

**PROCEDURES
FOR
JANUARY FORMULA NEGOTIATED RULEMAKING SESSION**
(Supplementing the Agenda)

1. The Draft Agenda shall be the official Agenda with the word “DRAFT” dropped. This should be done and sent out to Committee Members with the Procedures well in advance of the January Committee meeting.
2. At the meeting each Committee member will be provided with a printed set of the table of contents for handouts from all previous meetings, and an updated index of all Data Run Requests (“Requests for Technical Information”) made through December 1, 2003.
3. If any Committee member wishes to submit a written position paper on any of the 18 Recommendations and Proposals, they should do so by January 9, 2004. The paper should be emailed (no faxes) to Cynthia Gardstein (cjpgardstein@swinter.com) and Deb Lalancette (Deborah_M_Lalancette@hud.gov). Please identify clearly the tab number and issue that is being addressed in each paper.
4. At the beginning of the meeting, each Committee Member will be provided with printed copies of all Data Runs completed between the September 2003 meeting through the deadline for data runs of December 1, 2003.
5. A full and indexed printed set of Handouts, Data Runs, and Requests for Information will be placed in the meeting room for reference during this session.
6. A 90 minute “Consensus Clock” that can be set and reset by the Facilitator and Discussion leader should be prominently hung on the wall in the meeting room.
7. Confirm that the Facilitator is Julie Faulkner and the Discussion Leader is Dave Heisterkamp.
8. Confirm that during the individual 90-minute lightning round “Consensus Periods” the Facilitator and Discussion Leader are in complete control.
9. At the initiation of each 90-minute Consensus Period, the Discussion Leader will quickly summarize all written proposals submitted and the remainder of the Period will be spent trying to reach consensus.
10. The Consensus Clock will be strictly adhered to. If consensus is reached within less than 90 minutes, the Facilitator and Discussion Leader may immediately proceed to the next issue and Consensus Period. If time permits and if there is consensus to revisit an issue, each issue will be discussed in the order in which it was originally presented.

11. Except when acceleration can occur because less than 90 minutes is required for some of the individual Consensus Periods, the fixed Committee schedule will be as follows:

| | | |
|----------|---------------|-------------------------------|
| DAY ONE: | 8:30 – 10:00 | Committee Administration |
| | 10:00 – 10:15 | Break |
| | 10:15 – 11:45 | Consensus Discussion Issue #1 |
| | 11:45 – 1:30 | Lunch |
| | 1:30 – 3:00 | Consensus Discussion Issue #2 |
| | 3:00 – 3:15 | Break |
| | 3:15 – 4:45 | Consensus Discussion Issue #3 |
| | 4:45 – 5:00 | Break |
| | 5:00 – 6:30 | Consensus Discussion Issue #4 |
| | 6:30 - ----- | Committee Administration |

DAY TWO, THREE AND FOUR

| | | |
|--|---------------|--|
| | 8:30 – 10:00 | Consensus Discussion |
| | 10:00 – 10:15 | Break |
| | 10:15 – 11:45 | Consensus Discussion |
| | 11:45 – 1:30 | Lunch |
| | 1:30 – 3:00 | Consensus Discussion |
| | 3:00 – 3:15 | Break |
| | 3:15 – 4:45 | Consensus Discussion |
| | 4:45 – 5:00 | Break |
| | 5:00 – 6:30 | Consensus Discussion (on last day end with the 18 th issue) |
| | 6:30 - ----- | Committee Administration |

12. The Facilitator and Discussion Leaders shall have a separate table and lavalier mics. The table will be situated next to the LCD projector, which will display proposed text and can be used for modifications.
13. The Committee may reach consensus based on written proposed language or, if it chooses, agree upon consensus without text being finalized. In such situations, however, the Drafting Committee is given total responsibility for the final text and it will not be resubmitted to the Committee for approval. If the Committee agrees, individual Committee Members or support staff can be assigned to work with the Drafting Committee.
14. Non-Committee members shall only be allowed to speak when requested by a Committee Member, or by standing up to be recognized and then only when recognized by the Facilitator or Discussion Leader (the Facilitator and Discussion Leader shall have sole discretion when to allow non-Committee Member, not recognized by a Committee Member, to participate).
15. There shall be no conditions or limits placed on consensus (no “conditional consensus”) by Committee Members.

DECEMBER 16, 2003

16. The December 1, 2003 deadline applies to Data Runs and all Committee Requests for Information.
17. The Procedures shall be finalized by the Tribal Co-Chairs and HUD by December 17, 2003, and once this is done they may not be changed.