



PROGRAM ON  
LAW & GOVERNMENT

# **Program on Law and Government Annual Report: 2019-2020**



## Welcome from the Faculty Director



When this year started, we couldn't begin to imagine the challenges and opportunities it would bring. We started with the typical rush of activities and expectation, but ended in the hectic and bewildering confinement of the COVID19 quarantine. Law school is ultimately about preparing for a career, and it's hard to think about that when you've been asked to upend your life in the face of a global pandemic. We were reminded in the end that this time is a unique opportunity to step up from whatever role we've had into newer roles, for which no training can completely prepare us.

Ultimately, that's not dissimilar to lawyering at the intersection of law and government. We take on new challenges that seem daunting but rely on what we've learned -- and our ability to constantly learn new things -- to make a difference. Even as we move to programming more events online, we look forward to seeing you again face-to-face. As I said to students in January, in the face of so much that challenges and bewilders us, it's good to remember that some things haven't changed. Our faculty are still experts in their fields. Your friends and colleagues still have your back. And the work you're doing still provides a solid foundation for the future.

In his inaugural address on a cold January day in 1961, President John F. Kennedy famously encouraged Americans to “ask not what your country can do for you—ask what you can do for your country.” This is our opportunity to write the narrative of how America meets a serious new challenge. You are in the right place at the right time -- even “virtually” -- to make a difference for others, and we commit to doing our part to help prepare you to do that.

Thank you for your support. Let's get to work.

Fernando Laguarda  
Faculty Director

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## About the Program

The Program on Law and Government at American University Washington College of Law is celebrating over a quarter-century in our nation's legislative and regulatory hub. We offer a broad array of curricular options, experiences, and events, from cutting edge courses taught by expert faculty, to symposia and panels featuring our talented alumni. Each opportunity is designed to prepare students for careers at the intersection of public service, law, and domestic policy.

## Degrees and Certificates

### LL.M. in Legislation

American University Washington College of Law is the only school in the country to offer lawyers an advanced degree in legislation. The curriculum focuses on legislative and regulatory drafting, legislative and regulatory negotiation, political process, and statutory interpretation. Our diverse faculty includes scholars and practitioners with decades of experience in legislative and regulatory advocacy in the public and private sectors. This degree is perfect for lawyers seeking to advance their career on Capitol Hill, inside the federal government, or working in a legislative or regulatory practice. More information can be found here: <https://www.wcl.american.edu/impact/initiatives-programs/lawandgov/llmlegislation/>

### LL.M. in Law and Government

Designed for both domestic and international law graduates who have a strong interest in U.S. government and politics, the dynamics of democracy, and the meaning of the rule of law, the LL.M. in Law and Government prepares students to lead. Our organizing educational principle is that the best prepared lawyers and analysts in fields of regulatory law not only have a firm grasp of particular subjects, but also a mastery of theories, political forces, and institutional realities that define modern public law.

Choose from specializations and concentrations in those areas of law that most interest you, and focus your studies to make a difference at the intersection of law and public policy. More information can be found here: <https://www.wcl.american.edu/impact/initiatives-programs/lawandgov/llmlawandgov/>

### Summer Institute

This year, Campaign 2020 & the Law will provide students and practitioners alike with the opportunity to learn from experts about the regulation of elections, campaign finance, and political advocacy. Our instructors are three of the foremost scholars and practitioners in the field, who will provide this unique and unprecedented opportunity to learn from their valuable experience and perspective. The three, one-credit courses can be taken separately or together and will be offered this summer exclusively online. More information can be found here: <https://www.wcl.american.edu/impact/initiatives-programs/lawandgov/summer-institute/>

## J.D. Curriculum

Students coming to Washington, DC to study law -- and employers hiring students from DC law schools -- naturally expect that a legal education centered on domestic law and policy will provide foundational grounding in legislation and regulation, both in and outside the classroom. The Program and Law and Government ensures that AUWCL offers the broadest array of classes in administrative, regulatory, and legislative practice areas, viz. legislative drafting and legislative negotiations; political process, campaign finance, and election law; and separation of powers, regulation and statutory interpretation. In addition, we partner with and support the curricular and co-curricular programming offered by AUWCL's other programs, including Women and the Law, Environmental and Energy Law, Health Law and Policy, Intellectual Property, Tech Law and Security, and Business Law. You can always view "law and government" courses and sort the curriculum by subject matter at our website, <https://www.wcl.american.edu/registrar/coursesapp/searchcourse2.cfm?lawg>.

*Sample Law and Government Classes*

**Fall 2020**

- Administrative Law (LAW 601) – Popper or Lubbers
- Constitutional Law (LAW-503) – Wermiel
- Government Contracts Formation (LAW 654A) – Murphy
- Legal Drafting: Legislation (LAW-849E) – Poirier
- Legislative Process (LAW 821B) – Caldera
- Oversight & Accountability (LAW7950A) – Laguarda
- The Supreme Court (LAW-707A) – Wermiel
- Government Contracts: Dispute Resolution (LAW-795) – Shapiro
- Enforcing Constitutional Rights: Section 1983 Litigation (LAW-795) – Wermiel
- Election Law: Campaign Finance (LAW-795EL) – Noble

**Spring 2021**

- Administrative Law (LAW 601)
- American Courts; Structure, Process, People Politics (LAW-838)
- American Political Process (LAW-680)
- Constitutional Powers of the Presidency (LAW-795PY)
- Election Law: Campaign Finance (LAW-795EL)
- First Amendment (LAW-609)
- Government Contracts: Performance (LAW-654B)
- Legislative Negotiation (LAW-795LE)
- Legislation: Statutory Interpretation (LAW-821A)
- Legislative Lawyering (LAW-795LL)
- Regulatory Law and Policy (LAW-872)
- Government Contracts: Federal Grants (LAW-795) –

**NEW: LLM IN LEGISLATION**

Our new LLM in Legislation is designed to help students and practitioners advance careers that focus on lawmaking and influencing -- whether on or off Capitol Hill. Choose from courses on Legislative Drafting, Legislative Process, Legislative Negotiation, Statutory Interpretation, and Regulation as well as other specialty areas.



**PROGRAM on  
LAW AND GOVERNMENT**



- Information about the Program
- Course Information: 2020-2021
- Sample career schedules

**Connect with the Program:**

Mailing address:  
4300 Nebraska Ave NW, Y346  
Washington, D.C. 20016

Front desk: 202-374-4268

Sign up for our newsletter:  
[lawandgov@wcl.american.edu](mailto:lawandgov@wcl.american.edu)






## Strategic Initiatives

**Government Contracts:** Through the Government Contracts Initiative, the Program on Law and Government seeks to provide students with the academic training, extracurricular programming and career counseling necessary to succeed in the dynamic field of government contracts law. The initiative ensures quality curriculum in government contracts and related subject matters and schedules co-curricular networking and experiential activities to supplement student's classroom experience. Professor Steven Shapiro, Senior Affiliate in Government Contract Studies, leads this initiative. More information about government contracts and the initiative's advisory board can be found here: <https://www.wcl.american.edu/impact/initiatives-programs/lawandgov/government-contracts-advisory-board/>

**Oversight and Accountability:** This year, the Program on Law and Government launched the Oversight Project, a blog featuring the work of students and practitioners focusing on the oversight and accountability community. The blog can be found here: <https://oversightproject.org/> A description of the launch event is set forth below. More information about oversight and accountability programming at AUWCL in recent years can be found here: <https://oversightproject.org/2019/07/18/oversight-and-accountability-at-auwcl/>



## Rankings and Recognition

### AUWCL Ranked Top Source for Congressional Staffing

American University is a top source of congressional staff graduates, including AUWCL alumni working as lawyers on Capitol Hill, according to a recent report from LegBranch.org, available here: <https://www.legbranch.org/everything-youve-ever-wanted-to-know-about-educational-pipelines-to-capitol-hill/>. AUWCL ranked second on the list of schools with the most congressional staff graduates, ahead of those who previously attending Harvard, Yale, George Mason, or NYU. AUWCL's amazing alumni network reflects our core strength in preparing lawyers to practice at the intersection of law and public policy.

### AUWCL Ranked as One of the Best Schools for Public Service

AUWCL is top-ranked for careers in and around Government in the winter 2020 issue of PreLaw Magazine, including #2 for Public Defenders, #5 for Government, and #6 for Public Interest. More information can be found at this link, [https://www.bluetoad.com/publication/frame.php?i=648084&p=&pn=&ver=html5&view=articleBrowser&article\\_id=3591880](https://www.bluetoad.com/publication/frame.php?i=648084&p=&pn=&ver=html5&view=articleBrowser&article_id=3591880)

## Outreach and Communication

The Program on Law and Government has built a community of alumni and current students by hosting numerous networking events and encouraging students to continue to work alongside the Program after they graduate from AUWCL.

Newsletter: Each week, our staff sends out a newsletter updating students and alumni on Program activities, informing students of career opportunities, and inviting subscribers to events hosted by the Program. Combined with a comprehensive and coordinated social media strategy, the Program interacts with thousands of students each week. You can sign up for the newsletter by sending an email to [lawandgov@wcl.american.edu](mailto:lawandgov@wcl.american.edu).

### Social Media:



@LawGovAUWCL is followed by over a thousand accounts and over the academic year earned nearly 100,000 impressions. We regularly tweet out information about events and activities with links to videos and other content.



**AUWCL Program on Law & Government @LawGovAUWCL · Apr 20**  
Webinar 12:30pm on April 30th to discuss IGs Under Fire:  
Charting a Path Forward w @POGOBlog @daniellebrian,  
Delisa Ragsdale, Sandy Parnes and Emilia Disanto  
[auwcl.zoom.us/j/95958216011](https://auwcl.zoom.us/j/95958216011) cc: @Oversight\_Proj  
[pic.twitter.com/wCYZWjks0N](https://pic.twitter.com/wCYZWjks0N)



The “AUWCL Program on Law and Government” Group allows alumni and students to communicate directly about internship and career opportunities in government. The

“Government Contracts at AUWCL” Group connects practitioners and students interested in this dynamic practice area.



Our Facebook page promotes events and activities and connects students, faculty and alumni to the program.

## Law and Government Events Academic Year 2019-20

### **August 26, 2019: Capitol Hill Kick-off**



More than sixty incoming first year students joined us in the Rayburn House Office Building for our annual “Orientation on the Hill” event, featuring a panel discussion with WCL alumni Lauren Dudley, Counsel to the House Committee on Transportation and Infrastructure; Ernie Jolly, Associate Vice President for Legislative Affairs; and Rachael Soloway, Professional Staff for U.S. Senate Committee on Finance Chairman Charles Grassley (R-IA). After the panel, students enjoyed a tour of the historic United States Capitol building.

### **September 9, 2019: Law and Government Society Re-Launches**

The newly revitalized Law and Government Society kicked off the semester with lunch and a discussion of how to make the most of your time at WCL.



## September 25, 2019: Supreme Court Preview

Hosted by American University, Washington College of Law Program on Law and Government & the ABA Division for Public Education

**On the Docket:  
Looking Ahead at  
the New Supreme Court Term**

**Wednesday, Sept. 25  
12 - 1:20 p.m. ET**  
Livestreamed at <http://auwcl.org/otd19>

**Location:**  
American University, Washington College of Law,  
Claudio Grossman Hall  
4300 Nebraska Ave., NW  
Washington, D.C.

**Moderator**

  
Stephen Varmeli  
Professor of Public Law and Government,  
American University, Washington College of Law

**Speakers**

  
Aderson B. Francois  
Professor of Law and Director of the Institute for Public Representation,  
Georgetown University Law Center

  
Marcia Coyle  
Chief Washington Correspondent,  
National Law Journal

  
Brianne J. Gorod  
Chief Counsel at the Constitutional Accountability Center

  
Joshua Matz  
Counsel at Kaplan Hecker & Fink

The program is free, but registration is required.  
To register, please visit the website <http://www.wcl.american.edu/sccle/registration>

Professor Steve Wermiel and the American Bar Association hosted an in-depth panel discussion on the issues the U.S. Supreme Court would be confronting in its upcoming term. Panelists included Marcia Coyle, chief Washington correspondent at *National Law Journal*; Aderson B. Francois, professor of law and director of the Institute for Public Representation Civil Rights Law Clinic at Georgetown Law; Brianne J. Gorod, chief counsel at the Constitutional Accountability Center; and Joshua Matz, counsel at Kaplan Hecker & Fink. More information about the event can be found here: <https://www.wcl.american.edu/news-events/news/auwcl-to-host-on-the-docket-looking-ahead-at-the-new-supreme-court-term/>

## September 30, 2019: Celebrating Prof. Herman Schwartz

At the end of the month, the Program on Law and Government and the Center for Human Rights & Humanitarian Law celebrated the remarkable accomplishments of Professor Emeritus Herman Schwartz, a tireless champion for the rule of law. His contributions include the promotion of human rights in Israel, the protection of voting rights in the United States, the defense of prisoners' rights across the globe, and the promotion of constitutional reform in the wake of the collapse of the communist bloc. Friends, scholars, and practitioners from across the world and a range of areas celebrated with us.

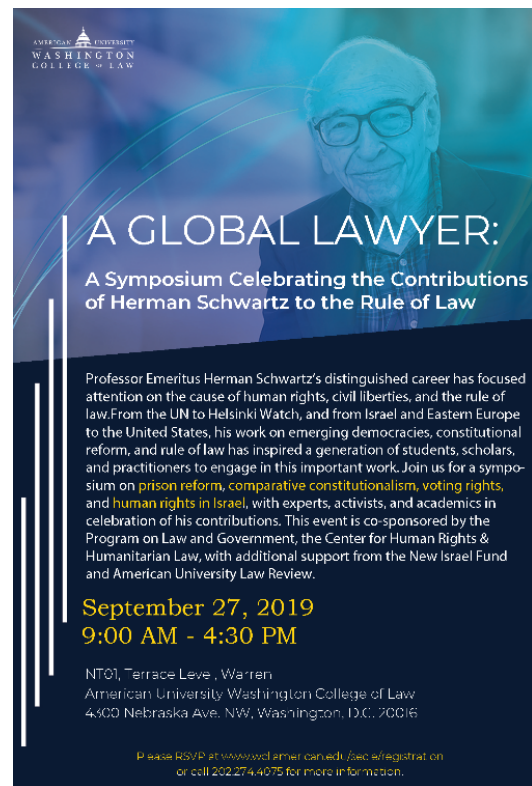


A full-day symposium on Professor Schwartz's impact on the rule of law included four panels, a luncheon conversation, and dinner with remarks from the U.S. Supreme Court Justice Ruth Bader Ginsburg. Brooklyn Law Emeritus Professor William Hellerstein acknowledged Prof. Schwartz as the "scholar-pioneer" of the rights of incarcerated people. University of Haifa Professor Tali Gal referred to him as the progenitor of "a quiet revolution" whose "transformative influence" on Israeli society could not be underestimated. The ACLU's Director of Voting Rights, Dale Ho, called Herman "a legend" inside his organization. The University of Virginia's Warner-Booker Distinguished Professor of International Law, Dick Howard, explained how Prof. Schwartz is "the



gold standard” of constitutional reformers. And AUWCL Dean Emeritus Claudio Grossman distilled what was on many of our minds by simply pointing out that “Herman embodies solidarity”. These were just a few of the many times panelists and audience members recounted the ways Professor Schwartz influenced their careers and shaped the world.

“Herman was foremost among law teachers who appreciate the value of a comparative study of constitutional law,” said Supreme Court Justice Ruth Bader Ginsburg in her dinner remarks. “He contributed importantly to the framing of post-World War II constitutions abroad, and he was particularly hopeful about promoting human rights for all who dwell in the land of Israel. To that end, he established at American University’s Washington College of Law the U.S.-Israel Civil Liberties Law Program. In that program, he superintended the training of scores of Arab and Jewish Israelis to become leaders back home in the advancement of genuinely equal justice. His motto, which has inspired students at AU and elsewhere to follow in his way: ‘You’ve got to keep trying. You’ve got to keep trying.’”



AMERICAN UNIVERSITY  
WASHINGTON  
COLLEGE OF LAW

## A GLOBAL LAWYER:

A Symposium Celebrating the Contributions of Herman Schwartz to the Rule of Law

Professor Emeritus Herman Schwartz's distinguished career has focused attention on the cause of human rights, civil liberties, and the rule of law. From the UN to Helsinki Watch, and from Israel and Eastern Europe to the United States, his work on emerging democracies, constitutional reform, and rule of law has inspired a generation of students, scholars, and practitioners to engage in this important work. Join us for a symposium on **prison reform, comparative constitutionalism, voting rights, and human rights in Israel**, with experts, activists, and academics in celebration of his contributions. This event is co-sponsored by the Program on Law and Government, the Center for Human Rights & Humanitarian Law, with additional support from the New Israel Fund and American University Law Review.

**September 27, 2019**  
**9:00 AM - 4:30 PM**

NT01, Terrace Level, Warren  
American University Washington College of Law  
4400 Nebraska Ave. NW, Washington, D.C. 20016

Please RSVP at [www.wcl.american.edu/wclregistration](http://www.wcl.american.edu/wclregistration)  
or call 202.274.4075 for more information.



More information about the event can be found here: <https://www.wcl.american.edu/news-events/news/colleagues-and-friends-of-professor-herman-schwartz-celebrate-his-lasting-contributions-to-the-rule-of-law/>



## October 2, 2019: Oversight Project Launches



To launch AUWCL's new Oversight Project student blog, Faculty Director Fernando Laguarda was joined by American University President Sylvia Burwell, AUWCL Dean Camille Nelson, and a panel of distinguished speakers and guests. Former Congressman and House Oversight and Government Reform Committee Chair Jason Chaffetz kicked off the proceedings by speaking about the important role of oversight and the history of the Oversight and Government Reform Committee. Washington Post Columnist Bob Woodward and Department of Justice Inspector General Michael Horowitz, who also serves as Chair of the Council of Inspectors General on Integrity and Efficiency, joined Professor Laguarda for a fireside chat after Mr Chaffetz's remarks.

# THE OVERSIGHT PROJECT

LAUNCHING A NEW STUDENT BLOG TO ASSESS THE WORK OF THE FEDERAL OVERSIGHT AND ACCOUNTABILITY COMMUNITY

OVERSIGHTPROJECT.ORG

**FEATURING**  
Best-selling author  
and Washington Post columnist  
**BOB WOODWARD**

**WEDNESDAY, OCT 2 | 12PM**  
Claudio Grossman Hall  
4300 Nebraska Ave NW  
Washington College of Law

RSVP Required  
\*Lunch will be provided

**WITH GUEST SPEAKERS**

**Michael Horowitz**  
Chair of the Council of  
Inspectors General on  
Integrity & Efficiency  
"CIGIE"

**Sylvia M. Burwell**  
American University  
President

**Rep. Jason Chaffetz (R-UT)**  
Former House Oversight  
and Government Reform  
Committee Chair

**TO REGISTER PLEASE VISIT:**  
<http://www.wcl.american.edu/secle/registration>

Unable to make it? View the live stream: <http://auw.cl/oversight>

"More and more, the public needs independent voices that will speak factually to what is occurring in the government, and that is really what we do," said Mr. Horowitz. "We're there to keep eyes on government, and from our standpoint, be the people's watchdog...We obviously have several high-profile matters happening. But when I think about the work we've done as a community on the federal level, hopefully a project like [the Oversight Project] highlights some of the work that doesn't get on the front page of the *Washington Post*, but is never the less critically important to what goes on."

The Oversight Project blog and website can be accessed here: <https://oversightproject.org/> It features student scholarship and also publishes content from practitioners and the oversight community. Background on oversight and accountability events and

activities at AUWCL over the past few years can be found here: <https://oversightproject.org/2019/07/18/oversight-and-accountability-at-auwcl/> And more information about the launch event, and to view a recording, visit <https://www.wcl.american.edu/news-events/news/award-winning-journalist-bob-woodward-and-doj-michael-horowitz-discuss-government-oversight-accountability-at-auwcl/>



Join the Program on Law and Government at American University Washington College of Law and the Interamerican University of Puerto Rico School of Law for a discussion and debate about the political, social and legal controversies presented by the Financial Oversight and Management Board for Puerto Rico.

Legal scholars and politicians will debate the political and legal authority of the Financial Oversight board and the implications of the cases before the Supreme Court of the United States.

October 14 | 1:30pm | Room NT01

Cosponsored by:



Supported by:



## **October 14, 2019: Puerto Rico before the Supreme Court**

The Program co-sponsored an event to analyze the legitimacy and scope of authority of Puerto Rico's Fiscal Control Board as the the Supreme Court was scheduled to hear argument in *Financial Oversight BD v. Aurelius Investment*, *Aurelius Investment v. Puerto Rico*, *Official Committee of Debtors v. Aurelius Investment*, *United States v. Aurelius Investment*, and *UTIER v. Financial Oversight BD*. Panelists included Natasha Bannan, Associate Counsel at Latino Justice; Professor Luis Romero, Facultad de Derecho Universidad Interamericana de Puerto Rico; Rep. Luis Vega Ramos; and Rep. Enrique Melendez Ortiz. The case presents important issues relating to government oversight and the constitutional status of Puerto Rico.

## **October 18, 2019: Administrative Law Review Fall Symposium**

**REGULATING TECHNOLOGY TO FACILITATE INNOVATION**

A Symposium Presented by the Administrative Law Review  
in cooperation with the Blockchain & Cryptocurrency Law Society

**FRIDAY, OCTOBER 18, 2019 from 12:00-4:00PM**

Warren Building, 2000 Massachusetts Avenue, NE  
American University Washington, D.C. 20004  
202-885-1200

**11:30-12:00pm Registration and Lunch**

**12:00-12:15pm Opening Remarks**  
Andrew Popper, Distinguished Professor of Law and Government and Chair, LLR Faculty Board, American University, Washington College of Law

**12:15-12:30pm Keynote Address**  
Rep. Warren Davidson, R-OH, 9th District

**12:30-1:00pm Panel 1: International Trade**  
Edith Hwang, Partner, Director, Corporate & Bank LLP  
Jennifer J. McMillan, Deputy Assistant Director, National Center for Science and Security Center, Supply Chain and Cyber Resilience  
Jonathan Moore, Partner, Regional, Middle East, Robert & Associates LLP  
Katy M. Brann, Partner, Wiley Rife LLP  
Fernando Laguarda, Professor of Law, Faculty Director, Program on Law and Government, American University Washington College of Law, Moderator

**1:00-1:15pm Panel 2: Fintech**  
John Deegan, Partner, Mayer Brown LLP  
Zachary Lerner, Attorney, ZedOne PLLC  
Hank Seligson, Professor of Law, Columbus School of Law, The Catholic University of America  
Hilary Allen, Assistant Professor of Law, American University Washington College of Law, Moderator

**2:15-2:30pm Panel 3: Blockchain, Technology**  
Alan Cohen, Partner, Steyer & Johnson LLP  
Robert C. Thibault, Edward C. Cowell Professor of Law, Cornell Law School  
Scott Kragel, Professor, Thomas Jefferson School of Law  
Janet Anderson, Associate Dean for International, Professor of Law, American University Washington College of Law, Moderator

**3:30-4:00pm Reception in Lobby**

Registration is free but required.  
[www.lawreview.edu/symposium](http://www.lawreview.edu/symposium)

The Program co-sponsored the Administrative Law Review's Fall Symposium, "Regulating Technology to Facilitate Innovation," featuring a keynote from Rep. Warren Davidson (R-OH). Professor Laguarda moderated a panel on International Trade, including the role of national security concerns in the regulation of technology, the impact of sanctions, and the approach being taken to ensure supply chain security for government contracts. Other panels addressed fintech and blockchain.



### **October 24, 2019: Jurist-in-Residence**



Judge Pamela Harris, of the U.S. Court of Appeals for the Fourth Circuit, served as our 12th annual Jurist-In-Residence this year. Over the course of three days, she met with students and faculty to discuss the role of advocacy in the courtroom, current topics she is facing, and her experience as a law clerk for U.S. Supreme Court Justice John Paul Stevens. One of the highlights of the Jurist-in-Residence program is the opportunity it affords for students to meet with prominent appellate judges in an informal setting, ask questions, and get advice about the practice of law. Judge Harris shared stories about what inspired her to become a lawyer, what makes for a good argument in court, and the importance of collegiality for judges on the Court of Appeals. Rounding out the weekend, Judge Harris helped to judge the final round of WCL's 26th annual Burton D. Wechsler First Amendment Moot Court competition.

### **October 28, 2019: Alumni and Friends Happy Hour on the Hill**



At the end of October, the Program on Law and Government hosted "Happy Hour on the Hill" for alumni and friends, building on the success of previous Capitol Hill happy hours. Nearly one hundred students, faculty, alumni and friends joined for an evening of fruitful introductions and quality conversations. Professor Laguarda spoke about the importance of supporting the next generation of lawyers, and Program Dean's Fellow Evan Chiarelli also spoke about revitalizing the Law and Government Society at WCL.

### **November 4, 2019: Government Contracts Drafting**



In early November, the Program on Law and Government hosted a contract drafting “boot camp” focusing on government contracts. Chaired by Professor Steve Shapiro, the morning session began with an introduction to drafting, focusing on federal procurement. Students were then given a series of scenarios and divided into groups. Each group examined the situation, drafted a vignette, and then presented the material to the group. The event offered students a chance to meet experts including John Dupuy, Deputy Inspector General with the U.S. Department of Energy and Jonathan Neshor, Counsel at Bryan Cave.

### **November 6, 2019: Explaining Impeachment**



The Program on Law and Government co-hosted a panel on the presidential impeachment trial in partnership with the American University Sine Institute of Politics and Policy. The panelists included lawyers who have worked on every impeachment over the past 40 years. Attendees heard about the history of impeachment going back to the earliest use of “high crimes and misdemeanors” in the year 1386, and how the impeachment remedy has evolved. They also discussed the process from investigation all the way to full House vote, transmission and receipt by the Senate; and then the Senate

process. Distinguished Adjunct Professor and Senior Affiliate in Law and Government, Louis Caldera, moderated the discussion and emphasized the important role of impeachment to the Framers of the Constitution. More information about the event can be found here: <https://www.wcl.american.edu/news-events/news/auwcl-sine-institute-and-center-for-congressional-and-presidential-studies-take-on-impeachment/> More information about the Sine Institute can be found here: <https://www.american.edu/sine-institute/>



### **November 18, 2019: Congressman Gil Cisneros on Veterans Day and Hispanic Heritage**



Congressman Gil Cisneros joined students for a dinner discussion about his legislative agenda, military service, and Hispanic Heritage Month. Former Secretary of the Army (and Senior Affiliate in Law and Government) Professor Louis Caldera moderated the conversation. Rep. Cisneros spoke about his formative military experience, which introduced him to a diverse group of people and enabled him to see the world.


### **November 25, 2019: Marshall-Brennan Moot Court Tournament**



At the end of November, the Marshall-Brennan Constitutional Literacy Project hosted its annual William H. Karchmer Moot Court Competition for high school students enrolled in our “We the Students” course in D.C. Public Schools. An all-star WCL alumni panel consisting of Judge Zuberi Williams ’03, Judge Reggie Walton ’74 and Professor Steve Wermiel ’82 judged the finals. This year’s moot court problem centered on the First Amendment and off-campus social media use, as well as whether students should receive Miranda rights


in school under the Fifth Amendment. Out of more than one hundred students enrolled in our course, six students representing Capital City Public Charter School, Dunbar High School, School without Walls, and Wilson High School earned spots to represent DC in the national competition. The Marshall-Brennan Constitutional Literacy Project celebrated its 20th anniversary last year, and is one of American University’s longest-running outreach efforts to the local community and to the District of Columbia public schools. More information about Marshall-Brennan can be found here: <https://www.wcl.american.edu/impact/initiatives-programs/marshallbrennan/>

## **January 11, 2020: Congressional Oversight Training**



AMERICAN UNIVERSITY  
WASHINGTON COLLEGE OF LAW

PROGRAM ON  
LAW & GOVERNMENT



PROJECT ON GOVERNMENT OVERSIGHT


### Congressional Law Clerk/Intern Oversight Training

Open to WCL students and any student interning with the Committee

SATURDAY, JANUARY 11

WEINSTEIN COURTROOM

WASHINGTON COLLEGE OF LAW  
4300 NEBRASKA AVE, NW DC




10AM-3PM

\*Coffee/lunch  
will be served

Topics To Be Discussed:

- Work of Congressional Committees
- Oversight & Accountability
- Drafting Congressional correspondence
- Preparing witnesses for hearings
- Preparing materials for members
- Basic investigative skills
- Congressional research



Register at <http://bit.ly/OversightSeminar>

On January 11th, the Program co-sponsored a “boot camp”-style training seminar for students interested in serving as interns, externs or staff working on oversight and accountability for a House or Senate committee on Capitol Hill. Led by Justin Rood from the Project on Government Oversight (“POGO”), student participants learned the basics of working on a committee, the source of congressional oversight authority, best practices for preparing document requests and witness interviews, and how to write a hearing memo. Participants were matched for potential internships and externships with congressional committees upon successful completion of the training.

## **January 22 - February 12, 2020: Impeachment Podcast Series**

Impeachment Trial Wrap-Up:  
Part Three



Wednesday, February 12th  
5pm  
Y346 Conference Room  
Washington College of Law

Join Professor Kim Wehle, NPR and CBS News expert and Visiting Fellow in Law and Government for this final installment of the impeachment trial and related news. Professor Fernando Laguarda will moderate.

All faculty, students, and staff are welcome. The conversation will be recorded and made available for download as a podcast later.

**RESOLUTION**

Impeaching Donald John Trump, President of the U.S.

Reasons for high crimes and misdemeanors

Professor Laguarda launched a podcast series this Spring featuring interviews with Professor Kim Wehle, Visiting Fellow in Law and Government and a regular on-air news analyst who covered the hearings and trial and offered her perspective and insights on the process, politics, and implications for the rule of law. A separate interview with former presidential speechwriter David Kusnet examined the politics and policy impact of the presidential State of the Union address.

More information and downloads of the podcasts can be found here, <https://www.wcl.american.edu/impact/initiatives-programs/lawandgov/podcasts/>

### **January 31, 2020: Rise Against Hate**



The Program was proud to co-sponsor “Rise Against Hate” to commemorate the 10 year anniversary of the Matthew Shepard and James Byrd Jr. Hate Crime Prevention Act, along with student organizers from the Lambda Law Society, the Jewish Law Society, the Black Law Students Association, and the AU Office of Campus Life and Inclusive Excellence. This landmark legislation expanded

the federal definition of hate crimes and criminalized physical assault on the basis of race, color, religion, or national origin. It also removed jurisdictional obstacles to prosecutions of certain race- and religion-motivated violence; enhanced the legal toolkit available to prosecutors, adding new federal protections against crimes based on gender, disability, gender identity, or sexual orientation; and increased federal support of state and local law enforcement. Hate Crimes Prevention Act.

Guest speakers included Judy Shepard (mother of Matthew Shepard); Michael Lieberman (Anti-Defamation League); David Stacy (Human Rights Campaign); Kristen Clarke (Lawyers’ Committee for Civil Rights Under Law); Mara Keisling (National Center for Transgender Equality); and Hilary Shelton (NAACP). More information about the event can be found here, <https://www.wcl.american.edu/news-events/news/auwcl-hosts-rise-against-hate-to-mark-the-10th-anniversary-of-the-matthew-shepard-and-james-byrd-jr-hate-crimes-prevention-act/>

### **February 18, 2020: Government Contracts Luncheon**

Government contracts attorneys met with students for an informational lunch session on topics and career paths in government contracts. The attorneys, Evan Wesser and Heather Weiner, both from the General Accountability Office talked about government procurement and the related, inevitable bid protests. They looked at disputes in government contracts, including claims and sometimes serious criminal fraud allegations. More importantly, the lunch was a chance for students to ask questions and to see the many positions that are available across government agencies, private law firms, and in-house counsel offices. The panelists also highlighted non-traditional careers for lawyers, like positions as contracting officers for the government and compliance officers for government contractors.



### March 2, 2020: Trump & (De)-regulation event



The Program was pleased to host Amit Narang, Regulatory Policy Advocate for Public Citizen's Congress Watch division, and Rosario Palmieri, senior counselor to the administrator at the White House Office of Information and Regulatory Affairs (OIRA) in a conversation about the Trump administration's approach to regulation and deregulation, which was moderated by Professor Jeffrey Lubbers. Among the topics discussed was Public Citizen's recent challenge in federal court of Executive Order 13771, an

important piece of the Trump regulatory strategy. Amit Narang was closely involved with the case, and he explained the legal arguments raised with students in attendance. Rosario Palmieri, who is responsible for implementing Executive Order 13771, defended the constitutional basis of the Order and explained how OIRA helps agencies comply. The speakers also discussed their experiences at WCL, including working as articles editors for the *Administrative Law Review*, and how those experiences led them to their current roles with their respective organizations.

### March 6, 2020: AU Legislation and Policy Brief Spring Symposium

**LEGISLATION & POLICY BRIEF**  
American University Washington College of Law

PRESENTS:

**SYMPOSIUM: PRESIDENTIAL POWERS UNDER THE CONSTITUTION**

**FRIDAY, MARCH 6, 2020**  
Time: 12:00 pm - 5:00 pm  
Location: WCL, Ceremonial Classroom (NT01)

**Panel 1: Lessons From the Impeachment Trial**  
Moderator: Kenneth L. Lattin, Deputy Director, Regulatory Policy Center  
Panelists: Kenneth L. Lattin, Deputy Director, Regulatory Policy Center; David E. Rosenbaum, Director, Regulatory Policy Center; David E. Rosenbaum, Director, Regulatory Policy Center; David E. Rosenbaum, Director, Regulatory Policy Center

**KEYNOTE COFFEE BREAK AT 2 PM**

**Panel 2: War Powers Act and Targeted Killings**  
Moderator: Kenneth L. Lattin, Deputy Director, Regulatory Policy Center  
Panelists: Kenneth L. Lattin, Deputy Director, Regulatory Policy Center; David E. Rosenbaum, Director, Regulatory Policy Center; David E. Rosenbaum, Director, Regulatory Policy Center; David E. Rosenbaum, Director, Regulatory Policy Center

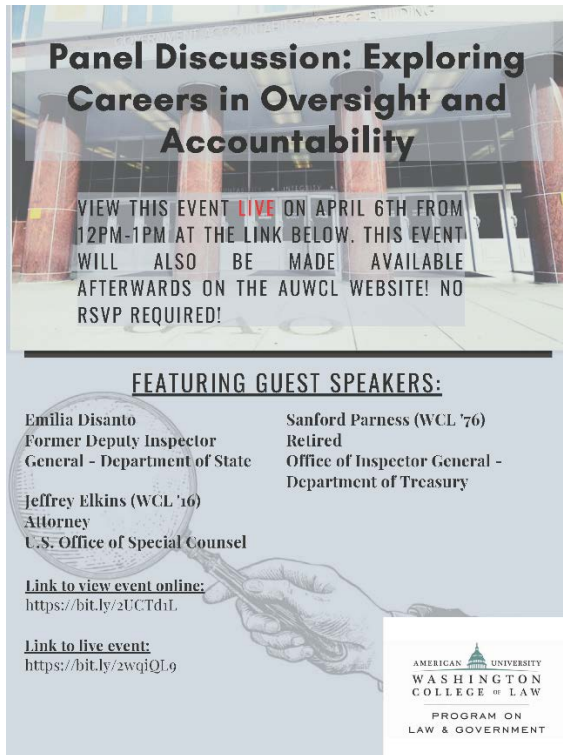
**RECEPTION TO FOLLOW AT 4 PM**

Registration: Free, but space is limited. Registration link: <https://www.eventbrite.com/e/legislation-and-policy-brief-spring-symposium-tickets-7222777075>

For Further Information Contact:  
David E. Rosenbaum, Director, Regulatory Policy Center, 202-227-1075

Professors Fernando Laguarda, Kim Wehle and Louis Caldera participated in the American University Legislation and Policy Brief Spring Symposium on presidential powers, featuring discussions on lessons learned from the impeachment proceeding and recent targeted killings of civilians by the U.S. military. They were joined by Professor Max Stearns, from the Maryland Carey School of Law, Hans von Spakovsky, from the Heritage Institute, Professor Chris Edelson, from American University's Department of Government, Professor Ilya Somin, from George Mason University, and WCL Professor Mark Rotenberg.

### April 6, 2020: Careers in Oversight and Accountability



**Panel Discussion: Exploring Careers in Oversight and Accountability**

VIEW THIS EVENT **LIVE** ON APRIL 6TH FROM 12PM-1PM AT THE LINK BELOW. THIS EVENT WILL ALSO BE MADE AVAILABLE AFTERWARDS ON THE AUWCL WEBSITE! NO RSVP REQUIRED!

**FEATURING GUEST SPEAKERS:**

Emilia DiSanto Former Deputy Inspector General - Department of State	Sanford Parness (WCL '76) Retired Office of Inspector General - Department of Treasury
Jeffrey Elkins (WCL '16) Attorney U.S. Office of Special Counsel	

**Link to view event online:**  
<https://bit.ly/2UCTd1L>

**Link to live event:**  
<https://bit.ly/2wq1QL9>

AMERICAN UNIVERSITY  
WASHINGTON  
COLLEGE OF LAW  
PROGRAM ON  
LAW & GOVERNMENT

The focus on oversight continued this year with an event intended to provide students with insights into this important area of legal practice. Lawyers ably serve in federal government oversight and accountability roles, including in offices of Inspectors General, the General Accountability Office, the Office of Government Ethics, and the Office of the Special Counsel. Many state and some local governments also have their own independent oversight agencies, as do multi-national government organizations. Professor Laguarda was joined by three distinguished practitioners: Emilia DiSanto, Executive Vice President of Venn Strategies, which provides counsel to clients involved in government investigations; Sandy Parnes WCL '76, retired after serving nearly 30 years in the federal Inspectors General Community; and Jeff Elkin WCL '16, Attorney for the U.S. Office of Special Counsel's Investigation and Prosecution Division. A full recording of the conversation can be found here,

<https://media.wcl.american.edu/Mediasite/Play/384375ce804b47d28401d399a8154e871d>

### April 20, 2020: COVID-19 and the Law Teach-in



**COVID-19 AND THE LAW**

Listen to WCL faculty address the legal impact of the pandemic on a range of issues. Join the conversation and ask your questions on Zoom. This event will be recorded for later viewing.

Zoom link: <https://auwcl.zoom.us/j/889146874>

**CORONAVIRUS**

Professor Jennifer Daskal	Professor Robert Dinerstein
Professor Fernando Laguarda	Professor Alex Joel
Professor Stephen Wermiel	Professor Michael Carroll
Professor Kimberly Wehle	Professor Lewis Grossman

**April 17th: 12 - 1:30pm**  
Sponsored by the Program on Law and Government

At the end of the semester, the Program on Law and Government hosted a “teach-in” webinar so that community members could hear from faculty about the impact of COVID-19 on their areas of law. Participants heard from some of WCL’s most exceptional professors discuss a range of topics, from the bureaucracy surrounding new vaccines to the executive power of the President during a pandemic, from disability rights to civil liberty and privacy and the 2020 elections. Professor Laguarda moderated the conversation. Joining the discussion were Professors Bob Dinerstein, Lewis Grossman, Bill Snape, Steve Wermiel, Mike Carroll, Kimberly Wehle, and Alex Joel. A recording of the session is available here, <https://bit.ly/2yMHgj0>.



## April 30, 2020: Inspectors General Under Fire



**Inspectors General Under Fire:  
Charting a Path Forward**

VIEW THIS EVENT **LIVE** ON APRIL 30TH  
FROM 12:30PM-1:30PM AT THE LINK BELOW.  
THIS EVENT WILL ALSO BE MADE AVAILABLE  
AFTERWARDS ON THE AUWCL WEBSITE! NO  
RSVP REQUIRED!

**FEATURING GUEST SPEAKERS:**

Danielle Brian Executive Director Project on Government Oversight (POGO)	Sanford Parnes (WCL '76) Retired Office of Inspector General - Department of Treasury
Emilia DiSanto Former Deputy Inspector General - Department of State	DeLisa Ragsdale Chief Investigative Counsel Senator Charles Grassley (R-IA)

**Link to live event:**  
<https://bit.ly/3472NAR>

This event is cosponsored by the Program on Law & Government  
and the U.S. & International Anti Corruption Law Program

On April 30, the Program on Law and Government and the U.S. & International Anti-Corruption Law Program at American University Washington College of Law co-sponsored a webinar on “Inspectors General Under Fire: Charting a Path Forward.” Joining co-hosts Professor Fernando Laguarda and Professor Nancy Boswell were: Danielle Brian, Executive Director of the Project on Government Oversight (POGO); Emilia DiSanto, Executive Vice President of Venn Strategies and former Deputy Inspector General in the Department of State; Sandy Parnes, former Counsel to the I.G. at the U.S. Department of Energy; and DeLisa Ragsdale, Chief Investigative Counsel for Senate Finance Committee Chairman Charles E. Grassley (R-IA).

More information about the program can be found here,  
<https://oversightproject.org/2020/05/01/inspectors-general-under-fire-charting-a-path-forward/>  
 and a recording of the event can be accessed here,  
<https://media.wcl.american.edu/Mediasite/Play/26f72dab0f0943af97681d6b1bff58681d>

### **Professor Kim Wehle, Visiting Fellow in Law and Government**



Kimberly Wehle served as Visiting Professor of Law and Visiting Fellow in Law and Government at American University Washington College of Law for Spring 2020. Professor Wehle is Professor of Law at the University of Baltimore School of Law, where she teaches and writes in the areas of administrative law, federal courts and civil procedure. Prior to joining the University of Baltimore, Professor Wehle was an Associate

Professor at the University of Oklahoma College of Law and a Visiting Professor at George Washington University Law School. She is the author most recently of *How to Read the Constitution and Why*, a concise text analyzing serious constitutional law debates. This summer, she is teaching in the Law and Government Summer Institute, Campaign 2020 & the Law.

Professor Wehle made an outsized impact on WCL during her semester as a Visiting Fellow. She participated in numerous events and activities, served as a panelist for the the AU Legislation and Policy Brief Spring Symposium, and joined Professor Laguarda for a series of podcasts on the presidential impeachment. At the same time as she was teaching two classes, she served as a media commentator during the impeachment of President Donald J. Trump, appearing as an on-air legal expert On-Air Legal Expert for CBS News. She appeared regularly on MSNBC, CNN, BBC, NPR, and PBS, giving informed opinions on contemporary legal issues. Professor Wehle is also an On-Air and Off-Air Legal Expert, Analyst and Commentator for CBS News. She is a Contributor for BBC World News and BBC World News America on PBS, an Op-Ed Contributor for The Bulwark, and an Opinion Contributor for The Hill. She previously appeared as a regular guest legal analyst on various media outlets regarding Robert Mueller's probe on Russian influence in the 2016 presidential election and other issues regarding the structural Constitution and the Trump Administration, including CNN, MSNBC, NPR's Morning Edition, PBS NewsHour, and Fox News.

Her appearances on political talk shows and dedication to a dizzying array of scholarly articles and literature all stem from a deep-rooted conviction to both inform and inspire. For her students, she hopes to inform about constitutional rules and norms and the consequences that flow from their breach. Beyond *what* the constitution means, she seeks to inspire students to know *why* it matters. Her hope is that students use their privilege as educated lawyers to lead and build a better, more just legal system. For her four young daughters, Professor Wehle hopes her tireless work inspires them to be the best advocates they can be for themselves. In a world full of institutional barriers that keep women from achieving new heights, she hopes to show her daughters what diligence, hard work, and an unwillingness to let doubt discourage them can accomplish over time.

We are thankful that Professor Wehle joined us as a Visiting Fellow in Law and Government during this consequential time in our history. Look for her new book, *What You Need to Know about Voting and Why*, which will be released this summer.

## **Program Faculty**

### **Fernando Laguarda, Faculty Director:**

Fernando Laguarda is Professorial Lecturer and Director of the Program on Law and Government. He previously served as Vice President, External Affairs and Policy Counselor for Time Warner Cable, where he helped the company develop and advance its policy positions, focusing on consumer protection, competition issues, intellectual property and telecommunications regulation. He also oversaw the company's relationships with non-governmental policy stakeholders such as civil rights and human rights organizations, think tanks, foundations, academic institutions and public interest groups. In 2010, Fernando founded and served as inaugural Director of the Time Warner Cable Research Program on Digital Communications, the first program of its kind seeking to expand relevant scholarship in the cable and telecommunications industries. Prior to his role at Time Warner Cable, he was a partner at two Washington, DC law firms, where he practiced antitrust, telecommunications, and intellectual property law. Professor Laguarda teaches courses on Antitrust Law and Administrative Law. He also directs the [Oversight Project](#), a student publication focusing on the work of the oversight and accountability community.

### **Louis Caldera, Senior Affiliate in Law and Government**

Louis Caldera is Distinguished Adjunct Professor of Law and a Senior Affiliate in the Program on Law and Government. Prior to joining WCL, Caldera taught courses in Legislation and Legislative Process, Election Law/Law of Democracy, State and Local Advocacy, and Corporate Governance at Loyola Law School, The University of New Mexico, and The George Washington University. He is particularly interested in the design and operation of democratic institutions and the participation of groups that have been traditionally underrepresented in the political and policy-making process. The former Secretary of the Army, Caldera has served in numerous public service, higher education, and nonprofit leadership roles, including as an Army officer, state legislator, university president and in two presidential administrations. He served in the California State Assembly from 1992 to 1997, representing a downtown Los Angeles based district. He served in two Senate confirmed positions in the Clinton Administration, including as Secretary of the Army, and in the Obama White House as an Assistant to the President and Director of the White House Military Office. His higher education career includes service as a vice chancellor for The California State University and as president of The University of New Mexico where he was also a member of the university's law school faculty.

### **Jeffrey Lubbers, Professor of Practice in Administrative Law**

Jeffrey Lubbers is Professor of Practice in Administrative Law and is also active as a Fellow in WCL's Law and Government Program. He holds expertise in administrative law; government structure and procedures; and regulatory policy and procedures. In addition to teaching Administrative Law, he also teaches the Washington Lawyer Seminar, the keystone course in the LLM in Law and Government Program. He also serves as WCL's liaison to Japanese Law Schools, having taught at WCL's "sister school," Ritsumeikan University School of Law in Kyoto, for nine summers. From 2012-15 he was Director of WCL's Europe Summer Law Program. He has also engaged in numerous administrative law reform projects in China in the last 20 years. From 1982-

1995, Professor Lubbers was the research director of the Administrative Conference of the United States, where he is now Special Counsel.

### **Bettina Poirer, Senior Affiliate in Law and Government**

Bettina Poirier is Adjunct Professor of Law and directs the [Program on Legislative Negotiation](#), which addresses the gridlock in Congress and in state legislatures, so that legislative bodies can better respond to today's challenges and improve public trust in these institutions. She served as Staff Director and Chief Counsel for the Senate Environment and Public Works (EPW) Committee for over 10 years. Poirier was the first woman to hold this position in the Committee's history. She worked for Senator Barbara Boxer (D-California) who was the Chair and later the Ranking Member of the Committee. Senator Boxer retired this year after 4 terms in the Senate and 10 years in the House. As Staff Director and Chief Counsel, Ms. Poirier managed the Democratic staff on the EPW Committee, and she worked with Members of Congress, the Executive Branch, State and local governments, NGO's and many other stakeholders on environment, energy, and infrastructure issues. The EPW Committee has jurisdiction over a wide variety of subjects, including transportation and water infrastructure, clean air, clean water, drinking water and wildlife protections, federal buildings, toxic chemical safeguards, as well as chemical and nuclear plant safety. Bettina Poirer teaches courses on Legislative Negotiation and Legislative Drafting.

### **Andrew Popper, Ann Loeb Bronfman Distinguished Professor of Law and Government**

Andrew F. Popper is the Bronfman Professor Law and Government and teaches torts, administrative law, government litigation, and advanced administrative law. In 2016 he was elected law faculty member of the year. He is the recipient of American Bar Association awards for excellence in both tort and administrative law and has received American University's highest faculty award, Scholar/Teacher of the Year. He has served as Associate Dean for Academic Affairs and for nearly two decades has chaired the law school admissions committee. He is the director of the law school's Integrated Curriculum Program and faculty advisor to the Administrative Law Review. He has served as chair of the Administrative Law Section of the Federal Bar Association and has been a site visitor for the ABA and AALS, participating in the accreditation review of twelve other law schools, chairing four of those visits. He is the recipient of the Maryland Writer's Association First Place Award for mainstream fiction.

### **Herman Schwartz, Professor Emeritus**

Herman Schwartz is Professor of Law Emeritus at American University Washington College of Law. Throughout a long career in academia, publishing and community service, he has focused his attention and the world's on issues of civil rights and civil liberties as they have played out in courts and prisons across the globe. He has worked with the United Nations, the human rights advocacy group Helsinki Watch, the U.S./Israel Civil Liberties Law Program (which he founded), the ACLU Prison Project (which he founded), Washington College of Law's Human Rights Center and other organizations. In May 2006 he was awarded the 2006 Champion of Justice Award by the Alliance for Justice.

### **Steven Shapiro, Senior Affiliate in Government Contracts Studies**

Steven Shapiro is Adjunct Professor of Law and serves as director of the Hospitality & Tourism Law Program. He teaches Construction Law (LAW 885), Contract Drafting (LAW 849) and Government Contracts Dispute Resolution. An engineer and lawyer, Professor Shapiro has a distinct experience in the interplay of construction and design as well as complex agreements in real estate development.

### **Stephen Wermiel, Professor of Practice in Constitutional Law**

Stephen Wermiel is Professor of Practice in Constitutional Law and part of the Program on Law and Government at American University Washington College of Law. He is currently a member of the Board of Governors of the American Bar Association (ABA) and also sits in the ABA House of Delegates. He is past chair of the ABA Section of Civil Rights and Social Justice (CRSJ) (formerly Individual Rights and Responsibilities) and author of a monthly column on SCOTUSblog aimed at explaining the Supreme Court to law students. At the Washington College of Law, he serves as an adviser to and was past associate director of the Marshall-Brennan Constitutional Literacy Project, in which Washington College of Law students teach constitutional law in the public high schools of Washington, D.C. He also is faculty adviser to the Moot Court Honor Society and serves on the advisory boards of the American University Law Review, Administrative Law Review and the Journal of Gender, Social Policy and Law. In the ABA, Wermiel was most recently a member of the Standing Committee on the Silver Gavel Awards, served as chair of the publications committee of CRSJ, and is a member of the editorial advisory boards of Communications Lawyer, the quarterly publication of the Forum on Communications Law, and Human Rights, the quarterly of CRSJ. He also co-chairs the Free Speech Free Press Committee of CRSJ. In January 2018, CRSJ honored Wermiel with the Robert F. Drinan Award for dedication and service to the section.

### **Program Staff**

**Guarina Lopez-Davis, Program Coordinator**

**Michael Joseph, Program Assistant. 2020 -present**

**Hannah Purkey, Program Assistant, 2019-20**

**Evan Chiarelli, Deans Fellow**

**Jackson Garrity, Deans Fellow**





On September 13, 2019 colleagues from across the law school gathered to review past activities and make plans for the coming year. From left to right starting at the back row top left: Prof. Jeff Lubbers, Prof. Steve Wermiel, Guarina Lopez-Davis, Prof. Bill Snape, Prof. Julie Swaney, Prof. Bob Dinerstein, Hannah Purkey, Prof. David Hunter, Prof. Bettina Poirier, Prof. Lewis Grossman; next row: Vice Dean Susan Carle, Prof. Louis Caldera, Prof. Jayesh Rathod; next row: Prof. Avis Sanders, Prof. Ann Shaleck, Prof. Lisa Curtis; front row: Alberto Lopez, Tra Thanh Pham and Prof. Fernando Laguarda.