



Committee on Regulation

March 12, 2015 Committee Meeting Agenda

Topics for Discussion & Formulation of Recommendations

- I. Presentation of the Report (Curtis Copeland)
 - A. Overview of major findings of the report
 - B. Questions and comments by committee members
- II. Toward a Real-Time Unified Agenda?
 - A. Is a continuously updated agenda feasible? Would the benefits of a real-time agenda justify the additional costs to OIRA/RISC and the agencies?
 - B. If not, should more individual agencies provide periodic updates concerning certain rules between the biannual agenda publication dates? Do the benefits of providing such running updates exceed the burden created for agencies?
 - C. What actions might OIRA take to ensure that the public has access to more up-to-date information on agencies' ongoing and completed actions (e.g., providing links to real-time updates furnished by individual agencies)?
- III. Characterization of Long Term Agency Actions
 - A. Should the Unified Agenda parse out "long term" actions to distinguish those that are especially unlikely to issue in the relatively near term?
 - B. If so, what criteria should be used to identify such "very long term" actions?



IV. Ensuring the Accuracy of the Unified Agenda

A. Should there be a general “rule of thumb” concerning the number of successive agendas in which a “proposed rule” or “final rule” should appear prior to being removed from the Unified Agenda or reclassified as “long term”?

B. Should OIRA direct agencies to identify rules as “withdrawn” in the “completed action” section and to provide an explanation for the withdrawal when they intend to remove a rule that appeared in one or more previous editions of the Unified Agenda?

C. How might agencies engaged in joint rulemaking ensure that their characterizations of proposed rules are consistent? Might OIRA establish electronic checks to ensure that such rules are characterized consistently across the issuing agencies?

V. Should the language of the data form requesting that agencies identify rules likely to trigger a Regulatory Flexibility analysis be clarified to distinguish between determining whether an analysis needs to be done and actually conducting said analysis?

VI. Notwithstanding the unique nature of its rulemaking process, is it feasible and desirable for the FCC to reform its practice of listing all forthcoming rules (including those likely to be proposed or finalized in the next 12 months) as “long term” actions in the Unified Agenda? Should the final recommendation include a proposal targeted to a specific agency?