

Day Two

Concluding Remarks and Adjournment

The Honorable Diana E. Murphy, *Judge, United States Court of Appeals for the Eighth Circuit
and Chair, U.S. Sentencing Commission*

CONCLUDING REMARKS AND ADJOURNMENT

JUDGE MURPHY: Thank you. I think everybody can hear me. I wasn't intended to be a rock star. That is clear from many signs I have had.

But thank you very much, panelists. Having been a trial judge for 20 years, I know it is time to stop when the schedule tells me that it is. Unfortunately, because of the overlap of things, the way life works, most of the commissioners were over at the Senate today because we had a Senate oversight hearing. We were sorry to miss a lot of the day. Commissioners Sessions and Johnson were on the program here and weren't able to come.

But the rest of us were over there, and I want to tell you that a considerable number of the questions that Senator Sessions put to me were about the Economic Crimes Package and our symposium and what we were going to do on this subject, and he expressed a great deal of interest in what we would be doing. So I thought that gave a pretty good sense of the real world in connection with what we are doing here.

And I want to, at this time, just make a couple of comments. First of all, I want to thank Michael O'Neill and John Steer, who really were the co-chairs of this event and who did all of the planning to put it forward, and our acting general counsel, Andy Purdy, who did so much of the work that made it all happen.

I think you all knew before you came here—but the discussions have shown it even to be more true—that it is difficult to define loss or to measure harm or to decide on deterrence in these areas, and cybercrime just compounds the problem all the way around.

Intent, foreseeability, some kind of objective loss—I have heard so many things from all of you and we are going to continue to ponder it this year. We have the goal of turning over a package of guidelines related to these matters on May 1. I hope that when you see the options that we will publish in the *Federal Register* and on JNET as we get closer to the final guidelines that we would be sending to Congress on May 1, you will see the fruits of your work here.

Thank you very much for coming and making this all possible. Thank you.

