

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

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SPEAKER BIOS

ANN BEESON

Ann Beeson, a distinguished human rights advocate and litigator, joined the Open Society Institute in June 2007 as the director of U.S. Programs. She is working on the most acute challenges to open society in the United States, including race discrimination in the criminal justice system and immigration and national security policies that threaten human rights. Prior to OSI, Beeson was associate legal director of the American Civil Liberties Union. At the ACLU, she spearheaded groundbreaking initiatives to stop the erosion of civil liberties in the name of national security and to expand the use of international human rights strategies in the areas of immigrants' rights, women's rights, and racial justice. She has argued twice before the U.S. Supreme Court. In August 2006, she won an important ruling on behalf of prominent journalists, scholars, and attorneys challenging the National Security Agency's illegal surveillance of Americans without a warrant; this decision is currently on appeal. In June 2007, Beeson was named one of the 50 most influential women lawyers in America by the National Law Journal, and was also featured as one of American Lawyer Magazine's 50 rising legal stars under the age of 45. She has published essays in two books, *Liberty Under Attack* and *The War On Our Freedoms*. Beeson graduated magna cum laude from Emory University School of Law, where she was editor-in-chief of the Emory Law Journal. She is a Texas native, and holds a master's degree in cultural anthropology from the University of Texas.

DANIELLE BRIAN

Since 1993, Danielle Brian has been the Executive Director of the Project On Government Oversight, a nonprofit government watchdog organization. She frequently testifies before Congress, and often appears in major national media. Under Ms. Brian's direction, POGO has conducted numerous investigations that have resulted in major public policy reforms, including: Cutting Wasteful Defense Contracts - her investigations have led to the cancellation of some of the largest government contracts, including the Boeing tanker leasing scandal, the \$13 billion Superconducting Supercollider, the \$11 billion Army Crusader, and the Army's Sergeant York Division Air Defense Gun; Exposing Oil and Gas Industry Fraud on Public Lands - her groundbreaking investigations into oil and gas industry fraud on public lands led to the Justice Department's recovery of nearly half a billion dollars, and to rule changes that generate an additional \$70 million annually; Increasing Nuclear Security - her investigations into lax nuclear power plant security led the Nuclear Regulatory Commission to order its contractors responsible for security to improve training and working conditions for guards. Her investigations into the U.S. nuclear weapons complex have also successfully led the government toward consolidating nuclear materials and making the complex more secure; and Fighting Excessive Government Secrecy - her

investigations have uncovered and helped address excessive government secrecy. For instance, she filed and won a lawsuit against then-Attorney General John Ashcroft for retroactively classifying FBI documents. Ms. Brian serves on the board of Taxpayers for Common Sense and HALT: Americans for Legal Reform. In 2006, Ms. Brian was inducted into the Freedom of Information Act Hall of Fame, and in 2008, *Ethisphere* magazine ranked her among the top 100 most influential people in business ethics. Ms. Brian earned her Master's degree in International Relations from the School of Advanced International Studies at Johns Hopkins University in 1990, and her Bachelor's degree in Government from Smith College in 1985.

MARK COHEN

Before becoming GAP Executive Director, Mark served as GAP Food and Drug Safety Director for over two years. Prior to that, he has served as a senior legal consultant to the UN High Commissioner for Refugees, a chief counsel and program director for the National Association of Attorneys General, a legal journalist/editor, and a public radio news director. He is also an award-winning TV and documentary film producer. Mark earned his JD degree from the Antioch School of Law and an LL.M in international and comparative law from the Georgetown University Law Center.

LYNN DONDIS

Lynn Dondis is a senior labor policy advisor with the Subcommittee on Workforce Protections of the Education and Labor Committee in the U.S. House of Representatives. Representative Lynn Woolsey of California is the Chairwoman of the Subcommittee. Previous to this position, she worked in the U.S. Senate for 4 years as counsel to the Subcommittee on Children and Families of the Senate HELP Committee and as an aide to Senator Barbara Boxer of California. Before coming to the U.S. Congress, Lynn practiced law in Maine and was very active in promoting legal services for the poor and disadvantaged. She spent 10 years on the Board of the Maine Bar Foundation and was its president in 1997. Lynn received her Bachelor's degree from Bowdoin [Bo-din] College, her law degree from Brooklyn Law School and a Master's Degree in Public Administration from Harvard's Kennedy School of Government.

TOM DEVINE

Tom Devine is legal director of the Government Accountability Project, where he has worked since January 1979. GAP is a nonprofit, nonpartisan public interest organization that champions the rights of whistleblowers, those employees who exercise freedom of speech to challenge abuses of power that betray the public trust. During his 29 years at GAP he has represented or informally helped over 4,000 whistleblowers to make a difference, such as stopping nuclear power plants that were accidents waiting to happen, deregulation of meat inspection and the next generation of Star Wars. He has been a leader in the campaigns to pass or defend nearly all major national or international whistleblower laws, from the Whistleblower Protection Act of 1989 for federal employees, and breakthrough laws creating the right to jury trials for corporate whistleblowers for corporate employees, to new U.N. and African Development Bank policies legalizing public freedom of expression for their own whistleblowers, the first time any Intergovernmental Organizations have adopted this cornerstone for global

accountability. He has been an “Ambassador of Whistleblowing” for the State Department in over a dozen nations on speaking tours to advocate whistleblower rights as a cornerstone transparency reform for globalization. Tom has authored or co-authored numerous books, including Courage Without Martyrdom The Whistleblower’s Survival Guide, law review articles, and newspaper op-ed articles.

LOUIS FISHER

Louis Fisher is a specialist in constitutional law with the Law Library of the Library of Congress, after working for the Congressional Research Service from 1970 to 2006. During his service with CRS he was research director of the House Iran-Contra Committee in 1987, writing major sections of the final report. His books include *President and Congress* (1972), *Presidential Spending Power* (1975), *The Constitution Between Friends* (1978), *The Politics of Shared Power* (4th ed. 1998), *Constitutional Conflicts Between Congress and the President* (4th ed. 1997), *Constitutional Dialogues* (1988), *American Constitutional Law* (with David Gray Adler, 7th ed. 2007), *Presidential War Power* (2d ed. 2004), *Political Dynamics of Constitutional Law* (with Neal Devins, 4th ed. 2006), *Congressional Abdication on War and Spending* (2000), *Religious Liberty in America: Political Safeguards* (2002), *Nazi Saboteurs on Trial: A Military Tribunal & American Law* (2003; 2d ed. 2005), *The Politics of Executive Privilege* (2004), *The Democratic Constitution* (with Neal Devins, 2004), *Military Tribunals and Presidential Power: American Revolution to the War on Terrorism* (2005), *In the Name of National Security: Unchecked Presidential Power and the Reynolds Case* (2006), and *The Constitution and 9/11: Recurrent Threats to America’s Freedoms* (2008). His textbook in constitutional law is available in two paperbacks: *Constitutional Structures: Separation of Powers and Federalism* and *Constitutional Rights: Civil Rights and Civil Liberties*. With Leonard W. Levy he edited the four-volume *Encyclopedia of the American Presidency* (1994). He has twice won the Louis Brownlow Book Award, the encyclopedia he co-edited was awarded the Dartmouth Medal, in 1995 he received the Aaron B. Wildavsky Award For Lifetime Scholarly Achievement in Public Budgeting from the Association for Budgeting and Financial Management, and in 2006 he received the Neustadt Book Award for *Military Tribunals and Presidential Power*. He received his doctorate in political science from the New School for Social Research (1967) and has taught at Queens College, Georgetown University, American University, Catholic University, Indiana University, Johns Hopkins University, the College of William and Mary law school, and the Catholic University law school. Dr. Fisher has been invited to testify before Congress on such issues as war powers, state secrets, NSA surveillance, executive spending discretion, presidential reorganization authority, Congress and the Constitution, the legislative veto, the item veto, the Gramm-Rudman-Hollings Act, executive privilege, executive lobbying, CIA whistleblowing, covert spending, the pocket veto, recess appointments, the budget process, the balanced budget amendment, biennial budgeting, and presidential impoundment powers. He has been active with CEELI (Central and East European Law Initiative) of the American Bar Association, traveling to Bulgaria, Albania, and Hungary to assist constitution-writers, participating in CEELI conferences in Washington, D.C. with delegations from Bosnia-Herzegovina, Lithuania, Romania, and Russia, serving on CEELI working groups on Armenia and Belarus, and assisting in constitutional amendments for the Kyrgyz

Republic. As part of CRS delegations he traveled to Russia and Ukraine to assist on constitutional questions. For the International Bar Association he helped analyze the draft Swaziland Constitution. Dr. Fisher's specialties include constitutional law, war powers, budget policy, executive-legislative relations, and judicial-congressional relations. He is the author of more than 350 articles in law reviews, political science journals, encyclopedias, books, magazines, and newspapers. He has been invited to speak in Albania, Australia, Belgium, Bulgaria, Canada, China, the Czech Republic, England, France, Germany, Greece, Israel, Japan, Macedonia, Malaysia, Mexico, the Netherlands, Oman, the Philippines, Poland, Romania, Russia, Slovenia, South Korea, Taiwan, Ukraine, and the United Arab Emirates.

MIKE GERMAN

Mike German is a Policy Counsel for the American Civil Liberties Union's Washington Legislative Office. In this capacity German develops policy positions and pro-active strategies on pending legislation and executive branch actions concerning domestic surveillance, data mining, freedom to travel, medical and financial privacy, ID cards, whistleblower protection, military commissions, and law enforcement conduct. A sixteen-year veteran of federal law enforcement, German served as a Special Agent with the Federal Bureau of Investigation, where he specialized in domestic terrorism and covert operations. As an undercover agent, German twice infiltrated violent domestic terrorist groups using constitutionally sound law enforcement techniques. These operations successfully prevented terrorist attacks by winning criminal convictions against terrorists. German's final assignment with the FBI was as a counter-terrorism instructor at the FBI National Academy. There, he taught courses on extremism in democratic societies and developed a graduate-level training program for state, local and international law enforcement officers. German left the FBI to make Congress and the public aware of continuing deficiencies in FBI counterterrorism operations. Prior to joining the Washington Legislative Office German frequently lectured on counter-terrorism and intelligence matters. His commentary has appeared in the National Law Journal, the Washington Post, the San Francisco Chronicle and the Miami Herald. German is the author of "Squaring the Error," published by the Strategic Studies Institute of the U.S. Army War College, and his first book, "Thinking Like a Terrorist," was published in January 2007. German currently serves as an adjunct professor for Law Enforcement and Terrorism at the National Defense University and is a Senior Fellow with GlobalSecurity.org. German graduated from the Northwestern University Law School, and graduated *cum laude* from Wake Forest University with a B.A. in Philosophy.

STEPHEN M. KOHN

Stephen M. Kohn is the President of the National Whistleblower Center (www.whistleblowers.org) and has represented whistleblowers since 1984. In 1993 he undertook the representation of FBI Supervisory Special Agent Frederic Whitehurst, who blew the whistle on the Bureau's crime lab. As a result of his case President Clinton signed an order requiring the Department of Justice to implement FBI whistleblower protections, among other reforms. Mr. Kohn also represented numerous other FBI agents, including Sibel Edmonds (translator failures); Special Agent Jane Turner (theft of

evidence/child crime misconduct); Unit Chief John Roberts (OPR misconduct) and Unit Chief Bassem Youssef (National Security Letter failures/misconduct in counterterrorism). Mr. Kohn prevailed in a jury trial for damages against the FBI in 2007. Mr. Kohn is the author or co-author of six books on whistleblower law, including *Whistleblower Law* (Greenwood Publishing, 2004); *Concepts and Procedures in Whistleblower Law* (Quorum, 2000) and the *The Whistleblower Litigation Handbook*, (Weily Legal Publishing, 1990). In 2006, he was awarded the Daynard Public Interest Visiting Fellowship by the Northeastern University School of Law.

DAVID J. MARSHALL

David J. Marshall is a founding partner in the Washington, D.C., law firm of Katz, Marshall & Banks, LLP, a plaintiffs' employment, civil rights and consumer class-action firm based in Washington, D.C. After graduating from Harvard Law School in 1980 and serving for several years as a staff lawyer for the Political Rights Defense Fund in New York, Mr. Marshall worked for over a decade and in several states as a steelworker, machinist, refinery operator and railroad freight conductor before resuming his legal career in Washington in 1997. Mr. Marshall specializes in the representation of whistleblowers in nuclear plants, financial institutions and a wide range of other industries, and also represents plaintiffs in sexual harassment cases, and other civil rights and employment matters. In addition, Mr. Marshall represents consumers in class-action lawsuits involving predatory lending practices and consumer fraud.

CONRAD MARTIN

Conrad Martin is the Executive Director of Stewart R. Mott Charitable Trust. The Charitable Trust makes grants in the areas of: government accountability, arms control, political finance reform, civil rights/civil liberties, and population & reproductive rights. Concurrently, Mr. Martin serves the Executive Director of the Fund for Constitutional Government, a tax-exempt publicly supported foundation created to eliminate corruption in government and foster constitutional principals of governance. The Fund sponsors the Project on Government Oversight (POGO), the Government Accountability Project (GAP), and the Electronic Privacy Information Center (EPIC), as well as an Investigative Journalism Project. Additionally, Mr. Martin chairs the Board of Directors of HALT - - Americans for Legal Reform. Mr. Martin also serves on the Boards of the Center for International Policy, the Center for Investigative Reporting and the American Progressive Caucus Foundation. Mr. Martin served in the Peace Corp from 1981 to 1983 as a Forage Agronomist on the island of Barbados. Education: BS, Agronomy. 1980, Utah State University. BS. International Agricultural Development: Agricultural Economics Focus. 1980 Utah State University. Born in Mexico, Mr. Martin is fluent in conversational Spanish and has traveled widely in South America, Central America, Europe and the Near East. Highlights include transatlantic yacht delivery from Martinique to Southern Turkey and a six-week expedition on the upper headwaters of the Amazon River

SEAN MOULTON

Sean Moulton, Director, Federal Information Policy. Sean Moulton has worked on information policy at OMB Watch, since early 2002, with special attention on environmental information and right-to-know issues. Interestingly, one of Sean's first

jobs was as Environmental Researcher and Data Manager for the Council on Economic Priorities (CEP), manipulating and analyzing environmental information that is disseminated under the policies he now advocates. Prior to joining OMB Watch Sean honed his lobbying and policy analysis skills as the Tax Policy Analyst at Friends of the Earth. His work experience also includes several years as a research fellow with the U.S. Environmental Protection Agency in the Industry Sector Policy Division. Recent priority work at OMB Watch for Sean has included coordinating nationwide opposition to EPA's cutbacks to the Toxic Release Inventory and overseeing the development of FedSpending.org, a groundbreaking new website that allows users to easily search and browse trillions of dollars in federal spending. For years OMB Watch has also operated the Right to Know Network (RTK NET), a website that provides public access to almost a dozen environmental databases. Sean will be helping to bring lessons learned from FedSpending.org to a redesign of the environmental database functions on RTK NET. Sean received a Masters of Public Policy degree from the University of Maryland and has a BA in Economics and English.

MARK NILES

Mark Niles joined the faculty of the Washington College of Law in 1998. He was appointed associate dean of Academic Affairs in July 2004. He teaches and specializes in civil procedure, administrative law, constitutional law, governmental liability, and law and literature. Prior to joining the faculty, he was clerk for Judge Francis Murnaghan, Jr. of the U.S. Fourth Circuit Court of Appeals; he was an associate at the D.C. firm of Hogan and Hartson; and he was staff attorney in the civil appellate division of the U.S. Department of Justice.

BABAK PASDAR

Babak Pasdar is a 19 year veteran of the technology industry. Recognized industry-wide as a security thought leader and a new technology evangelist, he has a successful record for identifying emerging trends and technologies. Babak has evaluated, identified and built relationships with many standout early stage organizations such as Cisco (1989,) Checkpoint (1994,) Juniper/Netscreen (1998,) Neoteris (2000,) Bluecoat (2002,) Tippingpoint (2004,) Consentry Networks (2004,) and Reconnex (2006.) He is a very involved and active member of the open source community and has successfully incorporated commercial and open source tools to build enterprise-grade solutions. As a Certified Ethical Hacker, he is extremely passionate about technology and is an advocate for solid security practices. His strong grasp of concepts and detail oriented approach to addressing complex problems complements his energetic style and boundless desire to support his clients. A current focus on effective and efficient security operations occupies most of his current research and development time. He is especially recognized for his strong and successful track record for handling "mission impossible" type projects where time and complexity are factors. During his career Babak has been interviewed and quoted by numerous publications including the New York Times, Washington Post, The New Yorker along with CRN and CMP, among other industry media. He is the founder and host of the Daily Security Briefing video series with over 18,000 subscribers and has had the pleasure to interview industry notables like Whit Diffie, Robert Thomas and Jeff Prince. He has authored over 60 articles ranging general technology, networking, and

security which are available on Bat Blue's web site. He currently sits or has sat on several technology advisory boards including Juniper Networks, Consentry Networks, Reconnex Corporation, Deep Nines and Montego Networks. Babak has advised or provided expert testimony to the Senate Judiciary Committee, House Subcommittees on Energy and Commerce and Telecom and Internet. He has either architected or been a trusted advisor for organizations such as Verizon Wireless, CitiGroup, Merrill Lynch, CSFB, Comcast, Dow Jones, ING, Bloomberg and many more. He maintains a private advisor role to multiple CIOs, CISOs, analysts Hedge and venture funds on emerging technology investments. As the founder of two previous start-ups Intac, an Internet Service Provider in 1992 and igxglobal, a security Value Added Reseller he has knowledge of both the business and technology aspects of running an organization. Bat Blue is Babak's third start-up effort. He was the Founder / President & CEO of igxglobal until 2002 where he brought in a president to help run the organization's day-to-day operation and to help in implementing his vision for igxglobal. He then took the title of Founder / Chief Technology Officer. Prior to his departure, igxglobal was an organization with over \$27 Million in gross revenue and offices in Connecticut, Georgia, London and Dubai. With his leadership igxglobal was recognized by Deloitte and Touche as one of 500 fastest growing technology firms in the U.S. three years running. Mr. Pasdar officially departed from igxglobal in December 2007 to focus exclusively on providing more consultative and value driven solutions with Bat Blue.

JESSELYN RADACK

Jesselyn Radack joined GAP in April 2008 as GAP's Homeland Security Director. Following law school, she joined the Department of Justice through the Attorney General's Honor Program, where she practiced constitutional tort litigation and later worked in the Professional Responsibility Advisory Office. More recently, she served on the D.C. Bar Legal Ethics Committee and represented whistleblowers alleging reconstruction fraud in Iraq. She has published extensively in academic journals, the mainstream media and the blogosphere on legal ethics, national security, and civil rights and liberties in the war on terrorism. Jesselyn graduated *magna cum laude* from Brown University and received her J.D. from Yale Law School.

BONNIE I. ROBIN-VERGEER

Bonnie I. Robin-Vergeer is a senior attorney at the Public Citizen Litigation Group in Washington, D.C., where she has practiced for more than 7 years, litigating cases involving the First Amendment, consumer health and safety, class actions, open government, and qualified immunity. Ms. Robin-Vergeer is an experienced appellate litigator, briefing and arguing cases in the Supreme Court of the United States, including *Garcetti v. Ceballos*, 547 U.S. 410 (2006), and in federal courts of appeals across the country. She also serves as a Trustee and Vice Chair of the D.C. Bar Clients' Security Fund. A graduate of Stanford Law School, Ms. Robin-Vergeer clerked for U.S. District Judge Stanley A. Weigel of the Northern District of California; served as a teaching fellow and supervising attorney in the Georgetown University Law Center Appellate Litigation Clinic; worked in private practice at Williams & Connolly LLP and at Zuckerman Spaeder LLP, in Washington, D.C.; and served as counsel to Senator Joseph R. Biden, Jr. on the U.S. Senate Judiciary Committee.

COLEEN ROWLEY

Coleen Rowley grew up in a small town in northeast Iowa. She obtained a B.A. degree in French from Wartburg College, Waverly, Iowa and then attended the College of Law at the University of Iowa and graduated with honors in 1980 also passing the Iowa Bar Exam that summer. In January of 1981, Rowley was appointed a Special Agent with the FBI and initially served in the Omaha, Nebraska and Jackson, Mississippi Divisions. In 1984 she was assigned to the New York Office and for over 6 years worked on Italian organized crime and Sicilian heroin drug investigations. During this time Rowley also served three separate temporary duty assignments in the Paris, France Embassy and Montreal Consulate. In 1990 Rowley was transferred to Minneapolis where she assumed the duties of "Chief Division Counsel" which entailed oversight of the Freedom of Information, Forfeiture, Victim-Witness and Community Outreach Programs as well as providing regular legal and ethics training to FBI Agents of the Division and some outside police training. In May of 2002 Rowley brought some of the pre 9-11 lapses to light and testified to the Senate Judiciary Committee about some of the endemic problems facing the FBI and the intelligence community. Rowley's memo to FBI Director Robert Mueller in connection with the Joint Intelligence Committee's Inquiry led to a two year long Department of Justice Inspector General investigation. She was one of three whistleblowers chosen as persons of the year by TIME magazine. In April 2003, following an unsuccessful and highly criticized attempt to warn the Director and other administration officials about the dangers of launching the invasion of Iraq, Rowley stepped down from her (GS-14) legal position to go back to being a (GS-13) FBI Special Agent. She retired from the FBI at the end of 2004 and now speaks publicly to various groups, ranging from school children to business/professional/civic groups, on two different topics: ethical decision-making and "balancing civil liberties with the need for effective investigation." In February 2005, a majority of Minnesota congresspersons and senators nominated Rowley to serve on the Privacy and Civil Liberties Oversight Board but she was not selected by the Bush Administration. This Board was mandated by 2004 federal intelligence reform legislation implementing the recommendations of the 9-11 Commission. Rowley has authored a chapter in a book published by the Milton Eisenhower Foundation entitled, *Patriotism, Democracy and Common Sense: Restoring America's Promise at Home and Abroad*. She also ran unsuccessfully for U.S. Congress in Minnesota's Second Congressional District in 2006.

JOANNE ROYCE

Joanne Royce has worked as a public interest attorney for 2 decades. She currently serves as Investigative Counsel for the Oversight and Investigations Subcommittee of the Energy and Commerce Committee, U.S. House of Representatives. Prior to joining Committee staff, Ms. Royce worked for 15 years with the Government Accountability Project, serving as a program director, senior litigator and most recently as General Counsel.

MARGARET M. SEMINARIO

Margaret (Peg) Seminario is Director of Occupational Safety and Health for the AFL-CIO. She has worked for the AFL-CIO since 1977, and since 1990 has been responsible for directing the AFL-CIO's program on safety and health. She has worked extensively

on a wide range of regulatory and legislative initiatives at the federal and state level and coordinated the labor movement's campaigns on Right to Know, ergonomics and other key job safety issues. Ms. Seminario has served on numerous federal agency and scientific advisory committees and participated in international safety and health work through the ILO, the OECD and international trade union organizations. She holds a M.S. degree in industrial hygiene from the Harvard School of Public Health and a B.A. in Biological Sciences from Wellesley College.

DAVID C. VLADECK

David C. Vladeck is a Professor of Law at Georgetown University Law Center. He teaches courses in federal courts, government processes, civil procedure, government processes, first amendment litigation, and co-directs the Institute for Public Representation, a clinical law program at the Law Center where he handles a broad array of civil rights, civil liberties, first amendment, open government, and regulatory litigation. He also directs the Center of Health Regulation and Governance of the O'Neil Institute on National and Global Health at Georgetown. Prior to joining the Georgetown faculty in 2002, Professor Vladeck spent nearly 30 years with Public Citizen Litigation Group, serving as its Director from 1992 to 2002. He has handled a wide range of complex litigation, primary in federal courts, including first amendment, health and safety, civil rights, class actions, preemption and open government cases. He has argued a number of First Amendment and civil rights cases before the United States Supreme Court, and more than 60 cases before the federal courts of appeal and state courts of last resort. Professor Vladeck testifies frequently before Congress, advises Members of Congress on legal matters, and writes on administrative law, preemption, first amendment, legal ethics, and access to justice issues. He serves as a Scholar with the Center for Progressive Reform and on the boards of various non-profit organizations. He has also served on the Council of the Administrative Law and Regulatory Practice Section of the American Bar Association, as a Public Member of the Administrative Conference of the United States, and as the Chair of the Administrative Law Section of the District of Columbia Bar. Professor Vladeck received his undergraduate degree from New York University, his law degree from Columbia University School of Law, and an LL.M. degree from Georgetown University Law Center.

JOSEPH (JEB) E. WHITE

Joseph (Jeb) E. B. White is the President & C.E.O. of Taxpayers Against Fraud (TAF) and TAF Education Fund, public interest organizations dedicated to combating fraud against the government through the promotion of the False Claims Act and its *qui tam* provisions. A graduate of the University of Pennsylvania and the Georgetown University Law Center, Mr. White regularly works with other *qui tam* attorneys, detailing the emerging case law through regular legal publications, educational seminars, and individual consultations. Mr. White launched the first legal website devoted to FCA *qui tam* counsel; established a moot court program; reinvigorated an *amicus curiae* brief program; and coordinated various educational programs, including the nation's largest annual conference on False Claims Act litigation. Mr. White has also filed *amicus curiae* briefs in state and federal courts across the country, supporting a broad interpretation of the False Claims Act. In addition to being a frequent lecturer at the George Washington

University Health Care Corporate Compliance Program, he has also presented at several American Bar Association events, the National Law & Society meeting, and various national and state employment law conferences. With over a dozen published articles, he has written extensively about fraud enforcement and whistleblower protections. A member of the *BNA Health Care Fraud Report's* Board of Advisors, Mr. White has been recognized as one of the nation's leading authorities on health care fraud and abuse. In addition, as the Editor-in-Chief of the *False Claims Act & Qui tam Quarterly Review*, Mr. White manages the overall production of a 150+ page law journal devoted to False Claims Act litigation, which includes regular legislative updates, practitioner success stories, and recent judicial decisions.

JASON ZUCKERMAN

Jason Zuckerman is Principal, The Employment Law Group. Recognized by Washingtonian magazine as a "Top Whistleblower Lawyer," Jason Zuckerman litigates whistleblower retaliation, qui tam, civil rights, wrongful termination, discrimination, and non-compete actions in federal and state courts. He has lectured extensively on whistleblower law and employment law, especially on Sarbanes-Oxley and False Claims Act actions, and has written several articles on whistleblower protections and co-authored a chapter on litigating whistleblower cases for *Whistleblowing: The Law of Retaliatory Discharge* (BNA Books). Mr. Zuckerman has appeared on radio broadcasts and has been quoted in various newspaper articles and legal periodicals, including the Financial Times, the National Law Journal, BNA's Daily Labor Report, HR Magazine, TaxAnalysts, Richmond Times-Dispatch, Houston Chronicle, and other print and electronic media. Recently, a federal judge cited an article by Mr. Zuckerman concerning the scope of protected conduct under the whistleblower provision of the Sarbanes-Oxley Act. Mr. Zuckerman has helped draft whistleblower protection laws and works with various advocacy organizations to strengthen and expand whistleblower protection laws. Mr. Zuckerman serves as Co-Chair of the National Employment Lawyers Association's Whistleblower Committee and Co-Chair of the Whistleblower Committee of the District of Columbia Bar's Labor and Employment Section. In addition, Mr. Zuckerman was elected by his peers to serve on the Steering Committee of the District of Columbia Bar's Labor and Employment Section, and is active in the American Bar Association Section of Labor and Employment Law's Subcommittee on the Sarbanes-Oxley Act of 2002, the Metropolitan Washington Employment Lawyers Association, and the Prettyman-Leventhal American Inn of Court. Mr. Zuckerman graduated *Phi Beta Kappa* and *magna cum laude* from Georgetown University and received his law degree from the University of Virginia, where he served as Articles Editor of the Virginia Journal of Law and Technology. In law school, he received the University of Virginia School of Law's Pro Bono Award for his advocacy on behalf of prison inmates and mentally disabled individuals. He is admitted to practice before the District of Columbia, Maryland and Virginia bars, the United States Supreme Court, the United States Court of Appeals for the Second and Fourth Circuits, the United States District Court for the District of Columbia, the United States District Court for the Eastern District of Virginia, and the United States District Court for the District of Maryland.