

The Informal Rulemaking Process – Advanced



COURSE OUTLINE: 4-HOUR COURSE

- How do you effectively manage the rulemaking process?
 - » Development/decision problems: Best practices.
 - » Tracking, clearing, and filing problems: Best practices.
 - » Public participation problems: Best practices.
 - » General problems: Best practices.
- How do you identify the problem/need?
 - » Sources of information/data.
 - » Methods for obtaining additional information.
 - » Potential problems with data.
 - » Risk assessments.
 - » Understanding risk.
 - » Making decisions: A case study.
- What do you do if action is warranted?
 - » Identifying and analyzing alternatives: A case study.
 - » Deciding on the best alternative.
 - » Identifying metrics and data needed for measuring success/retrospective reviews.
- How do you get better public comments?
 - » Advance Notices of Proposed Rulemaking.
 - » Hearings.
 - » Facilitators.
 - » Reply comments.
 - » Negotiated rulemaking.
 - » Etc.
- How do you make proposed and final rule decisions?
 - » The role of the political process.
 - » The need for a record supporting the logic of the decision.
 - » The difficult decisions: Some case studies.
- How do you effectively conduct retrospective reviews of existing rules?
 - » Background and misunderstandings.
 - » Best practices.