On September 17, the Capitol Hill Chapter held its annual meeting, at which Supreme Court Clerk William Suter gave the keynote address.

The meeting began with President Matt McGhie highlighting some of the events and activities sponsored by the Chapter in the past year. McGhie recounted the successful monthly luncheons, ethics seminar, Supreme Court luncheon with Justice Breyer, as well as the tours of the Library of Congress, Supreme Court, and Capitol Dome. He noted that 32 Chapter members attended at least two events and that 14 members attended more than half of the Chapter’s events.

McGhie also announced that the Chapter had received two awards that would be presented at the FBA’s annual meeting in San Diego: a Chapter Activity Award and a meritorious award for the Chapter’s newsletter.

Finally, McGhie announced the results of the Chapter’s election for new leaders who will serve under incoming President Elizabeth Pugh. Amy Bowser was elected to serve as President-Elect, Jeff McDermott was elected to serve as Treasurer, and Lizanne Kelley was elected to serve as Treasurer. Newly elected or re-elected members of the Council include Dan Strodel, Ellen Sutherland Irby, Joseph Haughey, Hannah Laufe, Kerry Miller, Drew Spaulding, William Suter, Emmet Devine, Kristy Carroll, Geoff Cheshire, Mary Levering, and Epin Christensen. For a full listing of the Chapter’s leadership, see page 9.

After he swore in these Council members, General Suter delivered some remarks regarding key decisions from the previous term of the Supreme Court. Suter focused on three cases: Hosanna-Tabor Evangelical Lutheran
Church & School v. EEOC, U.S. v. Jones, and Sackett v. EPA.

The first case Suter spoke about dealt with a religious teacher who was fired from a parochial school following a disability leave. The teacher filed suit, but the Supreme Court ruled that the First Amendment prevents the government from interfering with the selection of religious leaders.

Suter then discussed U.S. v. Jones, in which the FBI installed a GPS tracking device on a suspected drug dealer’s vehicle without a valid warrant. The Court held that this constituted a search under the Fourth Amendment. Finally, Suter mentioned Sackett v. EPA, in which the EPA imposed a compliance order under the Clean Water Act on a couple building a home in Idaho. The order carried a $37,000 per day fine for non-compliance. The Court ruled that the couple had an immediate right to judicial review of the order prior to actual enforcement.

Suter noted that although the facts and disputes in each of these cases differed greatly, they were similar in that each was decided unanimously and each involved a deprivation of a constitutional right. Suter noted that these cases suggest that the Supreme Court often acts as a bulwark against government intrusion into individual rights. Similarly, Suter noted that in the health care decision, five justices agreed that there is a limit as to what Congress can legislate under the Commerce Clause.

Suter then took several questions from the Chapter and gave a brief preview of the Court’s next term, which will likely focus on affirmative action and voting rights cases.

After Suter’s remarks, President Elizabeth Pugh presented outgoing President Matt McGhie with several tokens of appreciation from the Chapter and thanked him for all of his hard work to ensuring another successful year for the Capitol Hill Chapter.
From Outgoing President
Matt McGhie:

As my term as Chapter President comes to a close, I’d like to acknowledge the privilege it has been for me to make a small contribution to the continued success of the Capitol Hill Chapter. Our Chapter’s receipt of the Chapter Activity Presidential Achievement Award and the Meritorious Newsletter Award at the recent FBA Awards Banquet was the result of the combined efforts of many dedicated Chapter members. I anticipate the newly-elected Council will continue this tradition.

The greatest benefit I have received from my 11-year association with the Federal Bar Association has been the friendships that I have developed with hundreds of legal professionals throughout the country. One of the first FBA members I met was General William Suter, Clerk of the U.S. Supreme Court, who swore me in to my state bars. I’ve grown to admire my presidential successor, Elizabeth Pugh, General Counsel of the Library of Congress, for her kindness and professionalism.

Another unique benefit for Capitol Hill Chapter members is the opportunity to regularly hear from some of the most prominent Federal government leaders, including Supreme Court justices. Please pass along any suggestions you may have for future events to a member of the Chapter Council. I encourage each Chapter member to attend as many Chapter or section events as possible to maximize the benefits of your FBA membership.

From Incoming President
Elizabeth Pugh:

I am delighted to begin my service as the President of the Capitol Hill Chapter of the Federal Bar Association. As a brief introduction, I am currently the General Counsel to the Library of Congress and have served on the leadership council of the Capitol Hill Chapter since 2006. Before I came to the Library, I served as general counsel for the National Archives and Records Administration, as well as worked as an attorney for the Departments of Justice, Education, and Housing and Urban Development. Like many of you, my federal service career has offered me a number of interesting and rewarding experiences, including the opportunity to serve as President of the Chapter.

I would like to thank my predecessor, Matt McGhie, for an incredible year of luncheons with notable speakers, unique events, and an ever-increasing membership. I would also like to express my gratitude to the Chapter’s leadership council for helping to plan these wonderful events, but most of all, I would like to thank all of you for attending the luncheons and events and for making our Chapter an active and vibrant group, despite its small size. As we are always looking to grow and improve, please contact me if you have any ideas for speakers or events for the upcoming year.

As my term begins, I hope to continue this tradition and begin another exciting and successful year!
On August 29, Robert Patrick, Director of the Veterans History Project (VHP) at the Library of Congress spoke to the Capitol Hill Chapter about the Project and its mission. VHP was created as part of the Library’s American Folklife Center by the Veterans’ Oral History Project Act of 2000. The Act directed the Library to collect recordations of personal histories and testimonials of U.S. veterans who served during wartime and to create a collection of these recordings available for public use, as well as to collect original written materials (such as letters, diaries, and photographs) relevant to the personal histories of veterans.

Mr. Patrick, who is himself a veteran and a retired Army colonel, discussed how VHP has undertaken this enormous mission. The Project solicits volunteers throughout the U.S. to interview veterans and collect their stories on behalf of the Library. VHP published a field kit that gives the volunteers guidelines and tips for conducting and preserving interviews. For example, the field kit recommends that the interviewee ask the veteran about his biography, early days of service, wartime experience, homecoming, and reflections, such as how his wartime service affected his or her life. Many diverse groups have taken up the call to help collect oral histories, including veterans groups, court reporters, boy and girl scout troops, and bar associations. With such an outpouring of assistance, VHP is close to meeting its goal of collecting the stories of 100,000 veterans.

After the oral histories are collected, VHP preserves them and has begun the process of digitizing the collection. Researchers can search the collection on the online database, which includes links to those collections that are available online. Currently, only five percent of the VHP collections can be viewed in their entirety online.

Mr. Patrick also spoke about the many ways in which the collections have been put to use, including in Ken Burns’ 2007 mini-series about World War II, The War. He also talked about the VHP’s efforts to collect the stories of under-represented groups, such as female veterans and veterans of the Vietnam and Korean wars.

Chapter President Matt McGhie thanked Patrick for the interesting discussion and encouraged chapter members to consider volunteering to collect oral histories for the Project.
CHAPTER RECEIVES TWO FBA AWARDS

At the annual FBA meeting in San Diego, the Capitol Hill Chapter was honored with two awards. The Chapter’s luncheons and events were recognized with a Presidential Achievement Award. In addition, Capitol Assets was recognized with a Meritorious Newsletter Recognition Award.

Above: Matt McGhie accepted the Chapter’s Presidential Achievement Award. Below: Elizabeth Pugh accepted the Chapter’s Meritorious Newsletter Recognition Award.
Established in 1861, the Government Printing Office’s mission can be traced to the requirement in Article I of the Constitution that Congress keep a journal of its proceedings and from time to time publish the same. GPO’s in-plant production and printing procurement operations produce the official publications of Congress, the White House, and federal agencies. GPO’s information dissemination programs provide public access to the official publications and information of the government in both digital and printed formats through an official website, a partnership with Federal depository libraries nationwide, and both online and bookstore sales. Total GPO employment today is about 1,900.

Congressional printing and information services are the primary function of GPO’s inplant facility in Washington. In addition to the Congressional Record containing the daily proceedings of Congress, GPO produces bills, hearings, reports, and other legislative documents, in digital and print formats, as required by the Senate and House of Representatives and their committees. GPO’s in-plant facility also produces the daily Federal Register and Code of Federal Regulations, and the annual budget of the U.S., as well as passports and other secure federal credentials. GPO has an additional facility in Mississippi for passport production.

GPO provides centralized operations for the procurement of information products for the entire government, purchasing approximately $400 million annually from private sector vendors nationwide for federal agency customers. About 75% of all the products ordered annually from GPO (other than passports and secure credentials) are procured from the private sector, including Social Security cards, census and tax forms, and Medicaid and Medicare materials. GPO’s procurement program provides great economic opportunity for the private sector. The majority of the firms GPO deals with are small businesses of 20 employees or less. The total number of contractors registered to do business with GPO is approximately 16,000.

GPO’s primary information dissemination program involves a partnership with 1,200 federal depository libraries nationwide, or about 3 per congressional district. Today, the partnership is predominately electronic, but tangible formats are distributed where online equivalents are not available. GPO’s Federal Digital System website provides access to approximately 680,000 documents online, with more than 13 million documents downloaded every month. GPO also provides for public sale of government publications via its traditional and online bookstores, and offers eBooks through a partnership with Google eBooks.

GPO operates on a revolving fund basis, like a business. Only 6% of GPO’s funding comes from direct appropriation to cover the cost of congressional work and the depository library program and supporting distribution programs. All other revenues to GPO are reimbursements from agencies for work performed or sales of publications to the public.

Given the varied agency mission responsibilities, and the mixed nature of its funding, the Office of General Counsel is called upon to advise GPO on a wide range of issues. The Office represents the agency before a number of third-party tribunals, and supports the Department of Justice in cases in federal court. Additionally, the Office has organizational oversight over the agency’s Office of Labor Relations. Because it is a small office, nearly all its attorneys are generalists, though in practice they usually develop “clients” among GPO managers and thus become more informed about the legal aspects of particular operations.
On July 10, the Capitol Hill Chapter hosted its annual ethics seminar in GAO’s auditorium. The event featured Jack Marshall of ProEthics, who has developed a number of popular legal training courses focusing on ethics. Marshall applied the experience gleaned from his diverse career in law, public policy, academia and theater, and applied it to the field of legal ethics. A graduate of Harvard College and Georgetown University Law Center, he practiced criminal law in Massachusetts and organization law in Washington, as well as served on the adjunct faculty of the Washington College of Law at American University, teaching legal ethics. He is also an award-winning theatrical director, and is the artistic director for The American Century Theater, a professional non-profit theater company in Arlington dedicated to producing classic American plays.

The seminar was a custom-designed course entitled The Mind of the Virtuous Government Lawyer: Compartments, Compliance, Corners, and Conflicts, specifically tailored to the issues that face government attorneys. For example, Marshall discussed the Supreme Court’s statement in Berger v. United States that a government attorney is the “representative not of an ordinary party to a controversy, but of a sovereignty whose obligation to govern impartially.” Marshall discussed a real-life example of a Manhattan prosecutor who came to believe that two imprisoned defendants were not actually guilty of the crimes for which they were convicted. Nonetheless, the prosecutor was ordered by his supervisor to present the government’s case at a court hearing regarding newly discovered exculpatory evidence. The convictions were overturned, and the prosecutor later admitted that he threw the case, even going so far as to talk strategy with defense attorneys. Although the New York state disciplinary committee found no basis for disciplinary action, the case drew much discussion regarding the conflict between the duty of loyalty and the duty of government attorneys under Berger.

Marshall also discussed several cases in which a government attorney publicly advocated for a position that differed from the view that would best serve the interest of his or her client. He centered the discussion around a hypothetical EEOC General Counsel who later wrote a law review article sharply criticizing an agency policy that she helped to develop and implement. Marshall noted that the caselaw is clear that as long as client confidences and zealous advocacy in a pending matter are not compromised, a lawyer is entitled to speak publicly on issues which may be contrary to the interest of a former or current client. The ethics seminar received a positive response from attendees, who agreed that Marshall’s entertaining and engaging presentation made for a memorable experience that was quite different than the typical CLE course.
This issue’s distinguished member profile is former national FBA President James S. Richardson. In the 1960s, Jim played football at Frostburg State College, located in beautiful Western Maryland. When the NFL didn’t offer him a contract, he pursued a military career through the Marine Corps Officers Candidate School. Jim was commissioned as a 2nd Lieutenant in late 1966 and by September 1967 he was stationed in Vietnam. The following year he began a 2-year assignment in Hawaii, where he got his first taste of the legal profession in the Marine Corps’ local base legal office.

In August 1970, Captain Richardson took a leave of absence to return to his native Maryland, where he attended the University of Maryland Law School. During law school, Jim spent his summers at Marine Corps Headquarters, under the supervision of Brigadier General Clyde Mann, Staff Judge Advocate to the Commandant of the Marine Corps.

After law school graduation in 1973, James S. Richardson, Esquire must have impressed the top brass at JAG headquarters, as he was sent to beautiful San Diego, where he worked for 4 ½ years as a JAG Officer at the Marine Corps Recruit Depot. By 1978, Jim was married with two young children. After a few months in private practice, Jim returned to the Department of the Navy to work for the Board for Correction of Naval Records in the Office of the Secretary of the Navy. During the next 2 ½ years, Jim advised the Board on how to properly respond to claims from military veterans who felt they were unfairly discharged from the Service.

In 1982, Jim began serving on the central legal staff at the Court of Military Appeals (now the United States Court of Appeals for the Armed Forces). This court has worldwide appellate jurisdiction over members of the armed forces on active duty. He summed up his 26 years of dedicated service on the court by simply stating, “It was a great job!”

Jim Richardson began his affiliation with the Federal Bar Association as a member of the Pentagon Chapter in 1985 and later served as President of that chapter for the 1993-94 Term. He then served as a Circuit Vice President beginning in 1995 and as a member of the National Executive Committee (section coordinator) for 3 years beginning in 1997. He particularly enjoyed this position because it gave him a chance to meet so many great attorneys and attend so many excellent CLE events sponsored by the various FBA sections. After serving for a year as Chair of the Federal Career Service Division, Jim began his climb up the national leadership ladder as Deputy Secretary, Secretary, Treasurer, Vice President, and finally, as the 80th national FBA President for the 2007-08 term.

Jim Richardson has paid forward the help he received from distinguished leaders like General Mann by mentoring countless FBA members and other young attorneys, including one of his sons, who is in his final year at the University of South Dakota School of Law. Jim is a good example of the highly respected attorneys that have made the Capitol Hill Chapter one of the premier FBA chapters.
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The Federal Bar Association offers an unmatched array of opportunities and services to enhance your connections to the judiciary, the legal profession, and your peers within the legal community. Our mission is to strengthen the federal legal system and administration of justice by serving the interests and the needs of the federal practitioner, both public and private, the federal judiciary, and the public they serve.

**Advocacy**  
The opportunity to make a change and improve the federal legal system through grassroots work in over 80 FBA chapters and a strong national advocacy.

**Networking**  
Connect with a network of federal practitioners extending across all 50 states, the District of Columbia, Puerto Rico, and the Virgin Islands.

**Leadership**  
Governance positions within the association help shape the FBA's future and make an impact on the growth of the federal legal community.

**Learning**  
Explore best practices and new ideas at the many Continuing Legal Education programs offered throughout the year—at both the national and chapter levels.

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**FEDERAL BAR ASSOCIATION APPLICATION FOR MEMBERSHIP**

**Applicant Information**

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<tr>
<th>First Name</th>
<th>M.I.</th>
<th>Last Name</th>
<th>Suffix (e.g. Jr.)</th>
<th>Title (e.g. Attorney At Law, Partner, Assistant U.S. Attorney)</th>
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- Male  - Female  
- Have you been an FBA member in the past?  
- Yes  - No
- Which do you prefer as your primary address?  
- Business  - Home

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| Practice Information |

**Practice Type**
- Private Sector:  
  - Private Practice
- Public Sector:  
  - Government
  - Nonprofit
  - Military
  - Government Contract

**Primary Practice Areas**
- Administrative
- Admiralty/Maritime
- ADR/Arbitration
- Antitrust/Trade
- Bankruptcy
- Communications
- Criminal
- Environment/Energy
- Federal Litigation
- Financial Institutions
- General Counsel
- Government Contracts
- Other:        

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### Membership Levels

**Sustaining Membership**
Members of the association distinguish themselves when becoming sustaining members of the FBA. Sixty dollars of the sustaining dues are used to support educational programs and publications of the FBA. Sustaining members receive a 5% discount on the registration fees for all national meetings and national CLE events.

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<td>Member Admitted to Practice 6-10 Years</td>
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<td>Member Admitted to Practice 11+ Years</td>
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<tr>
<td>Retired (Fully Retired from the Practice)</td>
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**Active Membership**
Open to anyone admitted to the practice of law before a federal court or a court of record in any of the several states, commonwealths, territories, or possessions of the United States or in the District of Columbia.

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<td>Retired (Fully Retired from the Practice)</td>
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**Associate Membership**
Foreign Associate Admitted to practice law outside the U.S. $195
Law Student Associate Currently enrolled in law-school $30

### Chapter Affiliation
Your FBA membership entitles you to a chapter membership. Local chapter dues are indicated next to the chapter name (if applicable). If no chapter is selected, you will be assigned a chapter based on geographic location. Your chapter is currently located in this state or city.

- **Alabama**
  - Birmingham: $10
  - Mobile: $10
  - Montgomery: $10
  - North Alabama: $10

- **Alaska**
  - Anchorage: $10

- **Arizona**
  - Phoenix: $10

- **Arkansas**
  - Little Rock: $10

- **California**
  - San Francisco: $10

- **Colorado**
  - Denver: $10

- **Connecticut**
  - Hartford: $10

- **Delaware**
  - Wilmington: $10

- **District of Columbia**
  - Washington, D.C.: $10

- **Florida**
  - Jacksonville: $10
  - Tallahassee: $10

- **Georgia**
  - Atlanta: $10

- **Idaho**
  - Boise: $10

- **Illinois**
  - Chicago: $10

- **Indiana**
  - Indianapolis: $10

- **Iowa**
  - Des Moines: $10

- **Kansas**
  - Topeka: $10

- **Kentucky**
  - Lexington: $10

- **Louisiana**
  - New Orleans: $10

- **Maine**
  - Portland: $10

- **Maryland**
  - Baltimore: $10

- **Massachusetts**
  - Boston: $10

- **Michigan**
  - Detroit: $10

- **Minnesota**
  - Minneapolis: $10

- **Mississippi**
  - Jackson: $10

- **Missouri**
  - St. Louis: $10

- **Montana**
  - Helena: $10

- **Nebraska**
  - Omaha: $10

- **New Hampshire**
  - Manchester: $10

- **New Mexico**
  - Albuquerque: $10

- **New York**
  - New York City: $10

- **North Dakota**
  - Grand Forks: $10

- **Ohio**
  - Columbus: $10

- **Oklahoma**
  - Oklahoma City: $10

- **Oregon**
  - Portland: $10

- **Pennsylvania**
  - Philadelphia: $10

- **Rhode Island**
  - Providence: $10

- **South Carolina**
  - Columbia: $10

- **South Dakota**
  - Pierre: $10

- **Tennessee**
  - Nashville: $10

- **Texas**
  - Austin: $10

- **Utah**
  - Salt Lake City: $10

- **Vermont**
  - Montpelier: $10

- **Virginia**
  - Richmond: $10

- **Washington**
  - Seattle: $10

- **West Virginia**
  - Charleston: $10

- **Wisconsin**
  - Milwaukee: $10

- **Wyoming**
  - Cheyenne: $10

### Practice Area Sections
- Alternative Dispute Resolution $15
- Antitrust and Trade Regulation $15
- Bankruptcy Law $10
- Civil Rights Law $10
- Criminal Law $10
- Environmental Law $10
- Intellectual Property Law $10
- International Law $10
- Labor and Employment Law $10
- Securities Law $10
- Social Security $10
- State and Local Government Relations $10
- Taxation $10
- Transportation and Transportation Security Law $20
- Veterans Law $10

### Career Divisions
- Federal Career Service (past/present employee of federal government) N/C
- Judiciary (past/present member or staff of a judiciary) N/C
- Corporate & Association Counsel (past/present member of corporate/association counsel's staff) N/C
- Senior Lawyers (age 55 or over) $10
- Younger Lawyers (age 35 or younger) $10

### Sections and Divisions Total:

### Payment Information and Authorization Statement

**TOTAL DUES TO BE CHARGED**
Membership: $____
Section: $____
Division: $____
Chapter: $____

Check enclosed, payable to Federal Bar Association Credit: American Express MasterCard Visa

Name on card (please print): 
Card No. Exp. Date
Signature Date

By signing this application, I hereby apply for membership in the Federal Bar Association and agree to conform to its Constitution and Bylaws and to the rules and regulations prescribed by its Board of Directors. I declare that the information contained herein is true and complete. I understand that any false statements made on this application will lead to rejection of my application and/or the immediate termination of my membership. I also understand that by providing my facsimile number and e-mail address, I hereby consent to receive facsimile messages and e-mail messages, sent by or on behalf of the Federal Bar Association, the Foundation of the Federal Bar Association, and the Federal Bar Building Corporation.

**Signature of Applicant**

**Date**

*Contributions and dues to the FBA are deductible by members under provisions of the IRS Code, such as an ordinary and necessary business expense, except 5% which is used for congressional lobbying and is not deductible. Your FBA dues include $14 for a yearly subscription to the FBAS professional magazine.*