

# CAPITAL FORUM December 6-8, 2022 • Washington, D.C.

## SUNDAY, DECEMBER 4

4:45 pm - 5:45 pm

CAPITAL HILTON, CAPITAL TERRACE

#### NEW ATTORNEYS GENERAL ORIENTATION WELCOME RECEPTION

## MONDAY, DECEMBER 5

| 7:00 am           | CONGRESSIONAL FOYER  |
|-------------------|--|
|                   | REGISTRATION DESK OPEN   |
| 8:00 am – 5:00 pm | CONGRESSIONAL BALLROOM   |
|                   | NEW ATTORNEYS GENERAL ORIENTATION  |
|                   | See separate agenda.   |
| 6:00 pm – 7:00 pm | CAPITAL HILTON, NORTH GATE GRILL   |
|                   | SOCIETY OF ATTORNEYS GENERAL EMERITUS (SAGE) RECEPTION                                 |
|                   | Former, current, and new attorneys general, and chief deputies/chiefs of staff welcome |
| 7:00 pm – 8:30 pm | CAPITAL HILTON, NORTH GATE GRILL   |
|                   | NEW ATTORNEYS GENERAL ORIENTATION GROUP DINNER   |
|                   | Current attorneys general, new attorneys general, and chief deputies/chiefs of staff   |

## TUESDAY, DECEMBER 6

| 7:00 am                                    | CONGRESSIONAL FOYER   |
|--|---|
|  | REGISTRATION DESK OPEN  |
| 8:00 am – 9:00 am                          | CAUCUS BREAKFASTS   |
|  | Attorneys General and Attorneys General Staff   |
|  | Zoom link and call-in options will be available for attorneys general and proxies not in-person.        |
| 9:00 am – 10:00 am                         | SOUTH AMERICAN AB   |
|  | NATIONAL ASSOCIATION OF ATTORNEYS GENERAL (NAAG) EXECUTIVE COMMITTEE & MISSION FOUNDATION MEETINGS      |
|  | Attorneys General and Attorneys General Staff   |
|  |   |
|  | Zoom link and call-in options will be available for attorneys general and proxies not in-person.        |
| 10:00 am – 10:15 am                        | Zoom link and call-in options will be available for attorneys general and proxies not in-person.  BREAK |
| 10:00 am – 10:15 am<br>10:15 am – 11:05 am |   |
|  | BREAK   |
|  | BREAK PRESIDENTIAL BALLROOM   |
|  | PRESIDENTIAL BALLROOM NAAG BUSINESS SESSION   |

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### TUESDAY, DECEMBER 6

11:05 am - 11:40 am PRESIDENTIAL BALLROOM

LITIGATION UPDATE

Attorneys General and Attorneys General Staff Only Briefing

11:45 am – 11:55 am CALIFORNIA ROOM

NAAG OFFICERS MEETING & GIFT EXCHANGE WITH

TAIWAN DELEGATION

12:00 pm - 12:40 pm CONGRESSIONAL/SENATE BALLROOM

WELCOME LUNCH

WELCOME TO WASHINGTON, D.C.

KARL A. RACINE, District of Columbia Attorney General

PRESENTATION OF THE COLORS & PLEDGE OF ALLEGIANCE

Capital Guardian Youth Challenge Academy

WELCOME REMARKS

TOM MILLER, NAAG President and Iowa Attorney General

12:40 pm - 1:00 pm **LUNCH SPEAKER** 

**JAMES MCPHERSON**, Former U.S. Under Secretary of the Army, Retired U.S. Navy Rear Admiral,

and former National Association of Attorneys General Executive Director

1:05 pm - 4:30 pm PRESIDENTIAL BALLROOM

AFTERNOON PLENARY

1:05 pm – 1:45 pm UNDERSTANDING & APPLYING ANTITRUST LAWS IN A GLOBAL

ENVIRONMENT

The Executive Vice-President of the European Commission and the co-chairs of NAAG's Antitrust Committee will discuss the differences and similarities between competition enforcement in the U.S. and the EU and how state attorneys general and European competition authorities can share resources to strengthen competition in global markets.

MODERATORS

PHIL WEISER, Colorado Attorney General and NAAG Antitrust Committee Co-Chair DOUG PETERSON, Nebraska Attorney General and NAAG Antitrust Committee Co-Chair

SPEAKER

MARGRETHE VESTAGER, Executive Vice President and Commissioner for Competition,

European Commission



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## TUESDAY, DECEMBER 6

1:45 pm - 2:15 pm

## OPPORTUNITIES AND CHALLENGES FOR STATE ATTORNEYS GENERAL TO CONSTRUCTIVELY ENGAGE WITH FEDERAL POLICYMAKERS

This panel will highlight opportunities and challenges for state attorneys general to constructively engage with federal policymakers and discuss how the federal government can best harness its resources to work with states most effectively. Associate Attorney General Vanita Gupta offers insights on best practices in engaging with federal agencies.

**MODERATORS** 

PHIL WEISER, Colorado Attorney General BRIDGET HILL, Wyoming Attorney General

**SPEAKER** 

VANITA GUPTA, U.S. Associate Attorney General

2:15 pm - 2:30 pm

**BREAK** 

2:30 pm - 3:30 pm

PRESIDENTIAL BALLROOM

#### COOPERATIVE FEDERALISM IN REGULATORY AND GRANT PROGRAMS

This panel will explore how to obtain a truly cooperative federalism, looking both at regulatory programs and how they can leave maximal room for discretion and experimentation and how to best structure grant programs.

MODERATOR

PHIL WEISER, Colorado Attorney General

**PANELISTS** 

DAVE YOST, Ohio Attorney General

**JENNIFER MASCOTT**, Assistant Professor of Law and Co-Executive Director, The C. Boyden Gray Center for the Study of the Administrative State, Antonin Scalia School of Law

CHRISTOPHER J. WALKER, Professor of Law, Michigan Law School

LISA MADIGAN, Partner, Kirkland & Ellis and former Illinois Attorney General



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### TUESDAY, DECEMBER 6

| 3:30 pm – 4:30 pm | ESG INVESTMENT DECISIONS—UNDERSTANDING THE LEGAL & |
|-------------------|--|
|                   | FIDUCIARY REQUIREMENTS                             |

Since the inception of the corporate form, the for-profit corporation existed primarily to increase shareholder wealth. Historically, the most common analysis applied to evaluate investments was based on generally accepted accounting standards, conventions and rules, also known as GAAP (Generally Accepted Accounting Principles).

While GAAP has its values and continues to be a core part of investing, an ESG strategy broadens the considerations that financial professionals may utilize in making investment decisions. Can fiduciaries use ESG investing strategies, and if so, how? How should attorneys general advise pension plans, universities and other governmental investing entities regarding the use or avoidance of ESG investing strategies? Does corporate leadership violate duties to shareholders if the corporation applies ESG or does ignoring ESG analyses compromise the basic principle of reducing risk?

MODERATOR

DAVE YOST, Ohio Attorney General

**PANELISTS** 

KARL A. RACINE, District of Columbia Attorney General JONATHAN SKRMETTI, Tennessee Attorney General

VIVEK RAMASWAMY, Co-Founder and Executive Chairman, Strive Asset Management

**JEFFREY A. SONNENFELD**, Senior Associate Dean for Leadership Studies, Lester Crown Professor of Leadership Practice, Yale School of Management

4:30 pm - 4:40 pm ATTORNEYS GENERAL DEPART HOTEL FOR SUPREME COURT GROUP PHOTO

Bus loading outside of Capital Hilton

5:00 pm - 5:10 pm INVITED ATTENDEES LOAD BUSES FOR SUPREME COURT RECEPTION

Bus loading outside of Capital Hilton

5:30 pm - 7:00 pm SUPREME COURT RECEPTION

Attorneys General, Attorney General staff, former Attorneys General and invited guests.

Attendance is limited by the Supreme Court's COVID-19 protocols.

7:00 pm SUPREME COURT RECEPTION ATTENDEES BUS BACK TO

**CAPITAL HILTON** 



# CAPITAL FORUM December 6-8, 2022 • Washington, D.C.

## WEDNESDAY, DECEMBER 7

7:00 am CON

CONGRESSIONAL FOYER

#### REGISTRATION DESK OPEN

8:00 am - 9:00 am

**REGIONAL BREAKFASTS** 

Attorneys General and Attorneys General Staff

Call-in number will be available for attorneys general and proxies not in-person.

8:00 am - 9:00 am

CONGRESSIONAL/SENATE BALLROOM

#### ALL ATTENDEE BREAKFAST

9:00 am - 11:45 am

PRESIDENTIAL BALLROOM

#### MORNING PLENARY

9:00 am - 10:00 am

# GROWING UP ON SOCIAL MEDIA—THE IMPACT ON PRE-TEEN AND ADOLESCENT GIRLS

Numerous studies have shown that depression and anxiety rates among children have grown dramatically over the last decade, especially among pre-teen/adolescent girls. During this same period, the number of hours spent on screens and social media by this group has also risen sharply. As access to and use of social media by pre-teen/adolescent girls has grown, so too has the research on the mental health impacts. Join leading experts as they discuss the current research, including where the greatest concerns lie, and what additional research is needed to better understand the issue.

#### MODERATORS

**WILLIAM TONG,** Connecticut Attorney General and NAAG Internet Safety/Cyber Privacy and Security Committee Co-Chair

**JOHN O'CONNOR**, Oklahoma Attorney General and NAAG Internet Safety/Cyber Privacy and Security Committee Co-Chair

#### PANELISTS

LINDA CHARMARAMAN, PH.D, Senior Research Scientist and Director, Youth, Media, & Wellbeing Research Lab, Wellesley College

**JANINE DOMINGUES**, **PH.D**, *Director of Professional Training*, *School and Community Programs*; *Psychologist*, *Anxiety Disorders Center*, *Child Mind Institute* 

10:00 am - 10:15 am

**BREAK** 



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## WEDNESDAY, DECEMBER 7

10:15 am - 10:45 am

FENTANYL, THE OVERDOSE EPIDEMIC AND OTHER EMERGING CONCERNS: A CONVERSATION WITH THE DRUG ENFORCEMENT ADMINISTRATION (DEA) UPDATE

MODERATOR

ROB BONTA, California Attorney General

**SPEAKER** 

**ANNE MILGRAM**, Administrator, Drug Enforcement Administration (DEA) and former New Jersey Attorney General

10:45 am - 11:45 am

## LEGAL AND PRACTICAL CONSIDERATIONS IN MULTISTATE CONSUMER INVESTIGATIONS & CASES

Hear top consumer protection attorneys from Illinois and Tennessee describe the multistate process and answer questions posed by the co-chairs of the NAAG Consumer Protection Committee.

**MODERATORS** 

KWAME RAOUL, Illinois Attorney General

JONATHAN SKRMETTI, Tennessee Attorney General

**PANELISTS** 

SUSAN ELLIS, Chief, Consumer Protection Division, Illinois Attorney General's Office

JEFF HILL, Executive Counsel, Tennessee Attorney General's Office

11:45 am - 12:45 pm

CONGRESSIONAL/SENATE BALLROOM

#### **NETWORKING LUNCH**

12:45 pm - 4:45 pm

PRESIDENTIAL BALLROOM

#### **AFTERNOON PLENARY**

12:45 pm – 1:00 pm

VETERAN'S COMMITTEE UPDATE—LEGAL SERVICES OUTREACH AND THE ATTORNEYS GENERAL COMMUNITY

ALAN WILSON, South Carolina Attorney General



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## WEDNESDAY, DECEMBER 7

1:00 pm - 2:00 pm

# WHAT'S IN A FACE? THE LATEST LEGAL AND POLICY DEVELOPMENTS IN FACIAL RECOGNITION TECHNOLOGY

Facial recognition technology – Al assisted biometric algorithms that examine images of human faces to identify or authenticate an individual – has generated both excitement regarding its benefits and concerns over privacy and misidentification of individuals. From government/law enforcement to private industry, its growing ubiquity has led some in the public and private sectors to either fast-track adoption or halt use until privacy considerations are fully understood and appropriate federal and state regulatory structures are put in place. The panel will discuss the latest legal and policy developments surrounding this controversial technology.

**MODERATOR** 

CHRISTOPHER CURTIS, Chief, Public Protection Division, Vermont Attorney General's Office

**PANELISTS** 

CLARE GARVIE, Training and Resource Counsel, Fourth Amendment Center, National Association of Criminal Defense Lawyers

PATRICK GROTHER, Scientist, National Institute of Standards and Technology (NIST) GARY MARCHANT, Regents Professor of Law, Arizona State University, Sandra Day O'Connor School of Law

2:00 pm - 3:00 pm

## UPDATES ON FEDERAL TRADE COMMISSION & CONSUMER FINANCIAL PROTECTION BUREAU POLICIES AND ISSUES

The Consumer Financial Protection Bureau (CFPB) and Federal Trade Commission (FTC) are at the forefront of federal consumer protection. The leaders of those agencies and their attorney general moderators will explore current and trending marketplace practices and conditions impacting consumers nationwide. Chair Khan and Director Chopra will also discuss their agencies' enforcement and regulatory priorities in this evolving economy and opportunities to engage with attorneys general to protect consumers.

**MODERATORS** 

**LEEVIN CAMACHO**, Guam Attorney General **ELLEN ROSENBLUM**, Oregon Attorney General

**PANELISTS** 

LINA M. KHAN, Chairperson, Federal Trade Commission ROHIT CHOPRA, Director, Consumer Financial Protection Bureau

3:00 pm - 3:15 pm BREAK

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## WEDNESDAY, DECEMBER 7

3:15 pm - 3:35 pm PRESIDENTIAL BALLROOM

ATTORNEY GENERAL TRIBUTE

JOSH STEIN, North Carolina Attorney General

DAVE YOST, Ohio Attorney General

3:35 pm - 4:45 pm U.S. SUPREME COURT UPDATE

Two of the nation's leading U.S. Supreme Court practitioners will discuss the cases before the

Court this Term.

MODERATOR

DAN SCHWEITZER, Director, NAAG Center for Supreme Court Advocacy & Chief Counsel, NAAG

BETH S. BRINKMANN, Partner, Covington ERIN E. MURPHY, Partner, Clement & Murphy

4:45 pm - 6:45 pm BREAK

6:45 pm – 7:30 pm CAPITAL TERRACE FOYER

**CAPITAL FORUM RECEPTION** 

Reception is open to all Capital Forum attendees.

Business attire

7:30 pm – 9:00 pm ANNUAL AWARDS DINNER

Dinner is open to all Capital Forum attendees.

Business attire

ANNUAL AWARDS PROGRAM

• Presentation of Annual Awards

- Outgoing Attorneys General Awards Presentation
- Outgoing NAAG President's Remarks
- Incoming NAAG President's Welcome Remarks



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### THURSDAY, DECEMBER 8

| 7:00 am            | CONGRESSIONAL FOYER   |
|--------------------|---|
|                    | REGISTRATION DESK OPEN  |
| 8:00 am – 9:00 am  | SOUTH AMERICAN AB   |
|                    | CHIEF DEPUTIES / CHIEFS OF STAFF BREAKFAST  |
|                    | 8:15 AM – OPIOIDS UPDATE  |
| 8:00 am – 9:00 am  | CONGRESSIONAL/SENATE BALLROOM   |
|                    | BREAKFAST   |
| 9:00 am - 12:20 pm | PRESIDENTIAL BALLROOM   |
|                    | MORNING PLENARY   |
| 9:00 am – 9:15 am  | TOM VILSACK, U.S. Secretary of Agriculture, U.S. Department of Agriculture (USDA) |
| 9:15 am – 10:15 am | STATE ATTORNEYS GENERAL AND THE FIGHT AGAINST CORRUPTION—                         |

# OPPORTUNITIES AND CHALLENGES State atternous general can play an important part in fighting corruption. That role can include

State attorneys general can play an important part in fighting corruption. That role can include filing civil or criminal charges against corrupt officials, partnering with other enforcers on task forces, and opining about appropriate statutes to address corrupt behavior. At the same time, some states have limited criminal jurisdiction and may not have the resources or inhouse expertise to handle complex, white-collar investigations. Moreover, as elected officials themselves, attorneys general may face arguments that enforcement actions are politically motivated. This panel addresses both the opportunities and challenges for attorneys general who do this crucial work, particularly given recent Supreme Court cases suggesting that federal law leaves much public corruption to the states to rectify.

**MODERATOR** 

KATHY JENNINGS, Delaware Attorney General

**PANELISTS** 

MATTHEW PLATKIN, New Jersey Attorney General MARK VARGO, South Dakota Attorney General

ADI GOLDSTEIN, Chief Deputy Attorney General, Rhode Island Attorney General's Office

#### 10:15 am – 10:30 am UPDATES FROM THE OFFICE OF NATIONAL DRUG CONTROL POLICY

This session will review the National Drug Control Strategy and the Administration's commitment to improving public health and public safety through high-impact initiatives. There will be a particular focus on criminal justice-related priorities, as well as resources for state attorneys general.

RAHUL GUPTA, Director, White House Office of National Drug Control Policy



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### THURSDAY, DECEMBER 8

10:30 am - 10:45 am

#### STATE DEPARTMENT UPDATE

The U.S. Department of State's Bureau of International Narcotic and Law Enforcement Affairs (INL) will highlight its work to combat the opioid epidemic, kleptocracy, and transnational organization crime by strengthening criminal justice institutions around the world, and how this work intersects with and impacts the U.S. criminal justice system. This session will also address how INL's partnerships with NAAG and domestic criminal justice institutions play a critical role in the Department's ability to keep Americans safe by combatting crime, illegal drugs, and instability abroad.

**TODD D. ROBINSON**, Assistant Secretary, U.S. Department of State, Bureau of International Narcotic and Law Enforcement Affairs (INL)

10:45 am - 11:00 am

**BREAK** 

11:00 am - 11:20 am

PRESIDENTIAL BALLROOM

#### 2023 NAAG PRESIDENTIAL INITIATIVE PREVIEW

11:20 am - 12:20 pm

#### POTENTIAL ETHICAL CHALLENGES IN HIGH-PROFILE CASES

High-profile cases can pose ethical challenges that are less likely to arise during the run-of-the-mill prosecutions and civil actions. Panelists will cover issues including what you may (and may not) say to the press and how to identify and address potential conflicts of interest.

**MODERATOR** 

**LAWRENCE WASDEN**, *Idaho Attorney General* 

PANELISTS

**JOHN MCENANY**, Former Professional Responsibility Officer and Government Ethics Advisor, U.S. Attorney's Office, Southern District of New York

CHARLES MILLER, Deputy Attorney General, Major Litigation, Ohio Attorney General's Office REGGIE WALTON, Senior U.S. District Judge, U.S. District Court for the

District of Columbia

12:20 pm

**MEETING ADJOURNS**