

Commissioner Dicus' Comments on COMSECY-99-006

I approve the draft Federal Register notice subject to the attached edit and the following comment.

I found the response to question 10, which quotes at length the ABA discussion of what constitutes a non-Sunshine Act meeting, to be confusing and unhelpful. Were I to consider the Commission establishing "criteria" for differentiating between Sunshine Act and non-Sunshine Act meetings, I would want clearer language than currently appears in the answer to Question 10. Further, I do not believe that the Commission specifically endorsed the ABA language as the "criteria" we would apply in implementing the rules. The ABA language did not even exist when the rules we are implementing were approved by the Commission. I believe we should eliminate Question 10 and its answer and it will suffice if this Federal Register notice provides the examples given in Question 11.