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