



Steve Bunnell

Partner

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Steve Bunnell, Co-Chair of O'Melveny's Data Security and Privacy Practice, is a former General Counsel of the US Department of Homeland Security (DHS) and a former Chief of the Criminal Division at the US Attorney's Office in Washington, DC. Steve's practice spans many of the most pressing issues facing businesses today, including cybersecurity and privacy, criminal antitrust, healthcare fraud, money laundering and financial institutions fraud, securities fraud, Foreign Corrupt Practices Act, and False Claims Act matters. As the chief legal officer for DHS from 2013 to January 2017, Steve advised senior Department leaders on a wide range of significant legal, policy, and operational issues, including cybersecurity, data privacy, CFIUS, SAFETY Act protection, aviation security, immigration and border security, customs enforcement, government procurement, and the protection of critical infrastructure.

Prior to joining DHS, Steve was the managing partner of O'Melveny's Washington, DC office, representing corporate and individual clients in a broad variety of complex regulatory, civil and criminal enforcement matters. His practice included representing a major international airline in an international criminal antitrust investigation; conducting internal investigations for health insurance companies in connection with high stakes Medicare and Medicaid fraud allegations; conducting an internal investigation of international corruption allegations for an international development bank; and successfully defending a US financial institution against potential criminal charges for failing to maintain an adequate anti-money laundering program.

Steve has an extensive history of public service, including more than 17 years as a federal prosecutor for the Department of

Admissions

Bar Admissions

District of Columbia

Education

Stanford University, J.D., 1986: with Distinction; Senior Article Editor, *Stanford Law Review*; Oehlmann Prize for outstanding legal writing

Yale University, B.A, 1982: *magna cum laude*; Phi Beta Kappa

Justice. As a prosecutor, he was lead or co-counsel in more than two dozen jury trials, conducted and supervised numerous white collar grand jury investigations in multiple other jurisdictions across the country, and served for three years as a Counsel to the Assistant Attorney General for the Criminal Division at the Justice Department. In 2002, he became the first chief of the newly created Fraud and Public Corruption Section within the DC US Attorney's Office, where he supervised all federal white collar and public corruption cases in the office. Two years later, he was promoted to be the Office's Chief of the Criminal Division, where he oversaw all federal criminal prosecutions.

Corporate & Government Experience

- General Counsel, US Department of Homeland Security
- Chief, Criminal Division, US Attorneys' Office, Washington, DC
- Chief, Fraud and Public Corruption Section, US Attorney's Office, Washington, DC
- Counsel to the Assistant Attorney General, Criminal Division, US Department of Justice
- Trial Attorney, Public Integrity Section, Criminal Division, US Department of Justice
- Assistant US Attorney, US Attorney's Office, Washington, DC

Professional Activities

Clerkships

- Honorable Laurence H. Silberman, US Court of Appeals, District of Columbia Circuit

Speaking Engagements

- Speaker, "National Security and Legal Implications of Blockchain and Cryptocurrencies," ABA National Security Law Conference (November 2019)
- Speaker, "Technology Companies' Guide to Data Privacy," BDO Webinar Series (June 2019)
- Panelist, "Data Provenance - The Next Frontier," Global Cyber Innovation Summit (May 2019)
- Moderator, "National Security, Ransomware And Cyber-Attacks," Incident Response Forum (April 2019)
- Keynote Speaker, "CFA Society of New York," Cybersecurity Conference (April 2019)
- Panelist, "Cryptocurrencies and Cybercrime: Splintering the Value Chain," Digital Crimes Consortium Conference (March 2019)
- Panel on Enforcement with Securities and Exchange Commission Division of Enforcement Cyber Unit Chief, Commodity Futures Trading Commission Director of Enforcement, and Bittrex Chief Strategy Officer, Consensus 2018 (May 2018)
- "Homeland Security Law and the Private Sector," ABA 12th Annual Homeland Security Law Institute, Washington, DC (September 2017)
- "The Role of Lawyers in Cybersecurity," ABA 12th Annual Homeland Security Law Institute, Washington, DC (September 2017)
- "The State of Homeland Security and the Rule of Law" The George Washington University Law School, Washington, DC (September 2017)
- "Regulatory Update & Strategies to Manage Cyber Risk," Legaltech West 2017, San Francisco, CA (June 2017)

- “The Justice League: Navigating the Legal Limits of Federal Policy” Panel, University of Chicago Institute (April 2017)
- Incident Response Forum, Cybersecurity Docket Conference, Washington, DC (April 2017)
- Cybersecurity for Lawyers, Wilson Center, Washington, DC (September 2016)
- Cybersecurity and the Lawyer, US Department of Homeland Security training conference for federal lawyers, Washington, DC (June 2016)
- SIFMA Cyber Law Seminar, Keynote Address, New York NY (June 2016)
- Privacy and Cybersecurity Roundtable, Washington, DC (April 2016)
- Introduction to Homeland Security Law, Federal Law Enforcement Training Center, Glynco, Georgia (March 2016, September 2015, and March 2015)
- ABA Conference on National Security Law, Washington, DC (November 2015)
- ABA Homeland Security Law Institute, Keynote Address, Washington, DC (August 2015)
- Oklahoma City Law School, Homeland Security Law Conference, Keynote Address, Oklahoma City, OK (April 2015)
- ABA Homeland Security Law Institute, Washington, DC (August 2014)
- Annual Intelligence Law Legal Community Conference, Springfield, VA (May 2014)
- Corporate Plea Negotiations and Sentencing, National Federal Sentencing Guidelines Conference, Orlando, Florida (May 2011)
- Hot Topics in Corporate Internal Investigations, DC Bar CLE Presentation, Washington, DC (October 2010)
- Corporate Plea Negotiations and Sentencing in a Post Thompson Memo World, National Federal Sentencing Guidelines Conference, St. Petersburg, Florida (May 2010)
- Sentencing Practice and Procedure: Plea Negotiations, Charging Practices, Sentencing Tactics, and Victims Rights, ABA Criminal Justice Section's Fall Program, Washington, DC (November 2009)
- Assessing and Managing the Risk of US Law Enforcement Actions, O’Melveny/Deloitte Conference on the Re-Regulation of America After the Financial Meltdown: The View of Washington, DC Insiders, Hong Kong (October 2008)
- Federal Plea Bargaining, Federal Bar Association and United States Sentencing Commission Annual Conference on the Federal Sentencing Guidelines, Orlando, FL (May 2008)
- Federal Law Enforcement Trends, Association of Corporate Counsel, Southern California Chapter, Los Angeles, CA (February 2008)
- Law Enforcement Issues in Export Control Investigations, TechNet Export Controls Conference, Santa Clara, CA (January 2008)

Publications

- Co-Author, “Digital deception: Is your business ready for ‘deepfakes’?” Business Insurance (March 2020)
- Co-Author, “Webinar Recap: Technology Companies’ Guide to Data Privacy,” BDO (July 2019)
- Co-Author, “In-House Counsel’s Guide to Conducting Internal Investigations,” O’Melveny & Myers Handbook, (October 2010)

- “New Incentives for Corporations to Maintain Effective Compliance and Ethics Programs,” O’Melveny & Myers Client Alert (May 2010)
- “Start Talking — Or Else,” *Legal Times* (August 2008) (with Meaghan McLaine)
- “Stolt-Nielsen Finally Gets Amnesty” (January 2008)
- “Criminal Enforcement of Export Control/Sanctions Laws Announced as Top Priority of Justice Department and Partner Agencies Just as Higher Penalties Authorized” (October 2007)
- “Negotiating Justice: Prosecutorial Perspectives on Federal Plea Bargaining in the District of Columbia,” *43 American Criminal Law Review* 1063 (2006) (with Mary Patrice Brown)

District of Columbia Circuit Representative

- United States Sentencing Commission's Practitioners Advisory Group (2011 to 2013)

Member

- Member, Council on Foreign Relations
- Member, Trilateral Commission
- Member, U.S. District Court for the District of Columbia Merit Selection Panel for U.S. Magistrate Judge Candidates (2020)
- Distinguished Fellow, Syracuse University Institute for National Security and Counterterrorism (2019)
- Co-Chair, American Bar Association Homeland Security Law Institute (2017 to present)
- American Bar Association Advisory Committee to the Standing Committee on Law and National Security (2017 to present)
- Stanford Law School, Board of Visitors (2008 to present)
- Executive Board, Assistant United States Attorney Association (2002 to 2013)
- Edward Bennett Williams American Inn of Court (1990 to present; Treasurer, 1999 to 2013)
- Barristers (2004 to 2013)

Honors & Awards

- Distinguished Public Service Award, United States Coast Guard (2017)
- Named leading lawyer in *International Who's Who of Business Crime Lawyers* (2010-2011)
- Named “Top Lawyer” by *Corporate Counsel* (2010-2011)
- Named to Expert Guides’ handbook of the *World’s Leading White Collar Crime Lawyers* (2010)
- *Chambers USA* (2010-2012, 2020)
- *Best Lawyers in America* (2009-2012)