



TO: Management Committee

FROM: Rulemaking Committee

DATE: July 27, 2026

SUBJECT: Transmittal to Management Committee Request to Review and Respond to Comments Submitted During the Rulemaking Process Regarding the Recommended Intermediate Review Operating Procedure

On March 31, 2026, the Management Committee published the recommendation from the Rulemaking Committee for a new operating procedure entitled *Operating Procedure for the Intermediate Review of the Application of Uniform Standards or Operating Procedures During the Review of a Product Filing Submission* (“*Interim Review Operating Procedure*”). This procedure was created pursuant to a Compass 2.0 Strategic Plan action item seeking to add an appeals procedure.

The 60-day comment period closed on June 1st. The Management Committee held a public hearing during a conference call on June 2nd to receive oral comments with respect to this recommendation.

The ACLI submitted a comment letter on May 26th and presented oral comments during the June 2nd Management Committee call. At this meeting, the Management Committee requested input from the Rulemaking Committee whether it would recommend changes or clarifications to the Rulemaking Committee in response to the ACLI comments.

The Rulemaking Committee has prepared a chart listing each of ACLI’s comments and its recommended response. The Rulemaking Committee suggests one amendment in response to these comments with respect to the Requestor’s right to withdraw its request, including after the Report has been prepared.

The Rulemaking Committee agrees the Requestor should have a right to withdraw its request until the Report is final and posted to the Compact website. However, if the request to withdraw is made between the time the Member Review Board issues the Report and before it is final, the Rulemaking Committee recommends the Board have the discretion to share its work product, including its findings, with the Management Committee in case further action is needed in terms of rulemaking or Compact product operations.

The Rulemaking Committee recommends the following provision be added at the end of the current draft of the *Interim Review Operating Procedure*:

§103(o) The Requestor may withdraw its request for Intermediate Review at any procedural step prior to the issuance of the Report under §103 (m). The Member Review Board shall promptly approve withdrawal requests. All information regarding a withdrawn request for Intermediate Review, including the unredacted version of the Report, shall be the confidential work product of the Commission and may not be publicly disclosed unless ordered otherwise by a majority vote of the Commission or by a court that has jurisdiction over the Commission. If the request to withdraw is made after the Member Review Board has issued the Report but before the Report is final under §103 (m), the Member Review Board retains the discretion to refer the Report, subject to redaction for company specific and trade secret information, to the Management Committee in view of the possibility of rulemaking or other action as may be applicable.

The Rulemaking Committee has redlined its original recommended version of the *Intermediate Review Operating Procedure* for the consideration of the Management Committee and Commission.