

# Journal of the National Association of Administrative Law Judiciary

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Volume 23

Issue 3 *Manual for Administrative Law Judges*

Article 6

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1-15-2004

## Appendix V - Selected Agency Procedural Rules

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### Recommended Citation

Morell E. Mullins, *Appendix V - Selected Agency Procedural Rules*, 23 J. Nat'l Ass'n Admin. L. Judges. (2004)  
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## **APPENDIX V: SELECTED AGENCY PROCEDURAL RULES**



## **SELECTED AGENCY PROCEDURAL RULES**

(All citations are to the 2000 edition of the CFR, unless otherwise noted.)

### **Agriculture**

7 CFR Part 1 Subparts H-K (various rules of practice), 7 CFR §§1.27 (rulemaking and other notice procedures), 1.130-.151 (formal adjudicative proceedings generally), Parts 47 (Perishable Agricultural Commodities Act), 50 (withdrawal of inspection and grading service), 202 (Federal Seed Act rules of practice)

### **Architectural and Transportation Barriers Compliance Board**

36 CFR Part 1150 (procedures for compliance hearings)

### **Commerce**

#### **Bureau of Export Administration**

15 CFR Part 766 (administrative enforcement proceedings)

#### **National Oceanic and Atmospheric Administration**

15 CFR Part 904 (general civil procedures)

### **Commodity Futures Trading Commission**

17 CFR Parts 10 ( Rules of Practice), 12 (Reparations), 13 (rulemaking procedures)

### **Consumer Product Safety Commission**

16 CFR Parts 1025 (rules of practice for adjudicative proceedings), 1051 (petitioning for rulemaking), 1052 (informal oral presentations in proceedings before the Consumer Product Safety Commission)

### **Environmental Protection Agency**

40 CFR Parts 22 (rules of practice re: civil penalties, revocations of permits, etc.); Parts 104 (public hearings on effluent standards) and 108 (Water Programs, employee protection hearings ); §124.71 (evidentiary hearings re: certain EPA-issued permits); Parts 164 (rules of practice under Federal Insecticide, Pesticide, and Rodenticide Act), and 209 (hearings under section 11(D) of the Noise Control Act)

### **Federal Communications Commission**

47 CFR Part 1 (general rules of practice and procedure)

### **Federal Deposit Insurance Corporation**

12 CFR Part 308 (general rules of practice and procedure)

**Federal Emergency Management Agency**

44 CFR Parts 1 (rulemaking policies and procedures), and 68 (Insurance and Hazard Mitigation, administrative hearing procedures)

**Federal Energy Regulatory Commission**

18 CFR Part 385 (rules of practice and procedure)

**Federal Labor Relations Authority**

5 CFR Parts 2422 (representation proceedings), 2423 (unfair labor practice proceedings)

**Federal Maritime Commission**

46 CFR Part 502 (general rules of procedure)

**Federal Mine Safety and Health Review Commission**

29 CFR Part 2700 (general rules of procedure)

**Federal Reserve Board**

12 CFR Parts 262 (rules of procedure), 263 (uniform rules of practice and procedure for adjudicative hearings)

**Federal Trade Commission**

16 CFR §§1.7-.26 (rules and rulemaking), Part 3 (rules for adjudicative proceedings) , §4.7 (ex parte communications)

**Food and Drug Administration (HHS)**

21 CFR Parts 10 (general administrative practice and procedures), 12 (formal evidentiary public hearing), and 16 (regulatory hearings)

**Housing and Urban Development**

24 CFR Parts 26 (hearings before hearings officers), and 1720 (rulemaking procedures); § 1720.105 *et seq.* (adjudication proceedings), §3282.152 (informal and formal presentation of views, hearings and investigations)

**Interior**

43 CFR Part 4 (Department hearings and appeals procedures); 50 CFR Part 11 (procedures re: possession, importation, etc. of wildlife and plants)

**International Trade Commission**

19 CFR Part 210 (unfair practices in import trade; adjudicative procedures).

**Justice**

**Drug Enforcement Administration**

21 CFR §§1301.51-.57 (modification, transfer, and termination of registration); §§1303.31-37 (quotas), §§1312.41-.47 (importation and exportation of controlled substances: hearings)

**Other**

41 CFR Part 50-203 (Newspaper Preservation Act)

**Labor****Black Lung Benefits Cases**

20 CFR §§725.350-.483

**Longshoremen's Compensation Cases**

20 CFR §§702.301-.394

**Office of Federal Contract Compliance** 41 CFR §60-1.21-26, Part 60-30

**Other Cases** 29 CFR §4.10 (variances under service contract labor standards) ; Part 6 (labor standards in federal and federally assisted construction contracts);Part 580 (civil money penalties under Fair Labor Standards Act); 41 CFR Parts 50-203 (Walsh-Healey Public Contracts Act)

**Merit Systems Protection Board** 5 CFR Parts 1201 (practice and procedure), 1203 (review of rules and regulations), and 1209 (personnel actions allegedly based on whistleblowing)

**National Credit Union Administration** 12 CFR Part 747 (administrative actions, adjudicative hearings, etc.)

**National Labor Relations Board** 29 CFR Parts 101 (Statements of Procedures regarding various types of proceedings), and 102 (rules and regulations , unfair labor practice proceedings, representation matters, etc.)

**National Transportation Safety Board** 49 CFR Part 821 (rules of practice in air safety proceedings)

**Nuclear Regulatory Commission** 10 CFR Part 2 (rules of practice for domestic licensing proceedings)

**Occupational Safety and Health Administration (Labor)** 29 CFR Parts 1905 (rules of practice for variances, limitations, variations, etc. under the Occupational Safety & Health Act), and 1911 (procedures for promulgating, modifying, or revoking occupational safety and health standards)

**Occupational Safety and Health Review Commission** 29 CFR Part 2200 (general rules of procedure)

**Postal Rate Commission** 39 CFR Part 3001 (rules of practice and procedure)

**Postal Service** 39 CFR Parts 912-966 (various procedural rules)

**Securities and Exchange Commission** 17 CFR §§200.110-.114 (ex parte communications); Parts 202 (informal and other procedures )

**Small Business Administration** 13 CFR Part 134 (Office of Hearings and Appeals, rules of procedure)

**Social Security Administration (HHS)** 20 CFR §§404.900-.996 (determinations, administrative review process, etc.), §§410.601-.707 (disability and other determinations) , §§416.1400-.1494 (supplemental security income); 42 CFR §§405.701-.750 (reconsiderations and appeals under Medicare Part A), §§405.801-.872 (provider reimbursement determinations and appeals, Medicare Part B), §§405.1801-.1889 (Medicare provider reimbursement determinations and appeals)

**Surface Transportation Board**, 49 CFR Parts 1100-1118 (rules of practice)

## **Transportation**

**Coast Guard** 46 CFR Part 5 (suspension or revocation of merchant mariner's license)

Federal Aviation Administration 14 CFR Parts 11(rulemaking), 13 (investigative and enforcement procedures).

**Federal Highway Administration** 49 CFR Parts 386 (rules of practice for motor carrier, hazardous materials, and other proceedings), 389 (rulemaking proceedings)

**Maritime Administration** 46 CFR Part 201 (rules of practice and procedure)

**National Highway Traffic Safety Administration** 49 CFR Parts 511 (adjudicative procedures), 553 (rulemaking procedures)

**Office of the Secretary** 14 CFR Part 302 (aviation economic proceedings)

## **Treasury**

**Bureau of Alcohol, Tobacco and Firearms** 27 CFR §§178.71-.82 (commerce in firearms., licensing) , Part 200 (rules of practice in permit proceedings)

**Comptroller of the Currency** 12 CFR Part 19 (uniform rules of practice and procedure, adjudications)

**Internal Revenue Service** 26 CFR §601.601 (statement of procedural rules); 31 CFR Part 10 (practice before the Internal Revenue Service)

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