



**Section of Administrative Law & Regulatory Practice
Spring Regulatory Conference
Kings Mill Resort, Williamsburg, VA
April 16-19, 2009**



**Program Chairs:
Scott D. Delacourt and Richard W. Parker**

Section Chair: The Honorable H. Russell Frisby, Jr.



**ABA Section of Administrative Law and Regulatory Practice
Spring Regulatory Conference Agenda
Kings Mill Resort & Spa, Williamsburg, VA**

Friday, April 17, 2009

Ballroom A & B

10:00 a.m. Registration & Welcome Refreshments

11:00 a.m. – 12:30 p.m. CLE Program 1: Whither OIRA? The Role of Centralized Review in the New Administration

Program Description: On January 30, 2009, President Obama issued a Memorandum concerning Regulatory Review directing: “the Director of OMB, in consultation with representatives of regulatory agencies, as appropriate, to produce within 100 days a set of recommendations for a new Executive Order on Federal regulatory review.” 74 Fed. Reg. 5977 (Feb. 3, 2009).

Specifically he asked that “[a]mong other things, the recommendations should offer suggestions for the relationship between OIRA and the agencies; provide guidance on disclosure and transparency; encourage public participation in agency regulatory processes; offer suggestions on the role of cost-benefit analysis; address the role of distributional considerations, fairness, and concern for the interests of future generations; identify methods of ensuring that regulatory review does not produce undue delay; clarify the role of the behavioral sciences in formulating regulatory policy; and identify the best tools for achieving public goals through the regulatory process.” *Id.*

OMB subsequently sought public comment until March 31, 2009. At a recent check, 125 comments had been posted. See <http://www.reginfo.gov/public/jsp/EO/fedRegReview/publicComments.jsp>.

This panel will discuss the issues raised in these comments, and present differing views on what should be done with E.O. 12,866.

Invited Speakers: Jeffrey S. Lubbers, Fellow in Law and Government, Washington College of Law, American University, Washington, D.C., Paul Noe, Vice President of Public Policy at the American Forest & Paper Association, Washington, D.C.

12:30 p.m. – 1:30 p.m. Lunch, served in Ballroom A & B Foyer

1:30 p.m. – 3:00 p.m. CLE Program 2: Ethics in Government and Lobbying

Program Description: From Rod Blagojevich, to Tom Delay, to Sarah Palin to Ted Stevens, the activities of both federal and state officials have reinforced public skepticism about whether high standards of ethical conduct can be consistently maintained by those in power in the executive and legislative branches of both state and federal governments. The U.S. House of Representatives has created a new ethics board to oversee and police member conduct, while the head of the Executive branch’s Office of Special Counsel is under FBI investigation and preparing to resign under fire. Are lobbyists at fault? Does power inevitably corrupt? What developments in the states appear most promising? This program will explore ethical challenges to government officials at the state and federal levels the magnitude of the problems, their causes, and what can be done going forward.

Invited Speakers: Russell Frisby, Chair Administrative Law Section; Hon. Edward J. Schoenbaum, ALJ for Illinois Executive Ethics Commission; James M. Lager, Deputy Ethics Counselor, General Accounting Office

3:15 p.m. – 4:45 p.m. CLE Program 3: The Financial Regulatory Outlook for 2009

Program Description: The global financial crisis has sparked the cry for rapid and revolutionary changes in regulatory policy that promise to impact the way we live for years to come. Join us for this lively discussion of how the financial crisis developed, where regulation is heading, and the role of global cooperation in our recovery.

Invited Speakers: Michael Loesch of Chief of Staff, CFTC; David Hirschmann, President and CEO of the Chamber's Center for Capital Markets Competitiveness, the Chamber of Commerce. Moderator: Fiona Philip, Partner, Howrey LLP.

5:00 p.m. – 7:00 p.m. Reception in Riverview Room

10:00 p.m. – 11:00 p.m. Hospitality in Chairman's Suite in Resort Villa

Saturday, April 18, 2009

**7:00 a.m. - 8:00 a.m. Breakfast & Publications Committee Meeting
Ballroom C & D**

**8:00 a.m. – 11:00 a.m. Council Meeting
Ballroom C & D**

11:30 a.m. – 5:30 p.m. Golf Rounds on Plantation Course – Register Now! 12 slots available

7:15 p.m. – 10:00 p.m. Colonial Williamsburg Tavern Dinner at Christiana Campbell's Tavern

Sunday, April 19, 2009

**7:00 a.m. - 8:00 a.m. Breakfast
Ballroom C & D Foyer**

**8:00 a.m. – 11:00 a.m. Council Meeting
Ballroom C & D**

Hotel Reservation Information

Kings Mill Resort & Spa

1010 Kingsmill Road, Williamsburg, VA 23185

Phone: 800.832.5665 757.253.1703 Web site: <http://www.kingsmill.com/>

MAKE YOUR ROOM RESERVATIONS NOW! ROOM BLOCK CUTOFF DATE IS MARCH 24, 2009. DIAL 1-757-253-1703. ASK FOR THE "ABA ADMINISTRATIVE LAW & REGULATORY PRACTICE SECTION SPRING MEETING RATE" -- \$199 PER NIGHT SINGLE/DOUBLE (10% tax + \$2 per night).

The Kings Mill Resort & Spa was named to Golf Digests "75 Best Golf Resorts in North America", and features three championship courses designed by Pete Dye, Arnold Palmer, Tom Clark and Curtis Strange. The Resort's Spa features a full range of wellness and beauty treatments, and includes a salon, fitness center pool, whirlpools and sauna. The property is nestled along the scenic James River, with a marina, fishing and boat rentals, and walking trails. The Tennis Club features 15 courts. Although the theme park will not yet be open, the resort is 15 minutes from Colonial Williamsburg.

Registration & Refunds

Please register NOW using this form, or [online](#) at the Section's web site. **ACTIVITY INFORMATION (GOLF, TAVERN DINNER) WILL BE PROVIDED AS SOON AS COUNTS ARE KNOWN.** Onsite registrations are available for the CLE programs, however advance registration is preferred to ensure that space will be available. Refunds requested before April 3, 2009 will be processed less a \$25 cancellation fee. No refunds will be issued after April 3, 2009. Substitutions will be accepted. Please notify us of any substitutions by emailing parierak@staff.abanet.org

CLE Information

Accreditation will be requested for this program from every state with mandatory continuing legal education (MCLE) requirements for its lawyers. Please be aware that each state has its own rules and regulations, including its definition of "CLE". Check with your state agency for confirmation of this program's approval. Attorneys seeking to obtain MCLE credit in Pennsylvania are required to pay state accreditation fees directly to that state. Certificates of attendance will be available at the conclusion of the program. In order to receive CLE credit, all attorneys will be required to sign in on the sign in sheets and obtain a Uniform Certificate of Attendance. Registration fees must be paid in full before registrants can receive credit.

**ABA Section of Administrative Law and Regulatory Practice
Spring Regulatory Conference Registration
April 16 – 20, 2009 – Kings Mill Resort & Spa, Williamsburg, VA**

Name: _____

Organization: _____

Address: _____

City, State, Zip: _____

Email: _____ Phone: _____

Program updates will be provided via email. Please write your email clearly

Dietary Restrictions: _____

Special Needs: _____

- Section of Administrative Law Membership \$60** (*must already be an ABA member*)
 Please send me an ABA membership packet

✓	Program	Section Member	Non-Member
	Thursday April 16, 2009 1:00 p.m. – 6:00 p.m. GOLF	TBD	TBD
	Friday April 17, 2009 11:00 a.m. – 12:30 p.m. CLE Program 1: OIRA Role in the New Administration	\$25	\$35
	12:30 p.m. – 1:30 p.m. Lunch	\$25	\$35
	1:30 p.m. – 3:00 p.m. CLE Program 2: Ethics in Government: The Obama Executive Order	\$25	\$35
	3:15 p.m. – 4:45 p.m. CLE Program 3: The Financial Regulatory Outlook for 2009	\$25	\$35
	5:00 p.m. – 7:00 p.m. Reception	\$35	\$45
	Saturday April 18, 2009 7:00 a.m. – 8:00 a.m. Breakfast & Publications Committee Meeting	No Charge	No Charge
	8:00 a.m. – 11:00 a.m. Council Meeting		
	11:30 a.m. – 5:30 p.m. Golf	TBD	TBD
	7:15 p.m. – 10:00 p.m. Colonial Williamsburg Tavern Dinner at Christiana Campbell's Tavern. Price includes transportation from Kings Mill Resort. Alcoholic beverages not included. Choose an Entree: Rib-eye Salmon Crab Cakes Chicken	\$70	\$80
	Sunday, April 19, 2009 7:00 a.m. - 8:00 a.m. Breakfast	No Charge	No Charge
	8:00 a.m. – 11:00 a.m. Council Meeting		
	Total		

If you would like tickets to the Colonial Williamsburg Historic Area, please visit
<http://www.history.org/visit/planYourVisit/ticketPlans/>

Refunds requested on or before April 3, 2009 will be processed less a \$25 cancellation fee. No refunds will be issued after April 3, 2009. Substitutions will be accepted. Please notify us of any substitutions.

METHOD OF PAYMENT (or [Click here to register Online](#))

Check (*payable to "American Bar Association"*) VISA MasterCard AMEX

Card Number: _____ Exp. Date: _____

Signature: _____ Name on card: _____

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