



Committee on Rulemaking
February 27, 2014 Public Meeting Agenda

- I. Meeting Opening—Neil R. Eisner, Committee Chair
- II. Welcome and Introduction—Paul R. Verkuil, Chairman
- III. Consideration of the Draft Ex Parte Communications in Informal Rulemaking Report
 - A. Presentation of the Draft Report—Esa Sferra-Bonistalli, Consultant
 - B. Discussion of Issues—Neil Eisner
 - 1. What does “ex parte” mean in the informal rulemaking context? Is this term appropriately used in the context of informal rulemaking?
 - 2. What are the potential benefits of ex parte communications in informal rulemaking? For agencies? For regulated and other interested parties?
 - 3. What are the potential harms of ex parte communications in informal rulemaking? To agencies? To regulated and other interested parties?
 - 4. What minimum procedural requirements, if any, does the law require agencies to observe? Beyond this, what best practices should agencies adopt? What, if any, exceptions should agencies have?
 - 5. Are there new or different issues that agencies must or should address in the digital age?
 - C. Discussion of Subjects Potentially Ripe for Recommendation (*See* Part VIII of the Draft Report, pages 82-85)
- IV. Discussion and Summary of Additional Research Requested (if Any)
- V. Comments by Public Attendees (if Committee Consents)
- VI. Closing Remarks