

**FPKI**  
**Legal Policy Working Group (LPWG)**  
**Minutes**  
**May 29, 2001**

**Attendees**

Ashley Hou- SBA  
Gene McDowell- NOAA  
David Temoshok – GSA  
Jennie Plante- DOJ  
Jan S. McNutt- DISA  
Jerry Walz- DOC  
Brant Petrick- FPKISC  
Peter Alterman – FPKISC  
Rebecca Kahn - FPKISC  
Kavita Kalsy- Bureau of Public Debt  
Roger Bezdek - Treasury  
Herwood Roberson- IRS  
Ron Sann- Education

**Clarification of Last Month's Minutes**

David Temoshok (GSA) wanted to clarify minutes reflecting the discussion on the liability portion of the Certificate Policy (CP). The issue was whether the liability section in its current form is sufficient for use by federal agencies. A discussion ensued and Jenny Plante (DOJ) indicated that she was asked to provide additional language to the Policy Authority on this section. Rebecca confirmed that the additional language was received and incorporated into the CP.

Another issue raised was the need for dedicated legal counsel for the Policy Authority. We discussed who had the authority to make that decision and concluded that the authority most probably is with the CIO council or OMB. David will contact OMB on this.

**Progress Report on the CP**

The Policy Authority (PA) voted at their last meeting to finalize the CP, which is now version 1.1.6. Brant Petrick (FPKISC) will post it on the web site shortly.

**Business Work Plan**

At last month's meeting, we decided to start with a workflow plan of the business relationships in the FBCA when it interacts with non-federal entities, to determine a list of potential liabilities. Rebecca Kahn (FPKISC) will draft this and send it to Ashley Hou who will forward it to LPWG members for comment. Rebecca will focus on defining the business partners, the relationships that exists between the parties, what failures may occur and the potential damage as a result.

**Memorandum of Agreement**

David Temoshok (GSA) asked the LPWG to look at the MOA to determine if the language stating that signing parties holds all other harmless is appropriate if we are dealing with non-federal entities.

**Attendance at LPWG by Non-Federal persons**

Ashley Hou (SBA) relayed a request by a legal contractor with private sector who is interested in attending these meetings. It was determined that under FACA, if one person attends, then it's an open session. What has been done is to invite them to speak to the working group and ask them to leave after the presentation. It was agreed that this would be more appropriate.

Next meeting June 25, 2001 @ GSA Room 5700 at 1:30- 3:30 p.m.