4. Litigating Division Detainee Program:

(Jarrett/Fishman)

5. United States Attorneys' National Conference:

(Fishman/Jarrett)

6. Hiring of Temporary Supervisory AUSAs:

(Finley/Fishman)

7. Training at the NAC:

(Fishman/Jarrett)

8. Recusal Policy:
9. Medical Marijuana: 

10. Arab/Muslim Outreach Update: 
11. Countering Violent Extremism and Arab/Muslim Outreach:

12. Office of Justice Programs (OJP):
13. Fast Track Program:

(Wagner)

14. Media Training:

(Fishman/Wong/Ausiello)

15. Messaging:

(Yates)
16. Legislative Update:

(Weich/Pings)

17. New LIONS Format and WebTA:

(Trevino/Fleshman/Gibson)

18. Settlement Authority:

(Parker/Ortiz/Wong)

19. Department’s Giglio Policy:
20. Recording Confessions:

21. Litigation Hold on HB56 Immigration Cases:

22. Language Access Program (LAP):

23. National Association of Former United States Attorneys (NAFUSA): The Advisory Committee met with members of the Executive Committee of NAFUSA: Former USAs Richard Rossman, Rick Deane, Jay Stephens, Matt Orwig, Doug Jones and Joe Whitley. The group discussed the Bradford Award which is named after former USA J. Michael Bradford (E/TX) and is given out at NAFUSA’s annual meeting. The group encouraged the USA Community to submit names of outstanding AUSAs as potential recipients. The group also advised that they were sponsoring a Speakers Series, and suggested William Ruckelshaus as a speaker at the upcoming United States Attorneys’ National Conference. Finally, they noted that NAFUSA will be meeting in DC for their annual meeting in 2013, and would like to spend a half day at the Department of Justice. (Fishman/Jarrett)

24. USA-Only Sharenet:
DRAFT AGENDA  Attorney General's Advisory Committee

(Working draft: 2/14/12:  2 p.m. AGENDA

Wednesday, February 15, 2012:  VTC – AGAC II (2517)
or Conference Phone Number:  1-877-628- ; pass code 

1.  2:00 – 2:30
   RAWG Update  USA Peter Neronha (RI)
   Chair, RAWG

2.  2:30 – 2:45
   Detailee Program  Marshall Jarrett, Director

3.  2:45 – 3:45
   Case Based Tracking (Exhibit A)  Norm Wong, Deputy Director and
   Counsel to the Director
   Wayne Gibson
   Chief of Planning, Evaluation and Performance

4.  3:45 – 4:15
   Budget Update  Lisa Bevels, Chief Financial Officer

5.  4:15 – 4:30
   Training Review Checklist (Exhibit C/D/E)  USA Barb McQuade (E/MI)
   Dave Smith, Counsel for Legal Initiatives

6.  4:30 –4:45
   Hiring of Supervisory AUSAs  USA Stephanie Finley (W/LA)

7.  4:45 – 5:00
   Supervisory Approval Requirement for Title IIIs (Exhibit B)  USA Paul Fishman (NJ)
   Chair, AGAC
8.  5:00 – 5:15

Medical Marijuana Working Group Update
USA John Walsh (CO)
Chair, Medical Marijuana Working Group

9.  5:15 – 5:30

United States Attorneys’ Conference
USA Paul Fishman (NJ)
- Issues for FBI Director
  Robert Mueller
Attorney General's Advisory Committee

February 15, 2012 – VTC Meeting

Summary

(Working Draft Summary/Followup: 2/23/12-rev.3/1)

1. RAWG Update:

2. Detailee Program:

(Neronha/Jarrett)
3. Case Base Tracking:

(Jarrett)

(Wong/Gibson)
4. **Budget Update:**

5. **Training Review Checklist:**

   (McQuade)

6. **Hiring of Supervisory AUSAs:**

   (Bell)

7. **Supervisory Approval Requirement for Title III:**
8. Medical Marijuana Working Group:

9. Human Trafficking Task Forces:

10. United States Attorneys' Conference:
Monday, March 5, 2012

1. 8:30 – 9:00
   Committee Business  USA Paul Fishman (NJ), Chair
   Marshall Jarrett, Director

2. 9:00 – 9:30
   Case Based Tracking  Norm Wong, Deputy Director and Counsel to the Director
   Wayne Gibson, Chief of Planning, Evaluation and Performance

3. 9:30 – 9:45
   Approval and Reporting Requirements for Certain Money Laundering Prosecutions
   (Exhibit D)
   USA Paul Fishman

4. 9:45 – 10:00
   Title IIIs (Exhibit C)  USA Paul Fishman

5. 10:00 – 10:15 BREAK

6. 10:15 – 10:30
   Approval of Eagle Feathers Policy (Exhibits A-B-B1)  USA Brendan Johnson (SD), Chair
   NAIS Subcommittee
   Mike Cotter (MT), Chair
   Environmental Issues Subcommittee

7. 10:30 – 10:45
   David Smith, Counsel for Legal Initiatives
   AG Guidelines on Extraterritorial FBI Operations
   (Exhibit E)
8. 10:45 – 11:00
   Hiring of Temporary Supervisory AUSAs (Exhibit F)
   USA Stephanie Finley (W/LA)

9. 11:00 – 11:15
   IRB Update
   USA Stephanie Rose (N/IA)
   Mark Fleshman, Chief Information Officer

10. 11:15 – 11:20
    USAM Revision on International Prisoner Treaty Transfers (Exhibit G)
    Anne Pings, Legislative Counsel, EOUSA
Attorney General's Advisory Committee

Monday, March 5, 2012

Summary

Working Draft Summary: 3/12/12

1. **Detailee Program:**

   (Jarrett)

2. **Case Based Tracking:**
3. **Approval and Reporting Requirements for Certain Money Laundering Prosecutions:**

   (Wong)

4. **Approval Requirements for Title III:**

   (Fishman)

5. **Approval of Eagle Feathers Policy:**

   (Johnson/Cotter)

6. **Attorney General Guidelines on Extraterritorial FBI Operations:**

   (Jarrett/Fishman)
7. Hiring of Temporary Supervisory AUSAs:

8. USAM Revision on International Prisoner Treaty Transfers:

(Smith)

(Finley/Bell/Fishman)

(Pings)
9. IRB: (Rose/Fleshman)

10. National Commission on Criminal Justice: (Coffin/Fishman)
DRAFT AGENDA  Attorney General's Advisory Committee

(Working draft: 3/26/12: 11 a.m.)    AGENDA

Monday, March 26, 2012:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-252-

1. 12:00 – 1:30

   BROWN BAG WORKING LUNCH – Please bring lunch with you to Room 2266.

       Paul Fishman, Chair

2. 1:30 – 3:15

   Budget/Hiring        H. Marshall Jarrett, Director
                        Lisa Bevels, Chief Financial Officer

   OMB Subcommittee Report        USA Loretta Lynch (E/NY)

   IRB Update        USA Stephanie Rose (N/IA)
       (Exhibit A/A1)    Mark Fleshman, Chief Information Officer

3. 3:15 – 3:30 BREAK

4. 3:30 – 4:30

   (By VTC/Ocala Fla. Branch Office)/internet

   Case-Based Tracking (Update)            Wayne Gibson
                                            Chief of Planning, Evaluation and Performance

5. 4:30 – 5:00

   Promotion of Supervisory AUSAs        USA Stephanie Finley (W/LA)
       (Exhibits D/E)    Suzanne Bell, Deputy Director for Legal Management

6. 5:00 – 5:30

   Committee Business

7. 5:30 - Committee Adjourns
Tuesday, March 27, 2012:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-252- 

1. 9:00 – 11:30

**AGAC Issues**

- **RAWG Update**
  USA Paul Fishman (NJ), Chair, AGAC
  USA Peter Neronha (RI), Chair
  Resource Allocation Working Group (RAWG)

- **Settlement Authority**
  - **Big Ticket Settlements**
    John Parker, Civil Chief (N/TX)
    Chair, Civil Chiefs Working Group
  - **Increase in Settlement Authority**
    John Parker, Civil Chief (N/TX)

- **Capturing Pre-Judgment FLU cases in LIONS**
  John Parker, Civil Chief (N/TX)

- **Updates:**
  - **Medical Marijuana**
    USA John Walsh (CO)
  - **Residential Mortgage Backed Securities Working Group**
    USA John Walsh (CO)
  - **Delegation of Authority in Civil Rights Cases**
    USA Steve Dettelbach (N/OH)
  - **Making USAO Websites Compliant with Sec. 508 of the Rehabilitation Act (Exhibits G/H)**
    USA Carmen Ortiz (MA)

2. 11:30 – 11:45

**Messaging**

USA Sally Yates (N/GA)

3. 11:45 – 12:00

**Committee Business**
4. 12:00 – 1:30 -- Working Lunch – AGAC I  
   (Executive Session)

5. 1:30 – 2:00

   U.S. Postal Inspection Service  
   National Interdiction Project  
   (Exhibit C/C1/C2)  
   USA Carter Stewart (S/OH)

6. 2:00 – 2:15

   Committee Business

7. 2:15 – 2:30  
   (By VTC)

   Proposed Crime Commission  
   (Exhibit F)  
   USA Tristram Coffin (VT)  
   Co-Chair, Criminal Practice Subcommittee

8. 2:30 – 3:00

   Committee Business

9. 3:00 – 4:00  
   (Confirmed)

   Meeting with the Attorney General

10. 4:00 – 4:10

    Travel from AG’s office to AGAC I

11. 4:10 – 4:30  
    (Confirmed)

    Office of Public Affairs (OPA)  
    Tracy Schmaler, Director, OPA  
    Allison Price, Senior Public Affairs Specialist, OPA

12. 4:30 – 5:00  
    (Confirmed)

    Criminal Issues  
    Lanny Breuer  
    Assistant Attorney General  
    Criminal Division
13. 5:00 – 5:30

Consumer Fraud  (Confirmed)
    (Exhibit B)
    Kent Markus
    Assistant Director
    Office of Enforcement
    Consumer Financial Protection Bureau (CFPB)
    Anthony Alexis, Deputy Enforcement Director for
    Field Litigation, CFPB
    Charles Hunter Wiggins, Deputy Enforcement
    Director for Strategic Planning, CFPB

14. 5:30  Meeting Adjourns:  AGAC Dinner – Gordon Biersch (900 F Street)

1. 9:00 – 9:15
   Committee Business

2. 9:15 – 9:45 (Confirmed) (VTC w/Chicago and Powerpoint)
   Matching of LIONS Database and FinCEN’s CBRS
   James H. Freis, Jr.
   Director
   FinCEN
   Matthew Stegman, WCC Coordinator, EOUSA
   David Glockner, AUSA (N/IL)

3. 9:45 – 10:00
   Committee Business

4. 10:00 – 11:00 (Confirmed)
   Meeting with the Acting Associate Attorney General

5. 11:00 – 12:00 (Confirmed)
   Meeting with the Deputy Attorney General

6. 12:00 – 1:30
   Working Lunch
   - 12:10 – Tax (Joe Young, Executive Officer and an attorney TBD)
   - 12:30 – ENRD (Andy Collier, Executive Officer)
   - 12:50 – Civil (Ken Zwick, Executive Officer, Pat Glynn, Director of the Civil Division’s Environment Torts section and a former AUSA; and Siobhan Sperin, Director of our Office of Management Information)
   - 1:10 – Civil Rights (Mac McConkey, Executive Officer, Donna Murphy, Civil Rights Principal Deputy of Housing and Enforcement Section)

7. 1:30 – 2:30
   Committee Business
8. 2:30

   All USA Call – 1-877-628-###; pass code ###

9. 3:00 – Meeting Adjourns
Attorney General's Advisory Committee

March 26-28, 2012

Summary

(Draft Working Document 4/3/12-rev.)

1. FY 2012 Budget:

2. EOUSA Issues: (Jarrett/Bevels/Dunn)
3. Proposed Resource Allocations:

4. Violent Crime in the 21st Century:

5. Outreach Activities:

(Heaphy/Machen/Bevels)

6. Conference Calls with the DAG: USA Lynch advised that she had met recently with the DAG and that he would like to have a conference call/or VTC with the small/medium/large/extra
large offices. These will be set up in the next couple of weeks. The DAG also encouraged the USAs to call him directly. (Fishman/Jarrett/Lynch)

7. Promotion of Supervisory Assistant United States Attorneys:

(Finley/Bell/DeFalaise)

8. Office of Public Affairs:

(Yates/Ausiello/Wong)

9. Messaging:

(Yates)
10. Proposed Crime Commission:

(Coffin/Vance)

11. Early Notification on Big Ticket Cases:

(Parker/Lang/Wong)

12. Proposed Increase in Settlement Authority for Affirmative Civil Cases:

(Parker/Lang)
13. Streamlining Approval Processes Generally:

(Ortiz)

14. Inclusion of Civil Debt Collection Cases and Matters in the LIONS Case Management System:

(Parker)

15. Case-Based Tracking:
16. Matching of the LIONS Database and FinCEN’s CBRS:
17. Consumer Fraud: (WCC Subcommittee/Matt Stegman)

18. U.S. Postal Inspection Service National Interdiction Project: (Stewart/Kubiatsowski)

19. Criminal Issues:
20. Civil Issues:

21. Meeting with Tony West, Acting Associate Attorney General:

22. Residential Mortgage Backed Securities Working Group:

(Walsh)

23. Mortgage Fraud:

(Wagner)
24. Discovery Issues:

(Fishman/Jarrett)

25. New Stock Act:

(Fishman)

26. Making USAO Websites Accessible to the Disabled:

27. OMB Subcommittee: USA Loretta Lynch (E/NY), Chair of the OMB Subcommittee, reported on the following:

- **Administrative Officers (AOs) Working Group Report:** The new chair of the AO Working Group is Marian Nelson (S/GA). The Administrative Staffing Study has been completed, but it was determined that due to the number of the elements which need to be reduced, more time is needed to monitor the data. The AO Working Group is collecting best practices and looking at the best way to disseminate to the field. Also, because of the budget, they are also looking at alternative ways to receive training such as accessing the NAC’s “On Demand” training. They are also monitoring the PEP reports, looking at data storage, and monitoring the migration from Word Perfect to Word.

- **Attorney Hiring:** Templates for announcing term/permanent and uncompensated SAUSAs are being prepared. Once approved by OARM, they will be presented to the OMB Subcommittee.

- **Contractor Data Call:** Advisory/assistance services contracts that had been reduced by 15%, have changed to 5%.

- **Employee Viewpoint Survey:** EOUSA came in 17 out of 240 in the Employee Viewpoint Survey. We were ranked 223 out of 228 with regard to family friendly culture and benefits. This was attributed to the fact that EOUSA does not have a telework policy.
ACTION ITEMS:

- **IRB Projects:** The AGAC adopted moving forward on the IRB Projects. See No. 28 for a comprehensive list.

- **Telework Policy:** EOUSA is in the process of developing a telework policy. Director Jarrett noted there are many facets of a proposed policy. Telework cannot be used if you are sick; certain staff will not be eligible. In EOUSA you will have to have an “outstanding” rating to qualify. The larger issue will be how to manage telework in your offices. The analysis starts with which jobs could be done by telework; then we look at the people performing these jobs. EOUSA is waiting for JMD’s policy before finalizing its own. Once finalized it will be reviewed by the AGAC and sent to the USAs to use as a guide. [JMD’s policy was received during the meeting; USA Rose reviewed and identified problematic areas; EOUSA is reviewing.]

- **I-Phones:** Mark Fleshman reported that he has reached out to the USAs on whether they want to transition to the I-Phone; 55 districts responded. There are costs involved, and the AGAC asked Mr. Fleshman to create a list of pros and cons, talk to the Administrative Officers, do a cost analysis, and report back to the AGAC in May.

- **Reduce the Federal Foot Print:** USA Lynch reported that a Presidential Memorandum dated June 10, 1010, calls on federal agencies to reduce costs and maximize use of the federal real property inventory. As a result, in the Office of Management and Budget (OMB) budget guidance there is a “No New Growth” policy and GSA and OMB scrutinizing all agency building plans, expecting utilization rate reductions in new and renewed leases. Office utilization rates are expected to be no larger than 130 square feet per person, and only 100 square feet for law enforcement field offices. Members expressed their concerns noting that a 130-square foot office would not accommodate the needs of an AUSA. USA Fishman expressed the need to have a USA involved in this issue. (Gugulis)

28. IRB Update:
DRAFT AGENDA  Attorney General's Advisory Committee

(Working draft: 6/20/12: 10 a.m.) AGENDA

Wednesday, June 20, 2012: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252- Participating by VTC:  Carter Stewart; Ben Wagner; by phone-Stephanie Finley)

1. 12:00 – 1:00

BROWN BAG WORKING LUNCH – Please bring lunch with you to Room 2266.

Paul Fishman, Chair

2. 1:00 – 2:00

Budget/Hiring H. Marshall Jarrett, Director Lisa Bevels, Chief Financial Officer

3. 2:00 – 3:00

EOUSA Issues

- STOCK Act Update Marshall Jarrett Paul Fishman Jay Macklin, General Counsel

- Hatch Act Modernization Act of 2012 (Exhibit A) Norm Wong, Deputy Director/Counsel to the Director

- Pilot Program for Threat Recusals (Exhibit C) Jay Macklin, General Counsel

4. 3:00 – 3:15 BREAK

5. 3:15 – 4:00

EOUSA Issues (continued)

- Telework Policy Update USA Ron Machen (DC) Suzanne Bell, Deputy Director for Legal Management
6. 4:00 – 4:30 (Confirmed)  
New Bar Certification Requirements  
Lou DeFalaise, Director  
Office of Attorney Recruitment and Management  
Lee Lofthus  
Assistant Attorney General for Administration  
Art Gary, General Counsel, JMD  
Janice Rodgers, Department Ethics Officer  
Jerri Dunstan, Director  
Professional Responsibility Advisory Office  
Lyn Hardy, Senior Counsel  
Office of Professional Responsibility (OPR)  
Brad Weinsheimer, Deputy Chief, OPR

7. 4:30 – 5:00  
Committee Business

8. 5:00 - 5:15 (Confirmed) (VTC w/ME)  
Controlled Substances/Asset Forfeiture Working Group  
USA Tom Delahanty (ME), Chair  
- Synthetic Drugs

9. 5:15 – 5:30  
Committee Business

10. 6:30 – Old Ebbitt Grill (tentative)
Thursday, June 21, 2012:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252-1374, FAX (202) 252-1373

1. 9:00 – 10:30

AGAC Issues

- Updates:
  - Promotion of Supervisory AUSAs – Draft USAP/ Draft Notice (Exhibit H/I) USA Stephanie Finley (W/LA) Suzanne Bell, Deputy Director for Legal Management Committee Business
  - ABA White Collar Crime Committee’s Request for Regional Meetings USA Paul Fishman (NJ)
  - Settlement Authority USA Sally Yates (N/GA) John Parker, Chair, Civil Issues Subcommittee
  - Reporting and Approval Requirements Review John Parker, Steve Dettelbach, Carmen Ortiz
  - New Notice Requirement (Exhibit D) USA Paul Fishman (NJ)
  - Undercover Risk Assessment USA Stephanie Rose (N/IA)
  - Case View (LIONS Replacement) Matters Norm Wong, Deputy Director/Counsel to the Director
  - Electronic Surveillance USAM 9-7.000 (Exhibit B)

2. 10:30 – 10:45  B R E A K

3. 10:45 – 11:30

Media Update/Social Media USA Sally Yates (N/GA) USA Brendan Johnson (SD) Andrew Goldsmith, National Criminal Discovery Coordinator

4. 11:30 – 11:45

(Confirmed)  (VTC w/E/LA)

LECC/VC Joint Subcommittee Meeting Report USA Tim Heaphy (W/VA), Chair USA Jim Letten (E/LA), Chair LECC/Victim/Community Issues Violent and Organized Crime Subcommittee
5. 11:45 – 12:00 (VTC w/W/NC)
   Civil Rights Subcommittee
   USA Steve Dettelbach (N/OH), Chair
   USA Ann Tompkins (W/NC), Vice Chair

6. 12:00 – 1:30 WORKING LUNCH

7. 1:30 – 2:00 (Confirmed)
   FBI Hair Analysis Initiative
   USA Ron Machen (DC)
   Andrew Weissman, General Counsel, FBI

8. 2:00 – 2:30 (Confirmed)
   Asset Forfeiture Contracts
   Candace Olds, Director
   Asset Forfeiture Staff
   Justice Management Division

9. 2:30 – 2:45 BREAK

10. 2:45 – 3:45 (Confirmed)
    Meeting with Acting Associate Attorney General

11. 3:45 – 4:00
    Committee Business

12. 4:00 – 4:30 (Confirmed)
    IRS Criminal Investigative Division
    Richard Weber, Chief
    IRS Criminal Investigations
    Patty Haynes, Deputy Chief
    Dan Fort, Director of Field Operations – Western Area, IRS

13. 4:30 – 5:00 (Confirmed)
    EARS Program
    Dayle Elieson, Assistant Director
    EARS Staff

14. 5:00 – 5:30
    Committee Business

15. 5:30 – Meeting Adjourns
1. 9:00 – 9:15
   Committee Business

2. 9:15 – 9:30
   Health Care Fraud Working Group  USA Carmen Ortiz (MA), Chair

3. 9:30 – 9:45
   Criminal Practice Subcommittee  TBD

4. 9:45 – 10:00
   Committee Business

5. 10:00 – 11:00
   (Confirmed)
   Meeting with the DAG

6. 11:00 – 11:45
   Circuit Reports

7. 11:45 – 12:00
   (Confirmed) VTC w/W/WA)
   Cyber and Intellectual Property Subcommittee  USA Jenny Durkan (W/WA), Chair

8. 12:00 – 1:30  Working Lunch
   (12:30 – 12:45 EST)  (Tentative) By Conference phone
   - White Collar/Fraud Subcommittee  USA Melinda Haag (N/CA), Chair

9. 1:30 – 2:00
   Androids  Mark Fleshman, Chief Information Officer

10. 2:00 – 3:00
    Committee Business
11. 3:00 - Call with All USAs

   All USA Call – 1-877-628□□□□; pass code □□□

12. 3:00 – Meeting Adjourns
Attorney General’s Advisory Committee Meeting  
June 20-22, 2012  
Summary  

(Working Draft 6/29/12)  

1. FY 2012 Budget:  

2. STOCK Act:  

3. Hatch Act Modernization Act of 2012 (HR 2170):  

(Jarrett/Bevels)  

(Jarrett/Fishman/Macklin)
4. New Bar Certification Requirement:

5. Pilot Program for Threat Recusals:
6. Telework Policy: (Machen/Bell/Dunn/Jarrett)

7. Promotion of Supervisory Assistant United States Attorneys: (Finley/Bell)

8. LIONS Replacement Program-CaseView: (Rose)

9. Androids: (Fleshman)

10. Social Media: (Wong, Ausiello)
11. Messaging:

(Yates/Fishman/Ausiello)

12. Undercover Risk Assessments:

(Yates)

13. Processing of Title III:

(Wong)

14. Increase in Settlement Authority:
15. New Notice Requirement of Bit Ticket Items:  

(Parker/Ortiz)

16. Review of Mandatory Requirements:  

(Wong)

17. Civil Rights Subcommittee: USA Steve Dettelbach (N/OH), Chair of the Civil Rights Subcommittee, reported on its recent meeting. (Stewart/Wong)

He advised that the Subcommittee supports the issue of providing benefits to same sex partners and taking this issue to the next level. USA Loretta Lynch (E/NY) informed the group that the Department’s Diversity Management Committee is also looking at this.

(Dettelbach)
18. Investor Fraud Initiative:

19. White Collar/Fraud Subcommittee Meeting:

20. FBI Hair Analysis Initiative:
(Weissman/Machen/Brown/Wong)

21. Regional Mortgage Backed Securities Task Force (RMBS):

(Walsh)

22. Violent and Organized Crime Subcommittee:

(Letten/Heaphy)
23. LECC/Victim/Community Issues Subcommittee Report:

(Heaphy)

24. Intelligence Specialists/LECC Coordinators:

(Wilkinson/Heaphy)

25. Controlled Substances and Asset Forfeiture Working Group:
26. Cyber and Intellectual Property Subcommittee:

27. Health Care Fraud Subcommittee:
28. HCFAC Strike Force Positions: (Ortiz/Villegas)

29. Civil Chiefs Working Group: (Parker)

30. IRS Criminal Investigative (CI) Division: (Smith)

31. Distressed Home Owner Cases: (Wagner)

32. Evaluation and Review Staff (EARS):
33. ABA’s White Collar Crime Committee: [Redacted] (Jarrett/Fishman)
DRAFT AGENDA          Attorney General's Advisory Committee

(Working draft: 7/23/12:   1:45 p.m. )          AGENDA

Tuesday, July 24, 2012:   AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202)
252- , FAX (202) 252- 

1. 12:00 – 1:00

    BROWN BAG WORKING LUNCH – Please bring lunch with you to Room 2266.

            Paul Fishman, Chair

2. 1:00 – 2:15

    Budget/Hiring

            H. Marshall Jarrett, Director
            Lisa Bevels, Chief Financial Officer

3. 2:15 – 2:45

    Bar Certification Update

            USA Paul Fishman

4. 2:45 – 3:15

    Telework Policy Update

            USA Ron Machen (DC)
            Suzanne Bell, Deputy Director for Legal Management

5. 3:15 – 3:30     BREAK

6. 3:30 – 4:15

    ▪ Fundraising
      ▪ Request for Exception to
      Outside Activities Ruling
      ▪ Insurance Coverage for
      Same Sex Partners

            Jay Macklin, General Counsel

7. 4:15 – 5:00

    AGAC Updates

            ▪ FBI’s Hair Analyses Initiative
              Norm Wong, Deputy Director/Counsel to the Director
            ▪ Undercover Risk Assessments
              USA Sally Yates (N/GA)
            ▪ Messaging/Social Media
              USA Sally Yates (N/GA)
8.  5:00 – 5:30
    Security Working Group USA Jim Santelle (E/WI), Chair
    (Exhibit I) Security Working Group

9.  5:30  Meeting Adjourns

10. 6:30 – AGAC dinner:  District of Pi, 910 F. St., NW (confirmed)
Wednesday, July 25, 2012: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252 , FAX (202) 252-

1. 9:00 – 10:00
   AGAC Updates (Continued)
   - Settlement Authority  John Parker, Chair, Civil Issues Subcommittee
   - Reporting and Approval Requirements Review  John Parker, Steve Dettelbach, Carmen Ortiz
   - Streamlining Review  USA Carter Stewart/Norm Wong
   - Medical Marijuana Update  USA John Walsh

2. 10:00 – 11:00
   (VTC with W/NC-Asheville)
   Insurance Coverage for Same Sex Partners  USA Loretta Lynch, E/NY, Vice Chair, AGAC
   USA Steve Dettelbach (N/OH), Chair
   Civil Rights Subcommittee
   USA Laura Duffy (S/CA)
   USA Anne Tompkins(W/NC) by VTC
   Lee Lofthus, Assistant Attorney General for Administration
   Art Gary, General Counsel, JMD
   Richard Parker, Deputy Associate Attorney General for Diversity

3. 11:00 – 11:15  B R E A K

4. 11:15 – 11:30
   Guidance on Cases Qualifying for Debarment; Notice to Defendants Who Plead (Exhibit J)  David Smith, Counsel for Legal Initiative

5. 11:30 – 12:15
   - Iphone/Android Update  Mark Fleshman, Chief Financial Officer
   - Printer/Toner
   - LTSC Discussion

6. 12:15 – 1:30  Working Lunch
7. 1:30 – 2:30
   Discovery and Professional Responsibility Rules (Exhibit E-H)
   (VTC w/CO and VT)
   Andrew Goldsmith, National Criminal Discovery Coordinator
   John Harred (CO), Assistant National Criminal Discovery Coordinator - VTC
   Jerri Dunston, Director, Professional Responsibility Advisory Office (PRAO)
   USA Tris Coffin (VT), Co-Chair, Criminal Practice Subcommittee - VTC

8. 2:30 – 3:00
   Asset Forfeiture Contracts
   Candace Olds, Director
   Asset Forfeiture Staff, JMD

9. 3:00 – 3:15  B R E A K

10. 3:15 – 3:45
   Proposed Legislation on Preservation of Assets (Exhibit D)
   USA Tim Heaphy (W/VA), Chair
   LECC/Victim/Community Issues Subcommittee
   Kris Neal, Assistant Director, Office of Legal and Victim Programs (OLVP)
   Laurie Levin, Attorney/Advisor, OLVP

11. 3:45 – 4:30
    (Confirmed)
    Meeting with the Acting Associate

12. 4:30 – 4:45
    Committee Business
13. 4:45 – 5:15 (VTC – N/CA and E/PA)
   Appellate Issues
   1) Filing Amicus Briefs Barbara Valliere, Appellate Chief (N/CA)
       (Exhibit B) Chair, Appellate Chiefs Working Group
   2) Guidance on Lafler and Frye Robert Zauzmer, Appellate Chief (E/PA)
       (Exhibit C)

14. 5:30 - Meeting Adjourns
Thursday, July 26, 2012:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 9:00 – 9:30

Committee Business

2. 9:30 – 10:15

Synthetic Drugs

Joe Rannazzisi, Deputy Assistant Administrator for Diversion Control, DEA
Al Santos, Assistant Deputy Assistant Administrator for Diversion Control, DEA
Wendy Goggin, Chief Counsel

3. 10:15 – 10:45

Criminal Chiefs Working Group

USA Jim Lang (MA), Chair (tentative)

Civil Chiefs Working Group

John Parker, Civil Chief (N/TX)

4. 10:45 – 11:15

Committee Business

5. 11:15 – 12:15

(Confirmed)
Meeting with the Attorney General

6. 12:15 – 1:30 -  Working Lunch

7. 1:30 – 1:45

U.S. Border Summit

USA Rick Hartunian (N/NY), Vice Chair Border and Immigration Law Enforcement (Northern Border)

8. 1:45 – 2:30

Circuit Reports
9. 2:30 – 3:30
   (Confirmed)
   Meeting with the DAG

10. 3:30 – 3:45
    Committee Business

11. 3:45 - Call with All USAs - Tentative

    **All USA Call – 1-877-628-**
    (obscured)
    **; pass code**
    (obscured)

12. 3:45 Meeting Adjourns
1. FY 2012 Budget: (Lisa Bevels)

2. Hiring Exemptions: (Jean Dunn)

3. Antitrust Office Closings: (Jean Dunn)

4. New Bar Certification Requirements:
5. Telework Policy:

6. Fundraising and Outside Activities:

7. iPhone:
8. **Health Care Benefits for Same Sex Partners:** The Committee discussed the issue of providing health insurance benefits to same sex partners with USA Loretta Lynch (E/NY), Vice Chair, AGAC; USA Steve Dettelbach (N/OH), Chair, Civil Rights Subcommittee; Lee Lofthus, Assistant Attorney General for Administration, Justice Management Division (JMD); Art Gary, General Counsel, JMD; Barbara Bush, Deputy General Counsel, JMD; USA Anne Tompkins (W/NC); USA Laura Duffy (S/CA); and Richard Parker, Deputy Associate Attorney General for Diversity.

Jay Macklin, General Counsel, EOUSA briefed the group beforehand advising that on July 20, several rule changes have come down from the Office of Personnel Management that added benefits for same sex partners. Some of these included child-care subsidies and services and including same sex domestic partners in the list of relationships in which there is presumed to be an insurable interest. Health care benefits were not included. Mr. Macklin reported that health care benefits are prevented under the Defense of Marriage Act (DOMA) which defines a spouse as “a legal union between one man and one woman, and the word ‘spouse’ refers only to a person of the opposite sex who is a husband or wife.” Mr. Macklin is seeking guidance on how to litigate these cases.

Members of the AGAC asked JMD if they had found anyway around this issue so that an employee can be reimbursed for having to pay out of personal funds, for example, through a retention bonus. Mr. Gary reported that the Department has been looking at this issue since 2009. At this time there are three cases in litigation with regard to DOMA and it is expected that the Supreme Court will take one of these cases in their next term. There is a lot of interest from OPM, but the interpretation of the statute is the problem. DOJ is a Title 5 agency, but non-Title 5 agencies have been able to provide a stipend to an employee to cover the additional cost. Because DOJ is a Title 5 agency, we come under different rules. Mr. Lofthus explained that in 2009 JMD was given a mission to expand the benefits to same sex partners. They have been successful except for 5 or 6 issues. At this time the only remedy available is for a person to go through the individual EEO complaint/grievance process. Members advised that if DOMA is struck down as unconstitutional, we need to be looking at what we can do to address this issue; for example, asking the Department’s Office of Legal Counsel for a legal opinion on our options. There should be an internal DOJ policy, either to follow DOMA or how to address if DOMA is gone. And, to what extent does the Department want us to be an advocate with OPM with regard to a statutory change; and what, if not statutory should we be advocating for with OPM for a fix to this issue. Our employee suits are in the investigative stage with the EEOC. USAOs should reach out to Jay Macklin or Suzanne Bell if they have an issue in their office. (Jay Macklin/Suzanne Bell)
9. Discovery and Professional Responsibility Rules:

(Andrew Goldsmith)

10. Undercover Risk Assessments:

(Sally Yates)

11. FBI Hair Analysis Initiative:

(Norm Wong)
12. Marijuana Update:

(John Walsh)

13. Synthetic Drugs:

(Gretchen Shappert)

14. Appellate Issues:
15. Preservation of Assets:

(Steve Kubiatowski)

(Heaphy/Neal)
21. Reporting Requirements and Streamlining Review:

(Carter Stewart/Norm Wong)

22. Increase in Settlement Authority:

(John Parker)

23. Civil Chiefs Working Group:

24. Criminal Chiefs Working Group:
25. Health Care Fraud Cases:

26. Intelligence Specialists/LECC Coordinators: Heaphy/Monty Wilkinson/David Smith

27. Reporting Individual Defendants to the Defense Procurement Fraud Debarment Clearinghouse:
28. Northern Border Issues: 

29. Re-Entry Conference: 

(David Smith) 

(Rick Hartunian) 

(Pam Marsh)
AGENDA

Wednesday, September 12, 2012: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 12:00 – 1:15

BROWN BAG WORKING LUNCH – Please bring lunch with you to Room 2266.

Paul Fishman, Chair

2. 1:15 – 1:45

Meet with the Acting Associate Attorney General

3. 1:45 – 2:15

Budget/Hiring

H. Marshall Jarrett, Director
Lisa Bevels, Chief Financial Officer

4. 2:15 – 2:45

(By VTC)

RAWG Update

USA Peter Neronha, Chair, RAWG

5. 2:45 – 3:15

OMB Subcommittee Report

USA Loretta Lynch, Chair

- OMB Summary (Exhibit H)
- Toner Issue (Exhibit I)
- Phased Retirement (Exhibit J)
- Space Allocations – 10% (Exhibit K)
- Space Allocations – 15% (Exhibit L)

6. 3:15 – 3:30 – BREAK

7. 3:30 – 4:30

ATF Issues

B. Todd Jones (MN)
Acting Director
ATF
8. 4:30 – 5:30

- DOMA Update USA Loretta Lynch (E/NY)
- Medical Marijuana Update USA John Walsh (CO)
- Criminal Chiefs Update Jim Lang, Criminal Chief (MA), Chair, Criminal Chiefs Working Group
- Civil Chiefs Update John Parker, Civil Chief (N/TX, Chair, Civil Chiefs Working Group

9. 5:30 Meeting Adjourns

10. 6:30 – AGAC dinner: Old Ebbitt (confirmed)
Thursday, September 13, 2012 AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 9:00 – 9:30

AGAC Issues

- AG Report (Exhibit B) USA Paul Fishman
- Impact of Sequestration on Courts (Exhibit C) USA Paul Fishman

2. 9:30 – 10:00

(VTC with S/FL)

- Expedited Review Process for USA Pam Marsh (N/FL)
  Stolen Identity Refund Fraud Cases USA Willy Ferrer (S/FL) (Exhibit D-F) (Action)

3. 10:00 – 10:30

Civil Rights Update USA Steve Dettelbach (N/OH), Chair
  Civil Rights Subcommittee

4. 10:30 – 10:45  B R E A K

5. 10:45 – 11:30

Preservation of Assets Jennifer Shasky
  (Exhibit H) Chief, Asset Forfeiture and Money Laundering Section
  Criminal Division
  Laurie Levin
  Office of Legal and Victim Programs

6. 11:30 – 12:00

AGAC Updates (Continued)

- Undercover Risk Assessments USA Sally Yates (N/GA)
- Messaging USA Sally Yates (N/GA)

7. 12:00 – 1:30  WORKING LUNCH

8. 1:30 – 1:45

Committee Business
9. 1:45 – 2:00  
   Report on NAIS Subcommittee Meeting in Bismarck, ND  
   (by VTC)  
   USA Tim Purden, Vice Chair, NAIS Subcommittee

10. 2:00 – 2:45  
      Telework Policy - Draft USAP  
      (Exhibit A)  
      USA Ron Machen (DC)  
      Suzanne Bell, Deputy Director for Legal Management

11. 2:45 – 3:00  
      Senior AUSA Title  
      Suzanne Bell, Deputy Director for Legal Management

12. 3:00 – 3:15  B R E A K

13. 3:15 – 3:30  
      Proposal for Centralized Digital Analysis Support Center  
      (Exhibit G) (Action)  
      (by VTC)  
      USA Jenny Durkan (W/WA), Chair  
      Cyber and Intellectual Property Subcommittee

14. 3:30 – 4:30  
      AGAC Issues (Continued)  
      - FBI’s Hair Analyses Initiative  
      - Settlement Authority  
      - Reporting and Approval Requirements Review  
      - Streamlining Review  
      Norm Wong, Deputy Director/Counsel to the Director  
      John Parker, Chair, Civil Issues Subcommittee  
      John Parker, USA Steve Dettelbach (N/OH), Carmen Ortiz, USA (MA)  
      USA Carter Stewart (S/OH); Norm Wong

15. 4:30 – 5:30  
      Meet with Deputy Attorney General

16. 5:30 – Meeting Adjourns
1. 9:00 – 12:00
   
   Committee Business/Discussion
   
   - Circuit Reports
   - TBD

2. 12:00 – Meeting Adjourns
1. **FY 2012 Budget:**

   (Jarrett/Bevels)

2. **RAWG Update:**

   (Neronha)

3. **Hiring:**

   (Dunn)

4. **Litigation Involving Arnold and Porter on Behalf of the Federal Housing Finance Agency:**

   (Elisabeth)
OMB Subcommittee: USA Loretta Lynch (E/NY) reported on the recent OMB Subcommittee meeting. The following issues were addressed:

- **Cost of Toner:** USA Lynch advised that there is an imbalance in the United States Attorneys’ offices (USAOs) on the use of toner which results in an imbalance in the way a community-wide resource is being used. Approximately one third of the USAOs are using more; others are using less. The range of cost per user is as low as $129 per FTE to as high as $804 per FTE. The question is whether we should continue to fund the toner from USA community funds or should we have an “average” toner amount allocation per district, with the heavy users paying out of budget for the overage. The OMB Subcommittee recommended: 1) survey the field on why there is a discrepancy in the cost of toner among the districts; 2) identify creative ways to reduce the use of toner; and 3) have the EOUSA IT staff provide some guidance. OMB will revisit this issue in six months and make the decision on whether we are going to make a change in the way toner is made available.

- **Reduction in Space:** USA Lynch reported that we continue to work through the issues raised by the President’s “No Net New” growth policy and what that means for the Department. We have been asked to reduce our footprint to 130 sq. ft. per person. USA Lynch advised that EOUSA will be submitting a new proposal to JMD in the next few days which will reflect a 10% reduction in space. She also reported that USA David Hickton (W/PA) has been asked to be the USA POC on this issue with EOUSA.

- **Proposed USAP 3-4.300.005 Filling Critical Support Positions:** USA Lynch reported that USAP 3-4.300.005 modifies some of the procedures for filling certain staff and administrative positions. An incorrect draft was circulated to the USAs for comment which appeared to shift selection authority from the field to EOUSA. This, however, was incorrect. The goal of the USAP is to bring the USAP into compliance with OPM with regard to the hiring requirements for 1811s which include physical and age requirements. The recommendation was made that the USAs review the USAP on the front end and circulate the Administrative
Officers Working Group for comment.

- **Phased Retirement**: OPM has issued a fact sheet on “phased retirement” which states that the main purpose of the plan is to enhance mentoring and training of employees who will be filling the positions of more experienced employees who are preparing for retirement. Participation would be voluntary for employees and agencies with certain categories of employees being excluded. The “phased retirement” proposal raises many concerns to include how health insurance and life insurance benefits would be handled, and if overtime would be allowed. At this time we are waiting for OMP regulations to be issued.

- **Request for Overseas Travel**: USA Carter Stewart advised that as the past chair and a member of the CEOS Working Group, he has been invited to speak on the issue of child exploitation and participate on other panels at the International Association of Prosecutors Conference in Bangkok, Thailand in late October. He also proposes to travel to Chaing Mai for an ICE briefing and tour of that city which is a major point of the American sex tourism industry. Neither IAP nor OPDAT are able to fund the trip. USA Carter advised that three other individuals from the Justice Department’s Office of International Affairs, OPDAT and ENRD, are attending this conference as well. The total cost of the trip is $5,000; USA Stewart’s district is able to cover $2500. USA Stewart is requesting $2500 from AGAC funds for the remainder of the cost. USA Lynch advised that the OMB Subcommittee asked USA Stewart to explore all other possible sources of funding before requesting funds from the AGAC. USA Stewart advised that no other source is able to fund his request. The AGAC approved USA Carter’s request of using $2500 from AGAC funds for this trip.

7. Telework Policy:

8. Senior AUSA Position:

9. Upcoming Civil Rights Events:
10. **DOMA:** USAs Loretta Lynch (E/NY), Vice Chair, AGAC, and Steve Dettelbach (N/OH), Chair, Civil Rights Subcommittee, updated the Committee on the Defense of Marriage Act (DOMA). Providing health care benefits appears to remain the sticking point for the Department, but some guidance is needed. EOUSA’s Legal Counsel is seeking guidance on this matter, and members of the AGAC are trying to decide the best way to move forward. They are considering whether to ask the Department’s Office of Legal Counsel to prepare an Opinion to address what would happen if DOMA was declared unconstitutional. At this time there are three cases in litigation and it is expected that the Supreme Court will take one of these cases early next year. Our employee suits are in the investigative stage with the EEOC. Questions should be directed to Jay Macklin or Suzanne Bell. (Bell/Macklin)

11. **Undercover Risk Assessments:**

12. **Expedited Review Process for Stolen Identity Refund Fraud Cases:**
13. ATF’s Frontline Initiative:

14. Cyber Centralized Digital Analysis Support Center:

15. Preservation of Assets:
21. Weekly AG Report: (Wong/Ausiello)

22. Streamlining Project: (Stewart/Wong)

23. Impact of Sequestration on the Courts: (Dettelbach)

24. Increase in Settlement Authority: (Parker)

25. Native American Issues Subcommittee (NAIS): (Purdon)
DRAFT AGENDA  Attorney General's Advisory Committee

(Working draft: 10/22/12: 4:30 p.m.)  AGENDA

Tuesday, October 23, 2012: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252-1234, FAX (202) 252-1235

1. 12:00 – 1:00

   BROWN BAG WORKING LUNCH – Please bring lunch with you to Room 2266.

   Paul Fishman, Chair

2. 1:00 – 2:00

   Budget/Hiring  H. Marshall Jarrett, Director

3. 2:00 – 3:00

   EOUUSA Issues

   - Recusal Update  Jay Macklin, General Counsel
     (Exhibit A)

   - Telework  Suzanne Bell, Deputy Director for Legal Management
     (Final USAP and Telework Agreement - Exhibit B; B1)

4. 3:00 – 3:15  B R E A K

5. 3:15 – 4:00

   Hacking and National Security  Confirmed) (VTC w/W/WA, E/MI and E/VA)
   Lisa Monaco
   Assistant Attorney General
   National Security Division (NSD)
   John Carlin, Principal Deputy Assistant Attorney
   General and Chief of Staff, NSD
   USA Jenny Durkan (W/WA) by VTC
   Chair, Cyber Intellectual Property Subcommittee
   USA Barbara McQuade (E/MI), Vice Chair by VTC
   Terrorism and National Security Subcommittee
   Neil MacBride (E/VA), Chair
   Terrorism and National Security Subcommittee
6. 4:00 - 5:30

AGAC Issues

- Undercover Risk Analyses USA Sally Yates (NGA)
- Use of Third Party Cooperators Norm Wong, Deputy Director/Counsel to the Director (Exhibit C)
- Hair Analyses Norm Wong, Deputy Director/Counsel to the Director
- Medical Marijuana USA John Walsh (CO), Chair Medical Marijuana Working Group
- RMBS USA John Walsh (CO)
- Messaging USA Sally Yates (N/GA)
- Sharepoint USA Stephanie Finley (W/LA)

7. 5:30 Meeting Adjourns
Wednesday, October 24, 2012:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 9:00 – 9:15
   Committee Business

2. 9:15 – 10:15
   (Confirmed) (VTC with N/AL and VT)
   Criminal Practice
   USA Joyce Vance (N/AL)
   USA Tris Coffin (VT)
   - Recording Confessions
     Co-Chairs, Criminal Practice Subcommittee
   - Giglio

3. 10:15 – 10:30
   Civil Right Subcommittee
   USA Steve Dettelbach (N/OH)

4. 10:30 – 11:00
   Meeting with the Acting Associate Attorney General

5. 11:00 – 12:00
   Meeting with the Attorney General

6. 12:00 – 1:15  WORKING LUNCH

7. 1:15 – 2:15
   (VTC with E/LA & S/IL)
   - Accuracy of Data (NICS)
     Marshall Jarrett, Director, EOUSA
     USA Tim Heaphy (W/WA), Chair
     LEC/Community Issues Subcommittee
     USA Jim Letten (E/LA), Chair (by VTC)
     Violent and Organized Crime Subcommittee
     USA Steve Wigginton (S/IL) by VTC (tentative)
     Margaret Groban, AUSA, Legal & Victim Programs
     Gretchen Shappert, Assistant Director
     Indian, Violent and Cyber Crime Staff
8. 2:15 – 2:45

Civil Chiefs Working Group  Suzanne Bauknight, Civil Chief (E/TN), Chair

- Settlement Authority for Affirmative Civil Cases (Exhibit D/E)
- Other Issues

9. 2:45 – 3:00

Criminal Chiefs  Jim Lang, Criminal Chief (MA), Chair

Criminal Chiefs Working Group

10. 3:00 – 3:15

Streamlining Project  USA Carter Stewart (S/OH
Norm Wong, Deputy Director/Counsel to the Director

11. 3:15 – 3:30  BREAK

12. 3:30 – 4:15

FBI Issues  (Confirmed)
Ron Hosko
Assistant Director
Criminal Investigations Division, FBI
Rick McFeely
Executive Assistant Director
Criminal Investigations/Cyber/Response Branch, FBI

13. 4:15 – 4:30

Committee Business

14. 4:30 – 5:30

Meeting with the DAG

15. 5:30  Meeting Adjourns

16. 6:30 – AGAC dinner: District of Pi, DC, 910 F Street, NW (Confirmed)
1. 9:00 – 9:15
   Committee Business

2. 9:15 – 9:45
   Wiretap Review  Lanny Breuer
                   Assistant Attorney General
                   Criminal Division

3. 9:45 – 10:00
   Appellate Chiefs Working Group  Robert Zauzmer, Appellate Chief (E/PA), Chai
                                  Appellate Chiefs Working Group

4. 10:00 – 10:30
   LEC Conference Update  USA Tim Heaphy (W/VA), Chair
                          LEC/Community Issues Subcommittee
                          David Ausiello, Assistant Director
                          Communications and Law Enforcement Coordination
                          Staff

5. 10:30 – 10:45  B R E A K

6. 10:45 – 11:00
   (Confirmed) – VTC with MT
   Environmental Issues Working Group  USA Mike Cotter (MT), Chair
                                      Environmental Issues Working Group

7. 11:00 – 12:00
   Circuit Reports/General Discussion

8. 12:00 – Meeting Adjourns & All USA Call

(USA Call – 1-877-628- ; passcode )
Attorney General’s Advisory Committee Meeting

October 23-25, 2012

Summary

(Draft Summary and Followup: 12/5/12 rev.)

1. FY 2012 Budget: (Jarrett/Bevels)

2. Hiring: (Jarrett/Dunn)

3. 2012 Statistical Highlights: (Jarrett)

4. ICE SAUSAS:
8. Fast and Furious—Lessons Learned: (Duffy/Fishman)

9. Risk Assessments: (Yates/Fishman/Wong)

10. Department Guidance on the Use of Third-Party Cooperators:
11. Hacking and National Security:

(Durkan/MacBride/Fishman)

12. FBI Hair Analyses Initiative:

(Wong)
13. Medical Marijuana Update:

14. Residential Mortgage-Backed Securities (RMBS) Update:

15. Reviews of Title III Requests:

16. Criminal Chiefs Working Group:
17. Criminal Practice Subcommittee:
18. Accuracy of LIONS Data and NICS:

(Letten/Shappert/Groban)

19. Increase in Settlement Authority:
25. Civil Rights Meeting in Oxford, Mississippi:

26. Environmental Issues Working Group:
27. USA-Only Sharenet: (Finley)

28. Stolen ID Initiative and Investor Fraud Summits: (Marsh)

29. Mortgage Fraud Working Group: (Wagner/Ausiello)
DRAFT AGENDA Attorney General's Advisory Committee

(Working draft: 11/7/12:  4:30 p.m. ) AGENDA

Wednesday, December 5, 2012:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 12:00 – 1:00

   BROWN BAG WORKING LUNCH – Please bring lunch with you to Room 2266.

   Paul Fishman, Chair

2. 1:00 – 2:00

   Budget/Hiring  H. Marshall Jarrett, Director

3. 2:00 – 3:00

   EOUSA Issues
   • EOUSA Telework plan  Suzanne Bell, Deputy Director for Legal Management
   • TBD

4. 3:00 – 3:15  BREAK

5. 3:15 – 4:00

   Criminal Chiefs Update
   • Giglio Update  Jim Lang, Criminal Chief (MA)
   • Taping Update
   • Review of Title IIIs
   • Death Penalty Update

6. 4:00 – 4:45

   Sentencing Issues  Jonathan Wroblewski, Director
   Office of Policy and Legislation
   Criminal Division

7. 4:45 - 5:30

   Post Sandy/Katrina After Action Report  USA Paul Fishman

8. 5:30 – Meeting Adjourns

9. 6:30 – AGAC Dinner TBD
Thursday, December 6, 2012: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 8:00 – 1:00
   Trip to National Cyber Investigative Join Task Force

2. 1:00 – 2:00 Working Lunch

3. 2:00 – 2:30
   CRS
   Grand Lum, Director
   Community Relations Service

4. 2:30 – 3:00
   (tentative)
   Meet with the Associate Attorney General

5. 3:00 – 3:30
   (Tentative)
   Meeting with NAAUSA

6. 3:30 – 4:00
   AGAC Updates:
   - Medical Marijuana USA John Walsh (CO), Chair
     Medical Marijuana Working Group
   - RMBS USA John Walsh (CO)
   - Messaging USA Sally Yates (NGA)
   - Undercover Risk Analyses USA Sally Yates (NGA)
   - Hair Analyses Norm Wong, Deputy Director/Counsel to the Director

7. 4:00 – 5:00
   (Confirmed)
   Meet with the Deputy Attorney General
8.  5:00 – 5:30

   Committee Business

9.  5:30 – Meeting Adjourns
Friday, December 7, 2012: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 9:00 – 11:00
   USA Conference Planning and Next Steps
   USA Paul Fishman

2. 11:00 – 12:00
   (Confirmed)
   Meeting with the Attorney General

3. 12:00 – 1:30 WORKING LUNCH

4. 1:30 – 2:00
   Appellate Chiefs Update Bob Zauzmer
   - Appellate Chief Title USAs Finley/Heaphy

5. 2:00 – 2:15
   Civil Chiefs Update Suzanne Bauknight
   - Settlement Authority

6. 2:15 – 3:00
   Committee Business

7. 3:00 – Meeting Adjourns & All USA Call
   (USA Call – 1-877-628- ; passcode )
1. FY 2012 Budget: 

(Jarrett/Bevels)

2. Hiring: 

(Dunn)
3. Antitrust Positions: (Dunn)

4. Telework Policy: (Bell)

5. Director/AG Awards: (Wong)

6. USA Conference and Next Steps:

7. Recusal Update: (Fishman/Macklin)
8. Legalization of Recreational Marijuana: [Redacted] (John Walsh)


11. Preparedness: [Redacted] (Santelle)

12. Sentencing Issues: [Redacted]
13. Community Relations Service: 

14. Ethical Guidance: 

15. National Association of Assistant United States Attorneys (NAAUSA): The Advisory Committee met with the following members of NAAUSA to discuss flexible work options: Dennis Boyd, Executive Director, NAAUSA; Gay Guthrie, AUSA (N/OK), President; Larry Leiser, AUSA (E/VA), Vice President for Operations; and Bruce Moyer, Washington Counsel. NAAUSA expressed that they would like a unified policy on telework and flextime. They also would like to see the issue of AUSA pay addressed.
16. Streamlining Project:

(Stewart/Wong)

17. ABA Dialogue Meeting:

(Fishman)

18. Undercover Risk Assessments:

(Yates, Fishman)

19. Increase in Settlement Authority:

(Bauknigh)

20. Law Enforcement Coordination Working Group:
21. Criminal Chiefs Working Group:

(Barlow)

22. Appellate Chiefs Update:

(Lang/Jarrett)
23. FBI Hair Analysis Initiative:

(Zauzmer)

(Wong/Crabb)

24. Next Generation Cyber Issues:

26. National Slavery and Human Trafficking Awareness Month: (Yates)
Tuesday, January 29, 2013: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 1:00 – 1:15
   Committee Business

2. 1:15 – 1:45
   (VTC w/USA Amanda Marshall (OR))
   (Confirmed)
   Contact with State and Local USA Steve Dettelbach
   Officials (Exhibits A, B, C) Mel Johnson, CR Coordinator, EOUSA

3. 1:45 – 2:15
   (Confirmed)
   CVE Goals Elana Tyrangiel
   Acting Assistant Attorney General
   Office of Legal Policy

4. 2:15 – 2:45
   National Engagement Task Force USA Carter Stewart (S/OH)
   (Exhibits D, E) USA Amanda Marshall (OR)

5. 2:45 – 3:00
   - Recreational Marijuana USA John Walsh (CO), Chair
     Medical Marijuana Working Group
   - RMBS

6. 3:00 – 3:15 BREAK

7. 3:15 – 5:30
   (Confirmed)
   ATF Issues B. Todd Jones, Acting Director, ATF
   (Confirmed by VTC)
   Gun Prosecutions USA Steve Wigginton (S/IL)
   Chair, Violent Crime Subcommittee

8. 5:30 – Meeting Adjourns

9. 6:30 – AGAC Dinner - SIROC at 915 15th St., NW
1. 12:00 – 2:00 WORKING LUNCH
   • Fast and Furious Powerpoint  Mark Conover, AUSA & Shane Harrigan, AUSA
     Southern District of California
   • USA Conference  USA Loretta Lynch, Chair

2. 2:00 – 2:30
   IG  Mike Horowitz, Inspector General

3. 2:30 – 3:15
   • USA Conference (Continued)

4. 3:15 – 3:45  (confirmed)
   Immigration Reform Legislation  USA Ken Gonzales (NM), Chair
     USA Rick Hartunian (N/NY), Vice Chair
     Border and Immigration Law Enforcement
     Subcommittee
     Gretchen Shappert, Assistant Director
     Indian, Violent and Cyber Crimes Staff

5. 3:45 – 4:15  (Confirmed)
   Three Percent Fund  Dennis Dauphin, Acting Director
     Debt Collection, JMD
6. 4:15 – 4:30
   Committee Business

7. 4:30 – 5:30
    (Confirmed)
    **Meeting with the DAG**

8. 5:30  Meeting Adjourns
Thursday, January 31, 2013: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252- 

1. 9:00 – 9:30
   Telework Policy          Suzanne Bell, Deputy Director for Legal Management
   (Exhibits J-Q)

2. 9:30 – 9:45
   Civil Chiefs Working Group Suzanne Bauknight, Civil Chief (E/TN)
     Chair, Civil Chiefs Working Group

3. 9:45 - 10:00
   Committee Business

4. 10:00 – 10:30
   (Confirmed)
   Meeting with the Acting Associate Attorney General

5. 10:30 – 11:00
   Committee Business

6. 11:00 – 12:00
   (Confirmed)
   Meeting with the Attorney General

7. 12:00 – 1:15  WORKING LUNCH
   - USA Conference (continued)
8. 1:15 – 1:30
   Recusal Policy (Exhibit I)  Jay Macklin, General Counsel, EOUSA

9. 1:30 – 2:00
   Appellate Chiefs Working Group (Exhibit R)  Robert Zauzmer, Appellate Chief (E/PA)  Chair, Appellate Chiefs Working Group

10. 2:00 – 2:15
    Criminal Chiefs Working Group  Daniel Bella, Criminal Chief (N/IN)  Chair, Criminal Chiefs Working Group

11. 2:15 – 2:30
    Director/AG Awards – Closed Cases  Norm Wong, Deputy Director/Counsel to the Director

12. 2:30 – 2:45
    MOU between the FEC and DOJ with regard to Enforcement of the Federal Campaign Finance Laws (Exhibit F)  Norm Wong, Deputy Director/Counsel to the Director

13. 2:45 – 3:00
    Committee Business/All USA Call (?)

14. 3:00 – Meeting Adjourns
Attorney General’s Advisory Committee Meeting

January 29-31, 2013

Summary

(Draft Working Summary: 2/21/13 rev.)

1. Improving Communications: United States Attorney (USA) Loretta Lynch (E/NY), Chair of the AGAC, reported that she has three areas for the Committee to focus on at this meeting: 1) improving communications between the AGAC and their colleagues in the field; 2) making AGAC meetings with Department leadership more productive; and 3) developing the agenda for the United States Attorneys’ Conference. To this end, she advised that the AGAC agenda will be emailed to all USAs before each meeting, and that the AGAC summary will be emailed to all USAs following the meeting. Ms. Lynch asked the USAs to reach out to their phone trees if they have an issue they would like addressed by the Committee or any ideas on improving communications. She thanked all the USAs for working so hard through the AGAC subcommittees and working groups; most recently, in responding to the firearms issue, immigration reform legislation, and revising the Department’s Giglio policy.

Ms. Lynch advised that both the AG and DAG will be attending the USA conference which will provide the USAs the opportunity to have an interactive discussion with each of them. Both the AG and DAG are interested in big ticket items moving forward; what cases should we be doing, and how should we be measuring these cases; what should be a federal case; are we overlapping with state and locals. We need to identify our interests and align these interests with our resources. Are we better off than we were four years ago?

The Committee also discussed possible segments for the upcoming USA Conference to include: violent crime; a panel on the mass shooting that have recently taken place; assessing risk and lessons learned from Fast and Furious; a security segment; cyber issues; breathing life into the Holder memo; and a breakout on budget 101 and hiring.

2. Meeting with the Acting Associate Attorney General:
3. FY 2012 Budget and Hiring:

1. 

2.
4. Super RAWG:

5. **OMB Subcommittee Report**: USA Lynch (E/NY), Chair of the OMB Subcommittee, reported on its recent meeting. Much of the discussion focused on managed hiring options and budget issues (fiscal cliff, sequestration and lapse in appropriation) discussed above. The subcommittee also heard a presentation from Dan Villegas, Counsel, Legal and Victims Program Staff, EOUSA on the Three Percent Fund. And, USA Jim Santelle (E/WI), Chair of the Security Working Group, discussed possible emergency management modules to present at the USA Conference and AO/FAUSA Conference. (Lynch)

6. Recusal Policy:

7. **Telework Policy**: (Macklin/Bella/Smith)

8. **Gun Violence**: (Bell)
12. Countering Violence Extremism (CVE):

16. Legalization of Recreational Marijuana: (Walsh)

17. Residential Mortgage Backed Securities (RMBS): (Walsh)

18. Civil Chiefs Update:
19. Delegation of Authority for Civil Enforcement of Civil Rights Cases:

(Dettelbach)

20. Criminal Chiefs Update:

(Bella)
21. Appellate Chiefs Update:

(Zauzmer)

22. MOU between the Federal Election Commission and DOJ:

(Wong)

23. Director and AG Awards – Closed Cases:

(Wong)

24. Inspector General Issues:
25. **Consolidation of Data Centers:** Members recommended that JMD meet with the AGAC in February to discuss the consolidation of data centers in the department. (Lynch)
DRAFT AGENDA Attorney General's Advisory Committee

(Working draft: 4/17/13: 1 p.m.) AGENDA

Tuesday, April 30, 2013: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252-

1. 1:00 – 1:15
   Introductory Remarks USA Loretta Lynch (E/NY), Chair

2. 1:15 – 3:15
   Budget H. Marshall Jarrett, Director
   Lisa Bevels, Chief Financial Officer
   Hiring Shawn Flinn, Assistant Director, Personnel Staff
   AUSAs Transferring to Other Offices USA Loretta Lynch
   Detailees H. Marshall Jarrett

3. 3:15 – 3:30 BREAK

4. 3:30 – 4:30
   FOIA Issues Bonnie Curtin, Assistant Director
   Records and Information Management
   Susan Gerson, Assistant Director, FOIA Staff
   Andrew Goldsmith, National Criminal
   Discovery Coordinator, Office of the
   Deputy Attorney General

5. 4:30 – 5:30
   USA Staffing Plans (Exhibit A) USA Tim Heaphy (W/VA), Chair
   Re-Entry Working Group Law Enforcement/Victim/Community Issues
   Subcommittee

6. 6:30 – AGAC Dinner – Old Ebbitt Grill, 675 15th Street, NW
Wednesday, May 1, 2013: AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252-1374, FAX (202) 252-1373

1. 9:00 – 9:45
AGAC Updates
- Recreational Marihuana USA John Walsh (CO)
- RMBS USA John Walsh (CO)
- Risk Assessment USA Sally Yates (N/GA)

2. 9:45 – 10:15
Working Capital Fund Lee Lofthus, Assistant Attorney General for Administration

3. 10:15 – 10:30 BREAK

4. 10:30 – 11:30
Defining a Federal Interest All

5. 11:30 – 12:00 (Confirmed)
Legislative Fix to the Prohibition Against Firearm Possession by Persons Convicted of Misdemeanor Crimes of Domestic Violence (Exhibit B) USA Steve Wigginton (S/IL), Chair Violent and Organized Crime Subcommittee Margaret Groban (ME), AUSA Domestic Violent Coordinator

6. 12:00 – 1:30 LUNCH

7. 1:30 – 1:45 (Confirmed)
NAIS Subcommittee Report USA Tim Purdon (ND), Chair NAIS Subcommittee
8. 1:45 – 2:00
   Civil Rights Update
   - DOMA Benefits
   - Delegation of Authority
   USA Steve Dettelbach (N/OH), Chair
   Civil Rights Subcommittee

9. 2:00 – 2:30 (Tentative)
   Immigration Reform Legislation
   USA Ken Gonzales (NM), Chair
   USA Rick Hartunian (N/NY), Vice Chair
   Border and Immigration Law Enforcement Subcommittee

10. 2:30 – 2:45
    Civil Chiefs Working Group
    Suzanne Bauknight, Civil Chief (E/TN)
    Chair, Civil Chiefs Working Group

11. 2:45 – 3:00  BREAK

12. 3:00 – 3:30 (Confirmed)
    Meeting with the Associate Attorney General

13. 3:30 – 4:00
    Criminal Chiefs Working Group
    Daniel Bella, Criminal Chief (N/IN)
    Chair, Criminal Chiefs Working Group

14. 4:00 – 5:00 (Confirmed)
    Meeting with the Deputy Attorney General

15. 5:00 – 5:30
Thursday, May 2, 2013:  AGAC CONFERENCE ROOM – 2266 - Main Justice, Phone (202) 252- , FAX (202) 252- 

1. 9:00 – 9:30
   Appellate Chiefs Working Group (Exhibit C)
   Bob Zauzmer (E/PA), Chair
   Appellate Chiefs Working Group

2. 9:30 – 10:30
   USA Conference
   USA Loretta Lynch

3. 10:30 – 10:50
   Office of Enforcement Operations
   Monique Roth, Chief
   Office of Enforcement Operations
   Paul O’Brien
   Deputy Assistant Attorney General
   Criminal Division

4. 10:50 – 11:00
   Committee Business

5. 11:00 – 12:00
   Meeting with the Attorney General

6. 12:00 – 1:30
   LUNCH

7. 1:30 – 2:00

8. 2:00 – 2:30

9. 2:30 – 3:00

10. 3:00 – Adjourn/All USA Call - tentative
(Call 1-877-628- ; passcode )
1. United States Attorneys’ Conference: Director Jarrett reported that the Attorney General has made the decision to postpone the United States Attorneys’ Conference tentatively scheduled for the NAC the week of June 3, 2013. Since the USAs will not be getting together, the AGAC will be looking for other ways to communicate with their colleagues. Loretta Lynch, Chair of the AGAC, asked for the USAs thoughts on how we can liaison with one another during these difficult times. (Lynch)

2. FY 2013 and FY 2014 Budget and Hiring:

3. Transfer of Employees (poaching):

4. APRs:

5. Student Hires:
5. **Meeting with the Associate Attorney General**: Acting Associate Attorney General Tony West mentioned the following:

- The **Elder Justice Coordinating Council** which he is convening with Kathy Greenlee, Health and Human Services (HHS) Assistant Secretary for Aging and Administrator of the Administration for Community Living. HHS Secretary Kathleen Sebelius chairs the Council. There will be a meeting on May 13, 2013, and Mr. West is interested in any issues the USAs may have on elder abuse. (Lynch)

- The **Justice Reinvestment Initiative** which is a project cosponsored by the Bureau of Justice Assistance and the Public Safety Performance Project of the Pew Center on the States. They collect and analyze data on factors that increase corrections populations and costs; identify and implement changes that address costs and achieve better outcomes; and measure the fiscal and public safety impacts of those
changes. Mr. West asked his staff to arrange for a briefing for the AGAC on this initiative. (Lynch)

6. DOJ Working Groups:

- Re-Entry Working Group:

- DOJ Driven Surge Strategies Working Group: