

■ 2.24-01. *Review of Examiner Recommendation.*

(a) Each examiner recommendation will be reviewed by the Executive Hearing Examiner who will serve as a hearing examiner for the purpose of obtaining a panel recommendation. A recommendation consists of two concurring examiner votes. If the panel renders a split decision, the case will be circulated among the other examiners present until a recommendation is reached prior to referral to the Regional Commissioner.

(b) For initial and reconsideration hearings, an attempt should be made, where feasible, to ascertain the parole action taken relative to any codefendants.

(c) Each case shall then be reviewed by the Regional Commissioner who shall either accept the recommendation of the hearing examiner panel or take one of the other actions specified in 28 C.F.R. §2.24(a) or (b).

■ 2.24-02. *Actions under §2.24(a).*

The Regional Commissioner prepares a memorandum (with reasons in case of parole denial) to the National Commissioners explaining the reasons for the disagreement with the panel recommendation. Also, the Regional Commissioner prepares a second order with his vote and attaches this order to the memorandum. NOTE: In revocation cases, the memorandum to the National Commissioners shall clearly indicate which of the proposed orders of the examiner panel is being referred for a further vote.

■ 2.24-03. *Actions under §2.24(b)(2).* In the event new information has been received between the time of the hearing and review by the Regional Commissioner or if the Regional Commissioner requires a clarification of an issue of fact which is crucial to the decision to be made, the Regional Commissioner may order a new hearing on the next available docket pursuant to 28 C.F.R. 2.24(b)(2), giving notice of the purpose of the hearing to the prisoner and sending the new information (if any) to the institution for timely disclosure. This subsection shall not apply when there is a difference of opinion as to the interpretation of known facts; such differences must be handled under 28 C.F.R. 2.24(a).

■ 2.24-04. *Modification of Reasons/Correction of Errors.* The Regional Commissioner may add to, modify, or correct any of the reasons for parole denial. The Regional Commissioner may also, on his own motion, correct a mathematical error in computing the release date, a release date below the parole eligibility date, or a release date above the mandatory release date. Correction of such error should be indicated in the file together with the initials of the person making the correction and the date of the correction.

■ 2.24-05. *Processing After Decision.*

(a) *Notice of Action.* A Notice of Action is prepared and distributed, and the case coded. The Notice of Action Worksheet prepared by the examiner panel is retained in the case file.

(b) *Non-Appealable Decisions.* When the decision being rendered is "not appealable," the "Right to Appeal" section on the Notice of Action should be deleted and the Notice marked "Non-Appealable." If