breyer
- D. Memo to the Conference on the "Logical Outgrowth" Test by Kevin Jessar
- E. Prior ACUS Recommendations Relied Upon and Cited in the Proposed Recommendation