

AMERICAN BAR ASSOCIATION

ADOPTED BY THE HOUSE OF DELEGATES
August 6-7, 2001

RESOLVED, that the American Bar Association recommends, with respect to significant agency efforts to harmonize domestic and foreign regulations through international negotiations that may require new regulations or the amendment of existing regulations, that:

- (1) the President seek to ensure effective public participation by encouraging federal agencies to:
 - (a) list at an appropriate time significant proposed and ongoing harmonization activities in their annual regulatory agendas or equally widely available medium; and
 - (b) prepare impact statements already required by statute or executive order as near as is practical to the time of the agency's consideration of a decision to engage in negotiation of significant harmonization, and
- (2) federal agencies consider public input concerning significant agency efforts to harmonize domestic and foreign regulations through international negotiations by:
 - (a) inviting the public periodically to comment on new and ongoing significant harmonization activities and to attend public meetings concerning such activities;
 - (b) referring significant harmonization issues to advisory committees where appropriate and possible; and
 - (c) establishing a public docket of documents and studies available under the Freedom of Information Act (FOIA) pertaining to each significant harmonization activity.