



The Office of Intergovernmental and Public Liaison's Department of Justice Newsletter

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Newsletter from the Office of Intergovernmental and Public Liaison

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Attorney General Mukasey Travels to Middle East



Ambassador Crocker and Attorney General Mukasey host a joint press conference in Baghdad, Iraq on February 13, 2008. Photo by Reuters.

Attorney General Mukasey traveled to Baghdad on February 13, 2008, to meet with Iraqi and U.S. officials involved in ongoing efforts to establish the rule of law in Iraq. In addition to participating in meetings with General David Petraeus and Ambassador Ryan Crocker, the Attorney General met with some of the more than 200 Department of Justice personnel who are currently serving in the U.S. Mission in Iraq.

"The United States is at a critical juncture in Iraq, and the Justice Department is working to ensure sustainability of the freedom and security for which our men and women in uniform have so bravely fought and sacrificed," said Attorney General Mukasey. "Our civilian volunteers are working with the Iraqi people to build a legal system fashioned by cultures and customs very different from our own but founded upon the same bedrock principles: due process and the rule of law."

The Attorney General also visited Ankara, Turkey where he met with Minister of Justice Mehmet Ali Sahin and Minister of Interior Besir Atalay to discuss some of the important issues that bind the United States and Turkey.

Attorney General Delivers Remarks to Fraternal Order of Police

Fraternal Order of Police (FOP) President Chuck Canterbury welcomes Attorney General Mukasey to D.C. Lodge #1 on February 25, 2008.

Attorney General Mukasey delivered remarks before the Fraternal Order of Police on February 25, 2008. He addressed updated statistics from the U.S. Sentencing Commission on the new sentencing guidelines for crack cocaine, stating, "These statistics are important for two reasons. First, they confirm what the Department has seen in the field and what our prosecutors have experienced in court. These offenders are often violent criminals who are likely to repeat their criminal activities. Second, these statistics – all taken from the Commission's own study – undermine the allegations that there are great numbers of one-time crack users who were simply caught in the wrong place at the wrong time."

The Attorney General went on to note that "Congress should limit the retroactivity so that only first time, non-violent offenders could have their sentences reduced, and the amount of the reduction could not surpass the two-levels allowed by the Commission. This would address the Department's public safety concern and allow any non-violent offenders to be released early, and permit those who need it to get the benefit of the Bureau of Prisons' pre-release programs that help prevent or at least diminish the incidence of recidivism." In addition to the crack cocaine issue, the Attorney General also discussed violent crime funding, efforts to combat gang violence, and the Hometown Heroes program.

**Protect America Act Expires**

Last August, Congress passed the Protect America Act (PAA), which provided our Intelligence Community a critical tool it needs to acquire important information about terrorists who want to harm America. The Senate cast a strong bipartisan vote in support of this Act, but the House has not voted on it yet. The Act expired on February 15, 2008. The Department of Justice has urged Congress to act now to keep our Nation safe by making permanent the critical authority to collect intelligence under the PAA and by providing meaningful liability protection to companies alleged in lawsuits to have assisted in the efforts to defend our Nation following the 9/11 attacks.

*Attorney General Mukasey and Director Of National Intelligence McConnell reported, "we have lost intelligence information this past week as a direct result of the uncertainty created by Congress' failure to act." (Attorney General Michael Mukasey and Director Of National Intelligence Mike McConnell, Letter To Chairman Of The House Permanent Select Committee On Intelligence, 2/22/08)

*As our Nation's intelligence professionals have explained, "other intelligence tools [like FISA] simply cannot replace these Protect America Act authorities. The bipartisan Senate bill contains these authorities, as well as liability protection for those companies who answered their country's call in the aftermath of September 11." (Department of Justice and Office of the Director Of National Intelligence, Statement Regarding Cooperation With Private Partners, 2/23/08)

*The Intelligence Community and Department of Justice have worked over the past week with our private partners – whose assistance is essential to our intelligence collection efforts – to mitigate this problem caused by Congress' failure to act, but we have nonetheless missed intelligence information that we could have been collecting to protect the country. "We appreciate the willingness of our private partners to cooperate despite the uncertainty [caused by Congress' failure to pass long-term FISA modernization]. Unfortunately, the delay resulting from [efforts to gain the cooperation of the private sector after Congress failed to act] impaired our ability to cover foreign intelligence targets, which resulted in missed intelligence information." (Department of Justice and Office of The Director Of National Intelligence, Statement Regarding Cooperation With Private Partners, 2/23/08)

Attorney General Mukasey and Homeland Security Secretary Chertoff Participate in Joint State of the Border Press Briefing



Secretary of Homeland Security Michael Chertoff looks on as Attorney General Mukasey delivers remarks at the February 22, 2008, Joint State of the Border Press Briefing.

Excerpts from the Attorney General's Remarks:

"The security of our borders raises issues basic to us as a nation. The ability to control who—and what—comes into and out of a country is one of the most important attributes of a sovereign government, and being able to do that is vital to our nation's security."

"Despite Congress's failure to pass comprehensive immigration reform, we have done a lot to help secure our borders over the last few years, but there is still a lot to be done. This is especially true in connection with our Southwest Border."

"Working closely with our partners at the Department of Homeland Security, one of our main goals is to reduce incentives for people to come to this country illegally. Put another way, we are seeking to raise the costs of coming here illegally – especially for those who come here illegally and commit additional crimes, like narcotics trafficking and gun trafficking."

"...this year, the Administration is seeking an extra \$100 million in funds for the Department's Southwest Border Enforcement Initiative. With that money, we hope to hire more than 265 employees, including over 50 attorneys to support increased prosecutions for immigration, drug, and firearms offenses; over 50 Deputy U.S. Marshals to improve prisoner security and transportation; and over 25 Drug Enforcement Administration agents to reduce the flow of drugs into our country from the South."

Stakeholder Budget Briefing on DOJ FY 2009 Budget Proposal

On February 4, 2008, the Office of Intergovernmental and Public Liaison hosted a Stakeholder Budget Briefing to discuss the President's FY 2009 budget proposal for the Department of Justice (DOJ). Over 25 national organizations participated in the briefing.

Attorney General Mukasey announced earlier at a press conference that the FY 2009 budget proposal for DOJ is \$22.7 billion and includes a six percent increase over the FY 2008 enacted budget for the Department's law enforcement and prosecution programs, including \$492.7 million to improve the Department's counterterrorism and intelligence capabilities.

"The Department of Justice's mission is multi-faceted: It ranges from investigating and prosecuting terrorists, online predators and drug kingpins, to fighting corporate fraud, to protecting the government's interest in a wide range of litigation," said Attorney General Mukasey. "The fiscal year 2009 budget supports our mission and includes targeted enhancements to ensure the nation's security and to bolster our law enforcement efforts along the Southwest Border."

Key priorities and requested FY 2009 program increases include:

- *Protecting the American People by Preventing Terrorist Acts: \$492.7 million
- *Fighting Criminal Activity on the U.S. Southwest Border: \$100.0 million
- *Supporting Essential Federal Detention and Incarceration Programs: \$67.1 million

In addition, the FY 2009 budget includes a total program level of over \$1 billion for state and local law enforcement assistance including \$200 million to help communities suffering from high rates of violent crime to address this problem by forming and developing effective multi-jurisdictional law enforcement partnerships between local, state, tribal and federal law enforcement agencies.

Assistant Attorney General for National Security Announces Espionage Charges

Kenneth L. Wainstein Assistant Attorney General for National Security, delivers remarks at the February 11, 2008 press conference.

On February 11, 2008, Kenneth L. Wainstein, Assistant Attorney General for National Security, held a press conference with other senior officials from the Justice Department to announce two separate espionage prosecutions that were initiated with two sets of arrests that took place earlier that day.

In Alexandria, Virginia and New Orleans, Louisiana, FBI agents arrested three individuals -- including a weapons policy analyst at the Defense Department -- and charged them with conspiring to communicate national defense information, the ultimate recipient of which was the Peoples Republic of China.

Also on the same day, FBI agents in Orange County, California arrested one individual, an aerospace engineer who had worked for Rockwell International and the Boeing Company, and charged him with stealing trade secrets from those companies -- once again on behalf of the Peoples Republic of China.

An indictment or a criminal complaint contains allegations that a defendant has committed a crime. Every defendant is presumed innocent until and unless proven guilty beyond a reasonable doubt.

Merck to Pay More Than \$650 Million to Resolve Claims of Fraudulent Price Reporting and Kickbacks

Merck & Company has agreed to pay more than \$650 million to resolve allegations that the pharmaceutical manufacturer failed to pay proper rebates to Medicaid and other government health care programs and paid illegal remuneration to health care providers to induce them to prescribe the company's products, the Justice Department announced on February 7, 2008. The allegations were brought in two separate lawsuits filed by whistleblowers under the qui tam, or whistleblower, provisions of the False Claims Act.

"Not only is the combined recovery in these two cases one of the largest healthcare fraud settlements ever achieved by the Justice Department," said Attorney General Mukasey, "it reflects our continuing effort to hold drug companies accountable for devising pricing schemes that deliberately seek to deny federal health care programs the same lower prices for drugs that are available to other commercial customers."

Attorney General Mukasey Meets with Victims' Rights Leaders

Attorney General Mukasey hosted a Victims' Rights Roundtable on February 8, 2008. He expressed his commitment to working with victims' rights leaders to ensure that victims of crimes are cared for and that their rights are protected.

The Attorney General discussed initiatives the Department of Justice is undertaking to combat violent crime and make communities safe.

Victims' rights issues are a significant priority for the Department of Justice, which hosts this Roundtable twice a year to discuss these issues with victims' rights leaders.



Allison Randall from the National Network to End Domestic Violence and Mildred D. Muhammad from After the Trauma look on as Attorney General Mukasey addresses victims' rights leaders.