

ANTITRUST MODERNIZATION COMMISSION

MINUTES OF MEETING ON OCTOBER 20, 2004

The Antitrust Modernization Commission convened its second FACA meeting on October 20, 2004, in the Federal Trade Commission Conference Center, 601 New Jersey Avenue, N.W., in Washington, D.C. This meeting was announced to the public in advance through publication of a notice in the *Federal Register*. See 69 Fed. Reg. 59,579 (Oct. 5, 2004). Andrew Heimert, the Executive Director & General Counsel, as well as Designated Federal Officer for the Commission, called the meeting to order at 10:05 a.m. and noted a quorum. The meeting was transcribed. Approximately 30 people were in the public audience.

Participating:

Deborah Garza, Chair
Jonathan Yarowsky, Vice-Chair
Steven Cannon, Commissioner
Dennis Carlton, Commissioner
Jonathan Jacobson, Commissioner
Donald Kempf, Commissioner
Sanford Litvack, Commissioner
John Shenefield, Commissioner
Debra Valentine, Commissioner
John Warden, Commissioner

Andrew Heimert, Executive Director & General Counsel

Mr. Heimert served as the Designated Federal Officer (DFO) for the meeting.

Also present:

William Adkinson, Counsel
Todd Anderson, Counsel
Hiram Andrews, Law Clerk
Sylvia Boone, Administrative Officer

I. Remarks of Chair

The Chair offered opening remarks for the Commission meeting, in which she welcomed the public to the meeting, briefly commented on the purpose of the Commission's meeting, and outlined the meeting agenda.

II. Report on Administrative Matters by Mr. Heimert

Mr. Heimert reported on the current status of various administrative matters.

Staffing. Mr. Heimert introduced new staff who joined the Commission since the last meeting: Mr. Heimert introduced William Adkinson (Counsel), Todd Anderson (Counsel), Sylvia Boone (Administrative Officer), Hiram Andrews (Law Clerk), and Alan Meese (Senior Advisor).

Office Space. Mr. Heimert reported that Commission staff had begun to move into the Commission's office space. The new address for the Commission is 1120 G Street, N.W., Suite 810, Washington, D.C. 20005. Telephone service was in the process of being established.

Public Comments. Mr. Heimert announced that the Commission had received comments from over 35 people or organizations in response to the Commission's request for public comment. Those comments are available electronically on the Commission's website.

III. Discussion of Criteria for Setting the Commission's Agenda

The Commission discussed the criteria Commissioners believed were appropriate to consider in selecting issues for further study by the Commission. Commissioners presented views as to what considerations are most important. The Commission did not vote on criteria to employ; the discussion was intended as an opportunity for each Commissioner to hear other Commissioners' thoughts on the subject.

IV. Discussion of Working Group Process

The Chair summarized the formation and purpose of the working groups, and outlined the process the groups were expected to follow in compiling recommendations regarding issues for Commission study. A list of working group assignments as well as a brief timeline for the process were distributed to Commissioners, copies of which were made available to the public. The working groups are to submit recommendations by around December 17 for circulation to the full Commission in advance of a meeting in January to discuss which issues the Commission will select for study.

The meeting was adjourned at 11:15 a.m.

I hereby certify that, to the best of my knowledge, the foregoing minutes are accurate and complete.

Deborah A. Garza
Chair, Antitrust Modernization Commission