
CAPITOL ASSETS

NEWSLETTER OF THE CAPITOL HILL CHAPTER OF THE FEDERAL BAR ASSOCIATION

SUMMER 2006

JUSTICE RUTH BADER GINSBURG ADDRESSES CHAPTER

A capacity crowd of members and their guests filled the West Conference Room at the Supreme Court on May 24 for the Capitol Hill Chapter's annual Supreme Court luncheon. This year's special guest was Justice Ruth Bader Ginsburg, a long-time devoted supporter of the chapter.

After dining at the head table with Chapter President Warren Burke, President-Elect Susan Sawtelle, and others, Justice Ginsburg shared with the 90 attendees some insights on the workings of the court and interactions among the Justices and staff.

She described the Court as functioning much like an extended family. Despite sharp differences that may arise in connection with some of the Court's decisions, she has found that the Justices feel a strong kinship to one another. They share mutual interest beyond the work of the Court and share the joys and disappointments of personal and family life. The Justices and their families attend most Court functions and invitations are routinely extended to former Justices and their family members.

Responding to questions, Justice Ginsburg cited two changes at the Court as a consequence of the recent appointments of Chief Justice John Roberts and Justice Samuel Alito. First, while most of the Justices have grown children and enjoy comparing notes about their grandchildren, there is now a critical mass of Justices with young children. She observed this has brought a slightly different and welcome perspective to the Court, as well as an opportunity for reminiscing on her part and that of the other more senior Justices. Second, now that Justice Stephen Breyer is no longer the junior Justice, he does not have to answer the door and deliver messages when the Court is in conference. Having done so since 1994, he has passed those responsibilities along to Justice Alito.

Asked to recall how she met her husband, Justice Ginsburg explained with a noticeable twinkle in her eye that she met Martin D. Ginsburg when they were both undergraduates at Cornell University. They were introduced by mutual friends and spent considerable time together originally because they both had "significant others" at other schools and were not otherwise dating. It didn't take long, however, for the two to bid farewell to their former sweethearts. They were married in 1954 and have a grown daughter, Jane, and a grown son, James.

MESSAGE FROM CHAPTER PRESIDENT WARREN BURKE

With the end of my term as Chapter President fast approaching, I would like to express my profound gratitude to our officers and council members. Because of their hard work, we have enjoyed yet another great year.

Since last September, the Chapter has hosted luncheons with:

- Bert Brandenburg, the Executive Director of the Justice at Stake Campaign;
- Supreme Court reporter and author Joan Biskupic;
- Robin Maher, the Director of the American Bar Association Death Penalty Project;
- Judge Royce Lamberth of the United States District Court for the District of Columbia;
- former Nuremberg prosecutor Benjamin Ferencz;
- Supreme Court Justice Ruth Bader Ginsburg;
- Daniel Mulhollan, Director of the Congressional Research Service; and
- National Public Radio's legal affairs correspondent Nina Totenberg.



The Chapter also participated in the American Heart Association's "Lawyers Have Heart 10K Run and 3K Fun Walk," and arranged a tour of the map collection of the Library of Congress by the Chief of the Geography and Map Division, Dr. John Hebert.

In addition to our traditional luncheon programs, the Chapter is planning a series of discussions on the nuts and bolts of the practice of law on Capitol Hill. These discussions will be open to all Chapter members, but are especially intended to attract and inform law students and younger attorneys. The first will be in September at American University. It will include food, beverages, and a discussion on legislative drafting by Tobias Dorsey, who drafts legislation for the U.S. House of Representatives and recently authored a book on the subject. The FBA national organization has awarded the Chapter a grant of \$600 to pay the full costs of this program.

Another promising development has been the increasingly close coordination of the activities of the Capitol Hill Chapter with those of the D.C. and Pentagon Chapters. In

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March, the Capitol Hill and Pentagon Chapters co-sponsored a dinner program with the Judge Advocates Association American Inn of Court, featuring Senator Lindsey Graham of South Carolina. In June, the Capitol Hill, D.C., and Pentagon Chapters jointly sponsored a happy hour at Sonoma Restaurant and Wine Bar. On multiple occasions, the three chapters have distributed notice of each other's events. It has been a pleasure to work with the President of the D.C. Chapter, Cary Devorsetz, and the President of the Pentagon Chapter, Commander Jeffrey Good. I am confident the three chapters of the D.C. Circuit will continue to work ever more closely together.

Another exciting development has been an increase in the Chapter's social programs. Since February, we have hosted two happy hours. As I just mentioned, one was sponsored jointly by the Capitol Hill, D.C., and Pentagon Chapters.

Our upcoming program at American University will provide yet another opportunity for socializing. It is scheduled for Thursday, September 28, from 6:30 to 8pm. I believe it is important for the members of the Capitol Hill, D.C., and Pentagon Chapters to have opportunities to meet each other and network. I anticipate the Chapter's social programs will continue to expand and complement the Chapter's time-honored, distinguished-speaker luncheon programs.

Rest assured, I am leaving the Chapter presidency in good hands! If you have not yet met our incoming Chapter president, Susan Sawtelle, I strongly encourage you to introduce yourself. Susan is an attorney at the Government Accountability Office. She will no doubt be a strong and visionary leader for our Chapter.

Warren Burke

NOTICES OF EVENTS TO BE SENT BY E-MAIL ONLY

As mentioned in the last issue of Capitol Assets, information about Chapter events is now being sent exclusively by e-mail.

If you have not received notice of recent events, or are having any difficulty receiving e-mails from the FBA, please contact FBA staff at membership@fedbar.org to update your e-mail information.

You can also contact Capitol Hill Chapter President, Warren Burke, at warren.burke@mail.house.gov or (202) 225-6060 to express any concerns or suggestions regarding the new mailing policy.

GET INVOLVED WITH CHAPTER COMMITTEES

Committee membership is open to members, and your participation is encouraged! The Chapter currently has the following active committees:

Membership Committee

The Membership Committee is responsible for increasing Chapter membership and promoting the Chapter to eligible attorneys. Chapter Vice President Susan Sawtelle (sawtelles@gao.gov) serves as Chair.

Professional Affairs Committee

The Professional Affairs Committee is responsible for the Chapter newsletter and continuing education programs. Council Member Craig Winslow (winslow@gao.gov) serves as Chair.

Programs Committee

The Programs Committee is responsible for identifying, recommending, and ensuring effective production and announcement of Chapter programs. Contact Chapter President Warren Burke (warren.burke@mail.house.gov) if you would like to be a member of this committee.

Younger Lawyers Division

The Younger Lawyers Division is composed of all members of the Federal Bar Association who are 36 years of age and under or who have been admitted to practice for 3 years or fewer. The YLD's purpose is to provide services and information of particular interest to younger members of the federal legal profession. Council Member Brady Young (brady.young@mail.house.gov) serves as liaison to the YLD and Chair of the Capitol Hill Chapter's Younger Lawyers Committee.

CALENDAR OF UPCOMING EVENTS

SEPT. 14, LUNCHEON PROGRAM

FORMER SENATOR JOHN BREAUX; ANNUAL MEETING; DETAILS, PAGE 6

SEPT. 28, LEGISLATIVE DRAFTING; FOOD AND DRINK

AMERICAN UNIVERSITY, 6:30-8 PM

DANIEL P. MULHOLLAN, DIRECTOR OF THE CONGRESSIONAL RESEARCH SERVICE, ADDRESSES CHAPTER

The Director of the Congressional Research Service, Daniel P. Mulhollan, addressed the Chapter on June 19, 2006. The Congressional Research Service (CRS) is an administrative unit of the Library of Congress, working exclusively and directly for Members and Committees of Congress in support of their legislative, oversight, and representative functions. CRS maintains close ties with Congress and provides objective, non-partisan research, analysis, and information services with the goal of contributing to an informed national legislature.



CRS Director Daniel P. Mullhollan with Chapter President Warren Burke

In his remarks, Director Mulhollan described the role of CRS in providing timely and objective analysis to Congress through the prism of recent events, ranging from the war on terror to the confirmation of Supreme Court Justices. Director Mulhollan focused in particular on the role of CRS in assisting Congress to assert its institutional interests in these areas. With regard to the war on terror, Director Mulhollan noted that CRS had advised Congress on varying theories on presidential authority to gather intelligence information, as well as the role of Congress in dictating foreign policy goals. Likewise, observing that a majority of Senators and Committee staff tasked with the first Supreme Court nominations in eleven years had no direct experience in the confirmation process, Director Mulhollan explained that CRS was able to provide extensive legal, analytical and research support, strengthened by the institutional memory retained by its analysts from previous experience with Supreme Court nominations.

Concluding his remarks, Director Mulhollan emphasized the importance of the expertise of CRS staff and his organization's review standards in enabling it to meet its responsibility to remain objective and provide Congress with analysis free from advocacy or partisan bias.

NPR'S NINA TOTENBERG ADDRESSES CHAPTER

Nina Totenberg, National Public Radio's award-winning legal affairs correspondent, captivated her audience at a July 27 luncheon sponsored by the Capitol Hill chapter. Ms. Totenberg's reports air regularly on NPR's critically acclaimed news-magazines, *All Things Considered*, *Morning Edition*, and *Weekend Edition*. In addition, Ms. Totenberg is a frequent contributor to major newspapers and periodicals.

In a room filled to capacity, Ms. Totenberg gave a behind-the-scenes view of how she approaches her coverage of the Supreme Court. Ms. Totenberg said that she loves covering the Court, and observed that every major issue in life eventually makes its way before the Court. She reviews the Court's calendar, and picks out cases that will be of interest to the public. She reads the briefs in each of the cases that she is interested in following, and does an advance story, laying out the case, including interviews with the lawyers. On the morning that the Court's opinion is issued, she has only a very short time to read the synopsis and write a 50-second piece for the morning news. For afternoon programs, she might have a longer broadcast, with interviews of lawyers and legal commentators.

Ms. Totenberg entertained her audience with stories about her coverage of a variety of high-profile cases and congressional hearings. When she went on the air to discuss the decision in *Bush v. Gore*, the tape of the oral argument that was to be inserted in her report was not yet entirely ready, and was cut and fed to her as she was on the air. She noted that the Watergate hearings were "incredible" to cover: it was "history in the making," as a confrontation between the President and other branches of government. She sat in the last seat in the last row in the corridor, and was one of only two women. Ms. Totenberg also talked about her views on shield laws, designed to protect reporters from disclosing sources.

After her presentation, Ms. Totenberg answered questions from the audience.

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Footnotes

¹Elected to a 1-year term ending on October 1, 2006

²Elected to a 2-year term ending on October 1, 2006

³Elected to a 2-year term ending on October 1, 2007

⁴Appointed to a 1-year term ending on October 1, 2006

D.C.-AREA CHAPTERS CO-SPONSOR HAPPY HOUR

As noted elsewhere in this issue (see President's Message, page 1), the three Washington, D.C.-area FBA chapters have coordinated on several fronts this past year. One of these was a successful Happy Hour co-sponsored by the Capitol Hill, District of Columbia, and Pentagon Chapters on June 8 at the chic Sonoma Restaurant & Wine Bar on Capitol Hill.

With the three chapters providing delectable appetizers and a cash bar, the event was open to all members of these chapters and their guests. The event was especially targeted to "younger lawyers," working on the Hill and in the legislative branch agencies, in DOD, and those practicing before the federal courts.

Like the Happy Hour sponsored by the Capitol Hill Chapter's Younger Lawyers Committee earlier this year on February 9, this June event, at the beginning of the summer intern season, was a highly successful opportunity to meet and greet. All participants agreed they liked the chance to talk to colleagues working in different areas and different agencies. Look for more of these collaborative efforts in 2006-07.

TOUR OF LIBRARY OF CONGRESS MAP COLLECTION

On August 8, 2006, Dr. John Hebert, Chief of the Geography and Map Division of the Library of Congress, generously provided the Capitol Hill Chapter with a personally-guided tour of the Library's map collection, the largest and most comprehensive cartographic collection in the world.

The tour included an explanation of how the Library acquires, preserves, and organizes so many maps; a discussion of how the maps are used by scholars, attorneys, and the public; a demonstration of the machinery used to scan and convert the maps to electronic form; and a rare glimpse into the Library's "vault" of cartographic treasures.

Dr. Hebert discussed how the Library's maps are used to settle domestic and international boundary disputes and explained how maps "lie" unless properly interpreted. Participants were able to closely examine cartographic treasures including an original survey of Alexandria, Virginia, by George Washington; an Aztec map arguably demonstrating a system of individual property rights pre-dating the arrival of Europeans; and an ancient scroll depicting the road from Tokyo to Kyoto, Japan. Much discussion focused on the famous 1507 world map of Martin Waldseemüller, the first to depict clearly a separate Western Hemisphere, with the Pacific as a separate ocean.

TONY ZAGAMI TO RETIRE AFTER 40 YEARS OF SERVICE

After 40 years of federal service, Anthony J. "Tony" Zagami has announced that he will retire as General Counsel of the Government Printing Office (GPO) at the end of this year. Tony is a native of the District of Columbia and a graduate of the University of Maryland and the George Mason School of Law. He plans to remain in the area after his retirement.

Before joining the GPO team, Tony spent 25 years serving the U.S. Congress in various capacities, ranging from Senate Page in the mid-1960s to General Counsel to the Joint Committee on Printing, responsible for oversight of the GPO.

Public Printer Bruce R. James, the head of the GPO, has recognized Tony's dedicated and diligent service as instrumental in its transition from a 19th century printing operation to a 21st century digital information enterprise.

In addition to his distinguished government service, Tony has been a dedicated and long-time supporter of and participant in the Capitol Hill Chapter of the Federal Bar Association in myriad ways. He served as president in 1997-98, and is currently serving as an at-large Council Member. The Chapter congratulates him on his retirement, thanks him for his service, and wishes him well in future. We look forward to his continuing participation in Chapter activities.

LOIS SCHIFFER, GENERAL COUNSEL OF NATIONAL CAPITAL PLANNING COMMISSION, ADDRESSES CHAPTER

On May 2, 2006, chapter members and their guests had the rare treat of hearing from Lois J. Schiffer, current general counsel of the National Capital Planning Commission, and former Assistant Attorney General, Environmental and Natural Resources Division, Department of Justice. Ms. Schiffer spoke at the joint invitation of the FBA's Environment, Energy, and National Resources Section and the District of Columbia and Capitol Hill Chapters.

Ms. Schiffer has had a fascinating and productive legal career. She has served not only in a variety of federal positions but was previously a partner with the Washington firm of Baach Robinson & Lewis. She was also general counsel of National Public Radio. A 1966 graduate of Radcliffe College and of Harvard Law School in 1969, she has argued before several federal courts of appeals and the Supreme Court.

Ms. Schiffer has long been a particular role model for women attorneys and has taught at Georgetown University as an adjunct professor of environmental law for many years. She has been a recipient of the Charles Fahy Distinguished Adjunct Professor Award there, and also received the Edmund J. Randolph Award for outstanding service at the Department of Justice.

Ms. Schiffer enjoys the variety of legal challenges provided by her current position and, especially since she grew up in the Washington area, she finds devoting her skills and talents to the work of the National Capital Planning Commission very stimulating. She observed that her career has not followed a linear trajectory. She said that she has generally taken advantage of opportunities as they have presented themselves, without a great deal of long-range calculation and detailed planning. She insisted that she has simply been in the right place at the right time, but several members of the audience expressed the view that she created such opportunities through her well-deserved reputation for hard work and integrity.

After sharing insights about her current and former positions, Ms. Schiffer responded to questions from the group and was recognized by the organizations sponsoring the luncheon for her remarks and her dedication to public service.



*Lois Schiffer, General Counsel,
National Capital Planning Commission*

LAWYERS HAVE HEART 10K RUN AND 3K FUN WALK ANNUAL MEETING TO TAKE PLACE SEPTEMBER 14

To support the fight against heart disease and stroke, the Chapter entered a team of four runners—Kelle Acock, Matthew Acock, Warren Burke, and James Scott—in the American Heart Association's "Lawyers Have Heart 10K Run and 3K Fun Walk."

The race began near Georgetown Waterfront Park on the morning of June 10, 2006. The Chapter's team enjoyed wonderful weather: it was a sunny but cool day. All team members ran the full ten kilometers and crossed the finish line in fine form.

This year's annual meeting of the Capitol Hill Chapter will be held on September 14, from 12 to 1:30pm, in the Montpelier Dining Room, Madison Building, Library of Congress, at 1st Street and Independence Avenue SE.

This is also the luncheon meeting at which former Senator John Breaux is the guest speaker. (You should already have received an e-mail notice of this event.) Reservations may be made until September 11, by contacting Paul Vamvas, at pvamvas@fjc.org, or by mail to:

Capitol Hill Chapter, Federal Bar Association
P.O. Box 75971, Washington, D.C. 20013

Space is limited. Cost, including lunch, is \$15 for members and \$25 for non-members. Individuals bringing their own lunch pay \$5. Checks should be made payable to "Capitol Hill Chapter, FBA."

CHAPTER MEMBER ESCAPES WASHINGTON FOR BIG SKY COUNTRY

Members may recall the visit several years ago from Richard Kimball of Project Vote Smart (PVS). Richard founded PVS based on his disillusionment with the mudslinging and media circus involved in running for public office in Arizona in 1986. With supporters as diverse as Barry Goldwater and George McGovern, he founded PVS as a nonpartisan, nonprofit organization dedicated to make readily available for voters accurate, factual information about candidates for public office. At www.vote-smart.org, entering one's 9-digit zip code generates objective information about local candidates in their next state or national election.

Located on beautiful Great Divide Ranch, 27 miles from Philipsburg, Montana (pop. 971), PVS relies on a small paid staff and a cadre of volunteers to gather and post candidate information. The bulk of the work is done during the summer by college student-interns, but other supporters are also encouraged to lend a hand. These so-called member interns typically visit for two weeks. They are provided room and board at a nominal cost in exchange for their work for PVS.

Chapter member and former president Craig Winslow recently served as a member intern and reports that he thoroughly enjoyed it. Craig found his visit an inexpensive way to escape hot, humid Washington for two weeks of the clean fresh air of the Rockies.



Craig assisted PVS staff with compiling information about key votes. The staff identifies votes by incumbents in Congress and state legislatures that are likely to provide insights, and posts descriptions of these votes as one source of objective candidate information. Craig reviewed synopses of selected votes prepared by the staff and suggested changes based on his legislative research. While the staff, few if any of whom are attorneys, generally did a fine job of capturing the relevant issues in each vote, Craig found that he was often able to suggest revisions to make the synopses more concise and accurate. The staff was receptive to his input and he found working with them a pleasure. Of course, it didn't hurt that everyone at PVS wore shorts and T-shirts, except in the morning when they needed a sweater or jacket, and that his commute was a 5-minute walk across a meadow.

The 150-acre Great Divide Ranch is nestled around Moose Lake and has numerous amenities: tennis court, kayaks and canoes, the new Goldwater-Proxmire Library, horseback riding, and countless hiking and trail opportunities. Craig stayed in the small log cabin pictured above, with private bath, and enjoyed seeing the Milky Way (for the first time in years) through the window as he lay in bed. He saw several moose with their calves and went mining for sapphires, which have been found in the area since the 19th century. Using the PVS van, Craig piloted his fellow interns and himself to local attractions as well as to evenings of dancing and socializing in Philipsburg, which despite its small population has four popular bars.

Craig highly recommends an internship at PVS to anyone who would like to get away from the hectic routine of Washington in exchange for some interesting and much appreciated legal work. He'd be happy to share some or all of the more than 650 photographs he took during his two weeks in Montana with anyone who is interested.

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ADDRESS CORRECTION REQUESTED

