

**Administrative Law**  
**Law 6400 – Section 12**  
**Spring 2024**

**SYLLABUS**  
Part 2

Abbreviations used below:

HPW Hickman, Pierce & Walker, *Federal Administrative Law* (4th ed.)  
SM Supplementary Materials  
APA Administrative Procedure Act (see HPW App. B)

**III. What Do Agencies Do?**

**A. Adjudication**

The Due Process Clause

Is Process Due?

15. HPW 383-404

16. HPW 404-421

What Process is Due?

17. HPW 430-452

Statutory Procedural Requirements

18. HPW 452-460 (1<sup>st</sup> ¶), 509-518  
APA § 551(1), (4), (5), (7), (12), (13)  
APA §§ 554, 556, 557

19. HPW 469-489  
SM 42-44

**B. Rulemaking**

Authority to Make Rules and Choice of Regulatory Techniques

20. HPW 537-552  
SM 45-46 (Read in connection with *National Petroleum Refiners Ass'n*)  
SM 47-48 (Read in connection with *Heckler v. Campbell*)

21. HPW 552-573

#### Rulemaking Procedures

22. HPW 573-589

APA § 553

23. HPW 590-600, 607-612

#### Bias and Ex Parte Communications

24. HPW 613-634 (1<sup>st</sup> ¶), plus the following additional excerpts:

When reading HPW 616, insert SM 53-54 in the first ellipsis near the top of the page  
When reading HPW 628, insert SM 55 at the end of the majority opinion.

#### Exceptions to Rulemaking Procedures

25. HPW 634-658

26. HPW 658-677