

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED STATES OF AMERICA : **06cr001 (ESH)**
:
:
:
:
v. :
JACK A. ABRAMOFF, :
:
:
Defendant. :

**NOTICE OF ADMINISTRATIVE MATTERS
REGARDING SENTENCING IN THIS CASE**

In anticipation of the sentencing in this case on September 4, 2008, the United States advises the court of the following information regarding an interest by certain fraud victims in attending and addressing the Court orally at sentencing:

1. Under the Victim Rights Act, 18 U.S.C. § 3771, victims are entitled to certain levels of participation in the sentencing of a defendant, including addressing the court and attending the sentencing. The Act includes, for example, “the right to be reasonably heard;” “the right to attend the hearing, unless the court determines that it would impact improperly a victim’s testimony;” and the right to full and timely restitution as provided in law.”

2. We have advised the fraud victims in this case of the statute, and that the Department of Justice interprets the term “persons” who are crime victims covered by the Act as referring to natural persons. Here all of the fraud victims are businesses or government entities. However, for reasons apart from the Act, in anticipation of possible litigation over the amounts of restitution they may be owed, we advised the fraud victims entitled to restitution that they may be given an opportunity to address the court and to attend the hearing.

3. In response to our letters, Representatives of the Louisiana Coushatta Tribe and the

Saginaw Chippewa Tribe expressed an interest in addressing the Court. In addition, we have been advised that approximately 7 to 10 representatives of each of these two defrauded Tribes plan to travel to Washington to attend the sentencing. We also anticipate that other representatives of the media and the public will seek to attend.

4. Based on an analysis of the claims submitted to U.S. Probation, there appear to be no discrepancies in the amounts of losses stipulated to by Abramoff in his plea agreement and factual basis, and in the claims submitted by victims entitled to restitution. Accordingly, we have recommended to those parties who expressed an interest in orally addressing the Court that they submit a letter to the Court conveying their positions and stated that we would advise the Court of their interest so that the Court can exercise its discretion whether or not to hear any oral comments.

We provide this information in advance so that the Court is aware of the Tribes' requests, and can take whatever steps it deems necessary to permit the victims to address the Court orally

and to afford adequate seating. At a minimum, for example, allowing the media representatives to take seats in the jury box would afford more seating, if possible.

RESPECTFULLY SUBMITTED,

WILLIAM M. WELCH II
Chief, Public Integrity Section

STEVEN A. TYRRELL
Chief, Fraud Section

s/ Mary K. Butler
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Dated this 29th day of August, 2008.

CERTIFICATE OF SERVICE

Mary K. Butler hereby certifies that on August 29, 2008, I caused a true and correct copy of the foregoing notice to be served by electronic case filing.

s/ Mary Butler
Mary K. Butler