



**Agenda for Financial Crisis Inquiry Commission Telephonic Business Meeting of  
Wednesday, January 20, 2010**

**12:00-2:30pm EST**

**Conference Dial-In Number: 866-692-3582**

**Participant Access Code: 3387529**

<b><u>Agenda Item</u></b>	<b><u>Presentation</u></b>
1) Call to Order	Chairman Angelides
2) Roll Call	Chairman Angelides
3) Approval of Minutes of Closed Session Meeting of December 20, 2009 (Attached)	Chairman Angelides
4) Chairman's Report	Chairman Angelides
5) Executive Director's Report; Personnel Update	Tom Greene, Executive Director
6) Debriefing and Wrap-Up of Hearing 1	Chairman Angelides, Vice-Chairman Thomas/Tom Greene
7) Amendment to Rules of Procedure: Public Notice for Hearings	Gary Cohen, Special Business Counsel/ Gretchen Newsom, Special Assistant
8) Donation of Goods and Services (Attached)	Tom Greene/Gary Cohen
9) Ethical Guidelines for Commission Members (Attached)	Tom Greene/Gary Cohen
10) Ethical Guidelines for Commission Staff	Tom Greene/Gary Cohen

*(Attached)*

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| <b>11) Update re: Archive Requirements and Mandates</b>                                    | <b>Tom Greene/ Gary Cohen</b>                    |
| <b>12) Update on Confidentiality Agreements</b>  | <b>Tom Greene/ Gary Cohen</b>                    |
| <b>13) Report to Commission re: Legislative And Regulatory Update</b><br><i>(Attached)</i> | <b>Tom Greene/ Scott Ganz, Special Assistant</b> |
| <b>14) Research Presentation: TBA</b><br><i>(Materials forthcoming)</i>                    | <b>Wendy Edelberg, Director of Research</b>      |
| <b>15) Other Items of Business</b>   | <b>All Commissioners</b>                         |
| <b>16) Adjournment</b>   | <b>Chairman Angelides</b>                        |



**Financial Crisis Inquiry Commission**  
**Agenda Item 3 for Closed Meeting of Tuesday, January 20, 2010**  
**Minutes of Telephonic Business Meeting of**  
**Monday, December 14, 2009**

**Agenda Item 1: Call to Order**

Chairman Angelides called the telephonic business meeting to order.

**Agenda Item 2: Roll Call**

Chairman Angelides asked Gretchen Newsom to call the roll of the Commissioners: Present were Phil Angelides, Bill Thomas, Brooksley Born, Byron Georgiou, Bob Graham, Doug Holtz-Eakin, Heather Murren, John W. Thompson and Peter Wallison. Keith Hennessey arrived after agenda item 3 was voted on; John W. Thompson dropped off the call before agenda item 6 was voted on. Mr. Thomas departed at the beginning of agenda item 9.

Also participating in the meeting: Tom Green, Executive Director; Gretchen Newsom, assistant to Chairman Angelides; Courtney Mayo and Scott Ganz, assistants to Vice Chairman Thomas. Beneva Schulte, Assistant Director, and Wendy Edelberg, Research Director, were introduced to staff, and Ms. Schulte came back to the meeting for discussion of agenda item 7. Gary Cohen, Special Business Counsel, participated in the briefing and discussion from agenda item 8 until the conclusion of the meeting.

**Agenda Item 3: Approval of Minutes of Meeting, November 17, 2009**

Chairman Angelides introduced the minutes from the FCIC meeting of November 17, 2009. There was discussion among Commissioners about the format of the meeting minutes.

MOTION: Holtz-Eakin moved and Born seconded the motion to adopt the meeting minutes (attached).

APPROVED: 9-0 (Hennessey absent)

**Agenda Item 4: Executive Director's Report; Personnel Update**

Mr. Greene provided an update on personnel, introducing Beneva Schulte and Wendy Edelberg to the Commissioners. Mr. Greene informed the Commission that Matt Cooper has been hired as Senior Advisor. Mr. Greene also provided Commissioners with an update on office technology and document requests.

The Chairman gave a brief report in which he spoke of assigning Commissioners to working groups or subcommittees based on their individual areas of interest and/or expertise. There was also broad discussion about hearing #1, and a general goal was stated to deliver briefing materials for Hearing 1 to the Commission by January 6<sup>th</sup>. It was also requested that Mr. Greene develop protocol to inform Commissioners of all communications likely to be of interest in the public domain, such as press releases and hearing invitation letters.

#### **Agenda Item 5: Update on FCIC Budget**

Vice Chairman Thomas provided Commissioners with an update on the FCIC budget. The Chairman and Vice Chairman will report back to the Commission with any budget updates.

#### **Agenda Item 6: Extension of Delegation of Authority**

Chairman Angelides asked for an extension of the delegation of authority.

MOTION: Wallison moved and Thomas seconded the motion to adopt the extension of the delegation of authority (attached).

APPROVED: 9-0 (Thompson absent)

#### **Agenda Item 7: Protocol for Media Contact**

Mr. Greene and Ms. Schulte briefed the Commissioners on the proposed plan for FCIC media protocol, which led to discussion among the Commissioners. It was requested that staff draft a one-page media briefing sheet with current message points.

MOTION: Holtz-Eakin moved and Wallison seconded the motion to accept the media protocol proposal as recommended (attached).

APPROVED: 9-0 (Thompson absent)

#### **Agenda Item 8: Donation of Goods and Services**

Mr. Cohen briefed the Commissioners on the donation of goods and services, which led to discussion among Commissioners, giving Mr. Cohen input for the document. The Commissioners will vote on the document for adoption at the next business meeting.

#### **Agenda Item 9: Draft Ethical Guidelines for Commission Members**

Mr. Cohen briefed the Commissioners on the draft ethical guidelines for Commission members. The Commissioners discussed the draft document and Mr. Cohen will make the appropriate changes, such as references to travel as payment, spouses and children of Commissioners, and associations. The Commissioners will vote on the document for adoption at the next business meeting.

**Agenda Item 10: Recommendation to assume delegation of responsibility for House Committee on Standards of Official Conduct**

Chairman Angelides requested a motion for approval of the delegation of responsibility letter for the House Committee on Standards of Official Conduct (attached).

MOTION: Georgiou moved and seconded by Holtz-Eakin for approval of the delegation of responsibility.

APPROVED: 8-0 (Thomas and Thompson absent)

**Agenda Item 11: Update re: Archive Requirements and Mandates**

Mr. Cohen briefly updated the Commissioners on the archiving requirements that the Commission must follow, including the preservation of all FCIC related emails on both FCIC and personal email accounts, which was followed by a brief discussion among the Commissioners.

**Agenda Item 12: Legislative Update**

Chairman Angelides introduced the legislative update; Commissioners will review on their own.

**Agenda Item 14: Adjournment**

Chairman Angelides requested a motion to adjourn the meeting.

MOTION: Georgiou moved and Holtz-Eakin seconded a motion to adjourn the meeting.

APPROVED: 8-0 (Thomas and Thompson absent)



**Financial Crisis Inquiry Commission  
Agenda Item 3 for Telephonic Business Meeting of January 20, 2010  
Minutes of Telephonic Business Meeting of  
December 20, 2009**

**ATTACHMENT  
Approved Minutes of Closed Session Meeting of  
Tuesday, November 17, 2009**

**Agenda Item 1: Call to Order**

Chairman Angelides called the closed session meeting to order.

**Agenda Item 2: Roll Call**

Chairman Angelides asked Gretchen Newsom to call the roll of the Commissioners: Present were Phil Angelides, Bill Thomas, Brooksley Born, Byron Georgiou, Keith Hennessey, Doug Holtz-Eakin, Heather Murren, John W. Thompson and Peter Wallison. Bob Graham arrived after the approval of the minutes of meeting, October 20, 2009.

Also participating in the meeting: Tom Greene, Executive Director; Gretchen Newsom, assistant to Chairman Angelides; and Scott Ganz, assistant to Vice Chairman Thomas.

**Agenda Item 4: Approval of Minutes of Meeting, October 20, 2009**

Chairman Angelides introduced the minutes from the FCIC meeting of October 20, 2009.

MOTION: Born moved and Holtz-Eakin seconded the motion to adopt the meeting minutes.

APPROVED: 9-0.

**Agenda Item 3: Presentation by/Discussion with Timothy Geithner, Secretary of the Treasury**

Chairman Angelides introduced Secretary Geithner and the Secretary gave his presentation to the Commissioners. Secretary Geithner's presentation was followed by questions and discussion with the Commission.

**Agenda Item 5: Executive Director's Report; Personnel Update; Introductions of Staff**

Mr. Greene provided an update on personnel and general office items. He also introduced recently hired staff to the Commissioners including Marty Biegelman, Assistant Director; Sam Davidson, Information Technology Specialist; Sylvia Boone, Administrative Specialist; Dixie Noonan, Investigative Counsel; Mina Simhai, Investigative Counsel; Gary Cohen, Investigator/Senior Business Counsel; Sarah Zuckerman, Receptionist; Brad Bondi, Assistant Director and Deputy General Counsel; Tom Krebs, Assistant Director and Deputy General Counsel; and Bart Dzivi, Special Counsel.

**Agenda Item 6: Review of Draft FCIC Budget**

Mr. Greene presented the draft budget. There was broad discussion that included all Commissioners and Mr. Greene. There was general consensus that the Commission's appropriation of \$8 million dollars would not suffice to accomplish the work of the Commission in the manner desired and that an additional allocation should be sought. Vice-Chairman Thomas will take the lead with Congress on this matter.

**Agenda Item 7: Updated on Work Plan**

There was broad discussion with all Commissioners and Mr. Greene on the updated work plan and timeline. Mr. Greene received comments from the Commission and will incorporate into a revised draft of the work plan.

**Agenda Item 8: Legislative Update**

Chairman Angelides introduced the legislative update; Commissioners will review on their own.

**Agenda Item 9: Other Items of Business**

Chairman Angelides, Vice Chairman Thomas and other Commissioners discussed closed versus public meetings and hearings. Also discussed were transcripts and minutes of meetings and hearings.

**Agenda Item 10: Break for Lunch**

Chairman Angelides recessed the Commission for a brief lunch break.

**Agenda Item 11: Presentation by/Discussion with Ben Bernanke, Chairman of the Board of Governors of the Federal Reserve**

Chairman Angelides introduced Chairman Bernanke and the Chairman gave his presentation to the Commissioners. Chairman Bernanke's presentation was followed by questions and discussion with the Commissioners.

**Agenda Item 12: Adjournment**

Chairman Angelides requested a motion to adjourn the meeting.

MOTION: Holtz-Eakin moved and Thompson seconded a motion to adjourn the meeting.

APPROVED: 10-0.



**Financial Crisis Inquiry Commission**  
**Agenda Item 3 for Telephonic Business Meeting of January 20, 2010**  
**Minutes of Telephonic Business Meeting of**  
**December 20, 2009**

**ATTACHMENT**

**Approved Delegation to execute agreements and contracts  
on behalf of the Financial Crisis Inquiry Commission**

Pursuant to the authority set forth in Public Law 110-21(d)(3) that allows the Financial Crisis Inquiry Commission to enter into contracts to enable the Commission to conduct its business; and,

Now after a quorum of the Financial Crisis Inquiry Commission has been established; and,

After a vote of the Commissioners present and voting; it is

Hereby delegated to the Chairman of the Commission the authority to enter into agreements on behalf of the Financial Crisis Inquiry Commission in order to facilitate the work of the Commission. This delegation is effective until March 31, 2010, unless revoked earlier.

The Chairman may delegate this authority to the Vice-Chairman in order to expedite the business of the Commission. If the Chairman does delegate to the Vice-Chairman, the delegation shall remain in effect until March 31<sup>st</sup>, unless revoked earlier.

In addition, any actions taken by the Chairman and the Vice-Chairman in order to establish the Commission, and agreements signed by the Chairman or the Vice-Chairman, are hereby ratified by the Commission.

*Approved by the Commission 9-0 on December 20, 2009.*

**Financial Crisis Inquiry Commission**  
**Agenda Item 3 for Telephonic Business Meeting of January 20, 2010**  
**Minutes of Telephonic Business Meeting of**  
**December 20, 2009**

**ATTACHMENT**  
**Protocol for Media Contact**  
**Approved during Telephonic Business Meeting of December 14, 2009**

**MEMORANDUM**

**Date:** Thursday, December 10, 2009

**To:** Tom Greene – Executive Director

**From:** Beneva Schulte – Assistant Director

**Subject:** Commission Media and Speaking Protocol

Pursuant to your request, please find below a memo on a media and speaking protocol for the Commission. I should note that a critically important part of the public communications policy for the Commission must be a strict, top-to-bottom “no leaks” policy for everyone associated with the Commission and its work. It is my understanding that a discussion of a “disclosure of non-public information” policy will be covered in the proposed ethics guidelines for the Commissioners and in employment policies for the staff.

**Recommended Commissioner Protocol**

As the Commission begins its public hearing schedule in earnest, Commissioners can expect media interviews, appearances and speaking requests to increase. All calls and contacts that are **specifically about the Commission’s work and/or progress** should be directed to the Communications Department for initial vetting by the communications staff. Specifically, you can have them contact me at 202-292-1343 or at [bschulte@fcic.gov](mailto:bschulte@fcic.gov) until a Communications Director is appointed.

This will allow the communications team to stay on top of all potential stories; prepare any materials/background information that a Commissioner might need to effectively respond to the request; and to ensure Commissioners are not caught off guard. All media requests to Commissioners will be given top priority and handled quickly and efficiently.

We would also like to assist Commissioners in any speaking engagement requests that they may get that are, again, specifically about the Commission’s work and/or progress. Communication staff can prepare talking points and/or background materials for these events as well.

**Staff Protocol:**

Staff for the Financial Crisis Inquiry Commission will also receive press calls. The protocol must be that all press inquiries, calls and requests are to be directed to the Communications Department. Specifically, you can have them contact me at 202-292-1343 or at [bschulte@fcic.gov](mailto:bschulte@fcic.gov) until a Communications Director is appointed. Requests for media appearances and speaking engagements by Commission staff must also be routed through the Communications Department.

**Financial Crisis Inquiry Commission**  
**Agenda Item 3 for Telephonic Business Meeting of January 20, 2010**  
**Minutes of Telephonic Business Meeting of**  
**December 20, 2009**

**ATTACHMENT**

**Approved - Recommendation to assume delegation of responsibility from House  
Committee on Standards of Official Conduct**

December \_\_, 2009

The Honorable Zoe Lofgren,  
Chair, Committee on Standards of Official Conduct  
HT-2, The Capitol  
Washington, DC 20515

Re: Delegation of Authority

Dear Chairperson Lofgren;

Pursuant to the authority set forth in 5 USC Section 7353(d)(1)(E), this letter requests a delegation of authority for the Financial Crisis Inquiry Commission ("FCIC") to become its own Supervising Ethics Office in accordance with that Section. This will enable the FCIC to more efficiently conduct its business, a particular concern to the FCIC given the short time period allowed for it to meet its statutory obligations and the nature of the matters within its purview. We do, however, request that Commissioners' Financial Disclosure Statements (which they have agreed voluntarily to file) continue to be filed with the Office of the Clerk of the House of Representatives, and reviewed and certified by the House Committee on Standards of Official Conduct.

Thank you for your consideration.

Very truly yours,

Phil Angelides  
Chairman  
Financial Crisis Inquiry Commission

William M. Thomas  
Vice Chairman  
Financial Crisis Inquiry Commission

cc: Blake Chisam, Esq.  
Chief Counsel/Staff Director



## MEMORANDUM

To: Commissioners

From: Tom Greene  
Executive Director  
Financial Crisis Inquiry Commission

Date: January 11, 2010

Re: Agenda Item 7 – Amendment to Rules of Procedure, Public Notice of Hearings

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*Please find attached a proposed amendment to our Rules of Procedure prepared by Special Business Counsel Cohen and Gretchen Newsom. This amendment seeks to conform our Rules to the intent of a previously ratified amendment in regard to public notice of meetings. I recommend approval of this item.*

**Financial Crisis Inquiry Commission**  
**Agenda Item 7 for Telephonic Business Meeting of January 20, 2010**

**Amendment to FCIC Rules of Procedure: Public Notice for Hearings**

Pursuant to Rule XIII of the FCIC Rules of Procedure (FCIC Rules), the Commission amends Rule IV(B) of the FCIC Rules so as to replace the phrase “Congressional Record and“ with the phrase “Federal Register or,” thus causing the as-amended Rule IV (B) to read as follows:

**IV. Hearings**

**B. Notice of Hearing**

If all or part of a regularly-scheduled meeting is to be open to the public, notice will be provided at least seven (7) days in advance by publication in the Federal Register or any other publications selected by the Commission, and shall include notice of agenda items open to the public. Meetings held pursuant to exigent circumstances must be noticed at least forty-eight (48) hours in advance.