

The Emerging Era in Whistleblower Rights and the Public's Right to Know

Sponsored by:

The Government Accountability Project & American University Washington College of Law

June 23, 2008

American University Washington College of Law
 4801 Massachusetts Avenue, NW, Room 603, Washington, DC 20016

Emerging from eight years of unprecedented assertions of executive power and government secrecy, and a judicial rollback of occupational free speech rights, Congress has a real opportunity to enact historic openness reforms. This conference explores new and pending laws that empower employees to blow the whistle and make our institutions more open and accountable. Panel 1 addresses what went wrong with the old whistleblower laws, how public employees' First Amendment rights have been constrained, and how recently enacted reforms will help remedy these shortcomings. Panel 2 considers strategies for effecting national security disclosures and legislative reforms to protect national security whistleblowers. The final panel focuses on how the whistleblower bills that are pending or awaiting reconciliation promise to advance an openness agenda.

- 9:30 a.m. Registration and Continental Breakfast
- 10:00 a.m. Welcome Remarks by **Mark Cohen**, Executive Director, Government Accountability Project (GAP)
- 10:10 a.m. Keynote Address: **Coleen Rowley**, former FBI Special Agent and Minneapolis Chief Division Counsel, and one of three *Time* magazine "Persons of the Year" in 2002, who blew the whistle on FBI Headquarters' failure to act on information provided by her Field Office, pre-9/11, about suspected terrorist Zacarias Moussaoui.
- 10:30 a.m. Panel 1: Restoring Openness and Accountability to Government and Corporations
 Moderator: **Professor David Vladeck**, Georgetown University Law Center
 Panelists: **Tom Devine**, Legal Director, GAP; **David Marshall**, Partner, Katz, Marshall & Banks, LLP; **Sean Moulton**, Director of Federal Information Policy, OMB Watch; **Bonnie Robin-Vergeer**, Attorney, Public Citizen Litigation Group; **Jason Zuckerman**, Principal, The Employment Law Group, PC, Washington, DC.
- 12:30 p.m. Luncheon (on site)
- 1:05 p.m. Introduction by **Mark Niles**, Associate Dean for Faculty and Academic Affairs, American University Washington College of Law
- 1:10 p.m. Introduction of Luncheon Guest Speaker by **Jesselyn Radack**, Homeland Security Director, GAP
- 1:15 p.m. Luncheon Guest Speaker: **Babak Pasdar**, computer security specialist whose whistleblowing is credited with turning the tide in the House of Representatives against granting immunity to telecommunications companies that enabled secret government surveillance of Americans.
- 2:00 p.m. Panel 2: The Special Case of National Security
 Moderator: **Conrad Martin**, Executive Director, Fund for Constitutional Government
 Panelists: **Ann Beeson**, Director of U.S. Policy, Open Society Institute; **Danielle Brian**, Executive Director, Project on Government Oversight; **Louis Fisher**, Specialist in Constitutional Law, Library of Congress; **Mike German**, Policy Counsel for National Security, American Civil Liberties Union; **Stephen Kohn**, Executive Director, National Whistleblower Center.
- 3:30 p.m. Break
- 3:45 p.m. Panel 3: The Next Steps Toward Achieving a Comprehensive Openness Agenda
 Moderator: **Tom Devine**, Legal Director, GAP
 Panelists: **Michelle Ash**, Chief Legislative Counsel to Congressman Henry Waxman; **Lynn Dondis**, Senior Policy Advisor, House Committee on Education and Labor; **Joanne Royce**, Investigative Counsel, House Committee on Energy and Commerce; **Peg Seminario**, Director of Safety and Health, AFL-CIO; **Jeb White**, President, Taxpayers Against Fraud.

General registration required – NO CHARGE

For general and CLE registration, please go to www.wcl.american.edu/secl/cle_form.cfm

(Billing information only required for CLE registration)

CLE registration – \$35. CLE Accreditation (4.5 credits) will be applied for in VA, PA, and NY.

Other states can be applied to by Washington College of Law upon request.

Complimentary Reception Following the Conference Honoring the Government Accountability Project's 31st Anniversary
 Reception Sponsored by the Fund for Constitutional Government