



**ABA Section of Administrative Law & Regulatory Practice**

**5<sup>th</sup> Annual Administrative Law &  
Regulatory Practice Institute:  
New Directions in Agency Rulemaking**

**Wednesday June 10, 2009  
Capital Hilton, Washington, DC**

***Co-Sponsored by  
The Center for the Study of Rulemaking  
American University***

**Program Chair: Jonathan J. Rusch  
Section Chair: The Honorable H. Russell Frisby, Jr.  
Section Chair-Elect: William V. Luneburg**



**ABA Section of Administrative Law & Regulatory Practice  
5<sup>th</sup> Annual Administrative Law & Regulatory Practice Institute  
New Directions in Agency Rulemaking  
Capital Hilton, 1001 16th Street NW, Washington, DC  
Wednesday, June 10, 2009**

***Co-Sponsored by the Center for the Study of Rulemaking, American University***

***ABA Government and Public Sector Lawyers Division***

- 7:30 a.m. – 9:00 a.m.**                      **Registration & Refreshments**
- 8:30 a.m. – 8:45 a.m.**  
**Ballroom**                                      **Welcoming Remarks**
- H. Russell Frisby, Jr., Chair**  
**ABA Section of Administrative Law & Regulatory Practice**
- Jonathan J. Rusch, Vice Chair**  
**ABA Section of Administrative Law & Regulatory Practice**
- 8:45 a.m. – 9:30 a.m.**  
**Ballroom**                                      **Opening Address**
- Cary Coglianese**  
**Edward B. Shils Professor of Law**  
**University of Pennsylvania Law School**
- 9:30 a.m. – 11:00 a.m.**  
**Ballroom**                                      **Panel I: *OIRA Oversight in the Obama Administration***
- Paul Noe, Moderator**  
**Former Counselor to the Administrator, Office of Information**  
**and Regulatory Affairs, Office of Management and Budget**  
**Vice President for Public Policy**  
**American Forest & Paper Association**
- Michael Fitzpatrick**  
**Associate Administrator, Office of Information & Regulatory**  
**Affairs, Office of Management and Budget**
- Susan Dudley**  
**Former Administrator**  
**Office of Information & Regulatory Affairs**  
**Office of Management and Budget**
- Gary Bass**  
**Executive Director**  
**OMB Watch**
- Sidney Shapiro**  
**University Distinguished Chair in Law**  
**School of Law**  
**Wake Forest University**

**11:00 a.m. – 11:15 a.m.**

**Break**

**11:15 a.m. – 12:45 p.m.  
Ballroom**

**Panel II: *Structuring an Effective Comment Process for Rulemaking***

**Sally Katzen, Moderator  
Executive Managing Director of the Podesta Group  
Former OIRA Administrator**

**Cynthia R. Farina  
Professor of Law  
Cornell e-Rulemaking Initiative  
Cornell Law School**

**Neil Eisner  
Assistant General Counsel  
Office of Regulation and Enforcement  
U.S. Department of Transportation**

**Beth S. Noveck, Deputy Chief Technology Officer  
Office of Science & Technology Policy  
Executive Office of the President**

**12:45 p.m. – 2:00 p.m.  
Ballroom**

**Lunch & Keynote Presentation  
*Congressional Oversight of Agency Rulemaking***

**Congressman Steve Cohen  
Chair, Subcommittee on Commercial and Administrative  
Law, Judiciary Committee, House of Representatives**

**2:00 p.m. – 3:30 p.m.  
Ballroom**

**Panel III: *Rulemaking on the Fly: Rollbacks, Crises, and Other Exigencies***

**Joe D. Whitley, Moderator  
Greenberg Traurig  
Former General Counsel, Department of Homeland Security**

**Scott G. Alvarez  
General Counsel, Legal Division, Board of Governors  
Federal Reserve System**

**Carol Ann Siciliano  
Associate General Counsel  
Cross-Cutting Issues Law Office, Office of General Counsel  
U.S. Environmental Protection Agency**

**John G. Knepper  
Former Deputy General Counsel  
U.S. Department of the Treasury**

**Elizabeth (“Lisa”) L. Branch  
Smith, Gambrell & Russell, LLP  
Former Associate General Counsel for Rules and Legislation**

**U.S. Department of Homeland Security and Former Counselor to the Administrator, Office of Information & Regulatory Affairs, Office of Management and Budget**

**3:30 p.m. – 4:30 p.m.  
Ballroom**

**Panel IV: *Effective Appellate Advocacy in Agency Rulemaking and Adjudication Cases: The Judicial Perspective***

**The Honorable David B. Sentelle  
Chief Judge  
United States Court of Appeals for the District of Columbia Circuit**

**The Honorable Karen LeCraft Henderson  
Judge  
United States Court of Appeals for the District of Columbia Circuit**

**The Honorable Brett M. Kavanaugh, Moderator  
Judge  
United States Court of Appeals for the District of Columbia Circuit**

**3:30 p.m. – 5:00 p.m.  
Conference Room**

**Breakout Session for Agency General Counsels**

**Introduction by Thomas M. Susman  
Director, ABA Governmental Affairs Office**

**Richard E. Wiley, Moderator  
Former Chairman, Federal Communications Commission  
Wiley Rein, LLP**

**Jonathan Z. Cannon  
Former General Counsel, U.S. Environmental Protection Agency  
Blaine T. Phillips Distinguished Professor of Environmental Law  
University of Virginia School of Law**

**Jeffrey A. Rosen  
Former General Counsel, Office of Management and Budget  
Former General Counsel, U.S. Dept of Transportation  
Kirkland & Ellis**

**Professor Peter Strauss  
Former General Counsel, United States Nuclear Regulatory Commission  
Betts Professor of Law  
Columbia Law School**

**Beth A. Wilkinson  
Former General Counsel, Fannie Mae  
Partner, Paul, Weiss, Rifkind, Wharton & Garrison, LLP**

**ABA Section of Administrative Law and Regulatory Practice**  
**5<sup>th</sup> Annual Administrative Law and Regulatory Practice Institute**  
**New Directions in Agency Rulemaking**  
**Capital Hilton, Washington, D.C.**

**June 10, 2009**

**[REGISTER ONLINE](#)**

Name: \_\_\_\_\_

ABA Member I.D. \_\_\_\_\_ Admin. Law Section Member? Yes \_\_\_ No \_\_\_

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Email: \_\_\_\_\_ Phone: \_\_\_\_\_

Dietary Restrictions: \_\_\_\_\_

Special Needs: \_\_\_\_\_

**Section of Administrative Law Membership \$60** (*must already be an ABA member*)

**Please send me an ABA membership packet**

✓	Program	Register on or after May 19, 2009
	Government Agency	\$249
	Special Break-Out Program for Agency General Counsels	\$30
	ABA Admin. Law Section Member	\$274
	Regular Rate	\$299
	Full-Time Law Student Section Member	\$25
<b>Total</b>		

Refunds requested on or before May 27, 2009 will be processed less a \$25 cancellation fee. No refunds will be issued after May 27, 2009. Substitutions will be accepted. Please notify us of any substitutions.

Group Discount—3 or more registrants from the same agency or company may each take \$20 off the registration fee (not available online). \_\_\_\_\_ Check here if this is one of a group registration from the same agency.

**METHOD OF PAYMENT**

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

Card Number: \_\_\_\_\_ Exp. Date: \_\_\_\_\_

Signature: \_\_\_\_\_ Name on card: \_\_\_\_\_

**ABA, Administrative Law Section, 740 15<sup>th</sup> Street, NW, Washington D.C. 20005**  
**202-662-1690 Fax: 202-662-1529 E-mail: [kiefera@staff.abanet.org](mailto:kiefera@staff.abanet.org)**