



Yale Law School

November 6, 2001

United States Sentencing Commission
One Columbus Circle, NE, Suite 2-500
South Lobby
Washington, DC 20002-8002
FAX (202) 502-4699

Attn: Public Affairs

Re: Ad Hoc Advisory Group on Organizational Guidelines

To Whom It May Concern:

I strongly favor both amending the organizational sentencing guidelines as well as proposals for form an ad hoc advisory group. It is critical that a majority of this group be informed but disinterested parties, e.g., academics and scholars; although affected corporations, prosecutors and judges would also be valuable members of the group.

As for the nature of the group, ideally it would be composed of no more than 9-12 persons with staggered terms (so that the group always includes members who have served before). Three year staggered terms (with a third of the group rotating off in any given year) might be advisable (and would be consistent with the protocol of many corporate boards of directors).

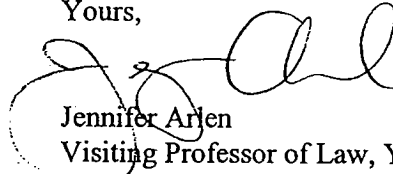
As to the identity of person, I would like to serve on this committee. Additional people who I recommend include:

Reinier Kraakman (Harvard Law School)
Mark Cohen (Owen School of Management, Vanderbilt Law School)
John Coffee (Columbia Law School)
Kate Stith (Yale Law School).
Susan Rose-Ackerman (Yale Law School)

As to the merits of certain suggestions, I am attaching copies of my own work in this area. I am not FAXing the articles along with this letter because that would be too long. I will include them in the hard copy mailing that follows.

it. Thank you for contacting me about this proposal. I look forward to speaking to you about

Yours,

A handwritten signature in black ink, appearing to read 'J. Arlen', written over the printed name.

Jennifer Arlen

Visiting Professor of Law, Yale Law School

Ivadelle and Theodore Johnson Professor of Law and Business, USC Law School