

PROFESSIONAL EXPERIENCE

The National Endowment for the Humanities, Washington, DC,

General Counsel, Office of General Counsel, 2008 to present

I provide timely legal and ethical advice to the Chairman, the Chairman's senior staff, NEH Senior Program Officers, and all NEH employees. I undertake, as directed, research on a broad range of issues arising out of the law of government contracts and grants, appropriations and administrative law, interpretation of the Endowment's authorizing legislation and personnel matters. In addition, I represent the agency, as required, in legal and administrative proceedings. I provide daily counsel to NEH Division Directors and staff on a variety of issues including: interactions with other federal agencies, applicant eligibility, and NEH grant guidelines. I review and draft cooperative agreements between the Endowment and both governmental and non-governmental organizations such as the Library of Congress, the Institute of Museum and Library Services, and the American Library Association. I serve as Secretary to the National Council on the Humanities and work with the Office of White House Counsel to ensure ethics clearance from the United States Senate for Presidentially-appointed, Senate-confirmed nominations to the Council. I serve as the Endowment's Designated Agency Ethics Official and am responsible for ensuring NEH employee compliance with the standards of conduct mandated by the Office of Government Ethics. I was promoted to the federal Senior Executive Service in 2007.

The National Endowment for the Humanities,

Acting Deputy Chairman, Office of the Chairman, Jan. 2009–Aug. 2009

For the first eight months of 2009, pending the confirmation of a new Chairman to lead the NEH during the Obama Administration, I served as the Endowment's Acting Deputy Chairman and, as such, was responsible for overseeing all of the agency's operations. During my tenure, the NEH awarded over 600 grants totaling more than \$112 million for institution-building projects, in addition to basic scholarly research, preservation and archival projects, museum exhibitions, and documentary films. During this same eight-month period, as I continued to exercise my regular duties as the Endowment's General Counsel, I also served as the Acting Director of the Endowment's \$15 million *We the People* program.

The National Endowment for the Humanities,

Assistant Chairman for Programs, 2006–2008

I managed 75 people and ensured that \$65.2 million of congressionally appropriated funds (one half of the Endowment's workforce and nearly one half of its budget) were spent in the most effective ways possible to advance the agency's core mission of serving and enhancing the study of the humanities. I reported directly to the NEH Chairman and the Deputy Chairman. As a member of the Chairman's Senior Staff, I played a significant role in implementing the Chairman's national and international initiatives. In addition, I supervised the Directors of the Endowment's Divisions of Education, Preservation and Access, Public Programs, Research, and Office of Challenge Grants. I was the chief NEH official responsible for ensuring the fairness, accessibility, and integrity of the grant application review process.

The National Endowment for the Humanities,

General Counsel, Office of General Counsel, 2003–2006

Prior to returning to my current position as NEH General Counsel in June 2008, I served as the Endowment's General Counsel from March 2005 to March 2006 and as its Deputy General Counsel from May 2003 to March 2005.

Center for Individual Rights, Washington, DC,
Founder and President, 1989–2002

I directed the litigation activities of a non-profit, public interest law firm that grew from a staff of two and an annual budget of \$220,000 to a staff of twelve and a budget of \$1.8 million. As President, I was closely involved in the Center's fundraising activities and regularly met with Foundation heads and major individual donors to solicit funds for the Center's work. I specialized in original constitutional litigation in federal district and appellate courts. My firm won landmark rulings in the areas of civil rights, academic freedom and free speech including three cases before the Supreme Court of the United States. My activities and those of my firm were profiled by: CBS, ABC, NBC, CNN, PBS, ABA Journal, BBC World Service, Boston Globe, Chronicle of Higher Education, Court-TV, C-SPAN, *Detroit Free Press*, *Los Angeles Times*, *Legal Times*, *New York Times*, *Time Magazine*, *Newsweek*, *The New York Review of Books*, and in a front-page story in *The Washington Post*. In addition, I periodically lectured on college and university campuses on legal issues arising from CIR's litigation and organized conferences and panel discussions on related matters.

Washington Legal Foundation, Washington, DC,
1981–1988

I worked in various capacities during my time with WLF. From 1986 to 1988, I served as President of the Foundation's Legal Studies Division. I established a national legal studies program and I was responsible for writing and soliciting timely articles, monographs and books on current legal issues to be distributed to federal and state judges and legislators, executive branch officials, and the news media. I commissioned and edited articles from expert authors, federal and state judges, and nationally-known attorneys. I also organized or participated in numerous panel discussions on college and university campuses. From 1983 to 1986, I led a discrete, four-person legal practice specializing in press and media issues. My responsibilities included regular fundraising with individual donors and philanthropic organizations to support the group's activities. My legal work consisted of administrative practice before the Federal Communications Commission, free speech and libel litigation in federal and state district and appellate courts, as well as organization of and participation in national conferences devoted to media issues. From 1981 to 1983, I was employed as one of the Foundation's litigation attorneys.

PROFESSIONAL AFFILIATIONS

100 Most Influential Attorneys, *National Law Journal*, New York, NY (2000); Runner-up Attorney of the Year (award to CIR legal staff), *National Law Journal*, New York, NY (1999); Vice Chairman, Pro Bono Outreach, Religious Liberties Practice Group, The Federalist Society, Washington, DC (2000); Vice Chairman, Programs, Free Speech Practice Group, The Federalist Society, Washington, DC (1996–1997).

Bar Memberships

The Supreme Court of the United States, Washington, DC (admitted 1986); U.S. Court of Appeals, Fifth Circuit, Atlanta, GA (admitted 1994); U.S. Court of Appeals, Fourth Circuit, Richmond, VA (admitted 1987); U.S. Court of Appeals, District of Columbia Circuit, Washington, DC (admitted 1984); The District of Columbia Court of Appeals, Washington, DC (admitted 1983).

Education

The Catholic University of America, 2003, Department of Modern Languages,
Degree: Romance Languages & Literatures, Ph.D.

George Washington University, 1982, The National Law Center, J.D.

The Catholic University of America, 1978, Department of Political Science, B.A.

PUBLICATIONS

Books

Scrittori di fronte al male: Riflessioni su letteratura e politica, Libri Scheiwiller, 2009.

Legal Articles (Selection)

"For Charitable Choice," *National Review Online*, May 2, 2001.

"Unfree Speech," 18 *Harv. J.L. & Pub. Pol'y* 479 (1995), reprinted in Louise I. Gerdes, ed., *Sexual Harassment* (San Diego: Greenhaven Press, 1999): 72–77.

"A Lawyer's Brief Against Litigating Academic Freedom Cases," *Academic Questions* (Fall 1992): 9–18.

"Defending Academic Freedom," *The Heritage Foundation*, Public Speeches, #371, November 21, 1991.

"Libel by Impression," *Communications and the Law*, 17–42, June, 1991.

"Chilly Wind From Florida Buffets Press," *Legal Times*, March 13, 1989: 17.

"Does Your Right to Privacy End in the Newspapers?," *Los Angeles Daily Journal*, December 20, 1988: 6.

"Limiting Speech in the Name of Freedom," *Legal Times*, January 18, 1988: 19.

"A Change for the Worse in Libel Law: A Response to Floyd Abrams," *The Bulletin of the American Society of Newspaper Editors*, February 1986: 34–35.

"Punitive Damages & Defamation Suits," *National Law Journal*, November 19, 1989. [Cited favorably in *Brown v. Kelly Broadcasting Co.*, 257 Cal. Rptr. 708, at 726, 732, 737. (Cal. S. Ct. 1989).]

"Problems with Libel Law," Hearings and Published Statement Before the *House Subcommittee on Courts*, 99th Congress, 1st Session, June 27, 1985.

"An Analysis of S.774, The Freedom of Information Reform Act," *Hearings and Published Statement Before the House Subcommittee on Information, Justice, and Agriculture*, 98th Congress, 2nd Session, June 20, 1984.

Academic Articles & Journalism (Selection)

"Wills Watching," rev. of "Outside Looking In: Adventures of an Observer," by Garry Wills, *The New Criterion*, June 2011, vol. 29, no. 10: 74–78.

"A Shy Little Bird," rev. of "Under a Cruel Star: A Life in Prague 1941–1968," by Heda Margolius Kovály, *The American Interest*, May/June 2011, vol. VI, no. 5: 103–108.

"The French Identity Crisis," *Commentary*, May 2010, vol. 129, no. 5: 47–49.

"Hitler Reading," *The Weekly Standard*, April, 26, 2010, vol. 15, no. 30: 34–36.

"Norway's Black Sheep," *The Wilson Quarterly*, Autumn 2009: 87–91.

"The Essential Italian," *The American Interest*, July/August 2009, vol. IV, no. 6: 108–111.

"He Saw the Future: From poet to propagandist in Bolshevik Russia," *The Weekly Standard*, December 1, 2008: 33–35.

"A Fresh Focus On Novelist Morante," rev. of "Woman of Rome," by Lily Tuck. *The Wall Street Journal*, September 27, 2008: W11.

"Edmund Wilson Nel Bene E Nel Male (Seconda Parte)," *Nuovi Argomenti*, Aprile-Giugno 2008, no. 42: 312–321.

"Edmund Wilson Nel Bene E Nel Male (Prima Parte)," *Nuovi Argomenti*, Gennaio-Marzo 2008, no. 41: 307–316.

"Conversion Costs," rev. of "I due amici," by Alberto Moravia. *Times Literary Supplement*, June 6, 2008: 10.

"We Are What We Speak," *The American Interest*, vol. III, no. 5, May/June 2008: 121–126.

"Romantic Teuton: Slobodan Milosevic's favorite novelist goes postmodern," *The Weekly Standard*, January 14, 2008: 36–38.

"Sullo Spinoso 'Caso Handke,'" *Nuovi Argomenti*, Aprile-Giugno 2007, no. 38: 317–340.

"The Apologist," *The American Scholar*, Spring 2007, vol. 76, no. 2: 59–68.

"The Stranger in Crawford," rev. of "Camus at Combat: Writing, 1944–1947," by Albert Camus. *The American Interest* (November/December 2006): 107–111.

"America's Critic...Right or Wrong," rev. of "Edmund Wilson: A Life," by Louis M. Dabney, *The American Interest* (Winter 2005): 105–114.

"Politica e morale: quali compiti ha lo storico?," *Il Sole 24 Ore*, September 14, 2003: 30.

Rev. of "The Voice of Memory," by Primo Levi, and "Primo Levi's Ordinary Virtues," by Robert Gordon. *The Italian Quarterly* (Spring 2003): 148–153.

"A party of one," rev. of "Montanelli: Novant'anni controcorrente," by Marcello Staglieno. *Times Literary Supplement*, February 14, 2003: 9.

"A Matter of Writing Life and Death," rev. of "The Double Bond: Primo Levi, A Biography," by Carole Angier, and "Primo Levi," by Ian Thomson. *The National Interest*, no. 70 (Winter 2002/03): 133–141.

"Intervista a Carlo Castellaneta." *The Italian Quarterly*, vol. 39 (Summer/Fall 2002): 77–92.

"Not Stopping at Eboli," rev. of "Le mille patrie: Uomini, fatti, paesi d'Italia," by Carlo Levi. *Times Literary Supplement*, March 29, 2002: 25.

"Visto dagli Usa: Una lettera da Washington," *Lo straniero*, vol. 19 (dicembre 2001/gennaio 2002): 47–52.

Rev. of "Marinetti: Arte e Vita Futurista," by Claudia Salaris. *Rivista di studi italiani*, vol. 19, no. 2 (dicembre 2001): 296–300.

"Il caso Silone." *The National Interest*, no. 65 (Fall 2001): 77–89.

"Moravia second time round," rev. of "Racconti dispersi: 1928–1951," by Alberto Moravia. *Times Literary Supplement*, June 22, 2001: 24.

Rev. of "Conversazioni e interviste," by Primo Levi. *Rivista di studi italiani*, vol. 17, no. 1 (giugno 1999): 452–454.

Rev. of "Per forza e per amore: la poesia e la sua officina di prosa," by Giovanni Giudici. *Rivista di studi italiani*, vol. 17, no. 1, (giugno 1999): 465–468.

Lectures & Papers (Selection)

"The 1952 Moravia Travel Ban: A Case Study of What Really Happened," invited paper delivered at the three-day conference "Alberto Moravia e l'America," held in Rome, Italy, May 19-21, 2011 and sponsored by the Associazione Fondo Alberto Moravia, the Association of American College and University Programs in Italy, and John Cabot University.

"Jünger, Malaparte and the Spiritualization of War," invited paper delivered at the Thirty-First Annual Conference, German Studies Association, October 3, 2008, St. Paul, MN.

"La fine dell'Arcadia: Scrittori americani in Italia (1915-1965)," International Conference on *National Identity, Historical Memory and the Humanities*, Accademia della Crusca, Florence, Italy, April 11, 2008.

"New European Dynamics in Promoting Science and Humanities: Challenges and Opportunities for the United States and Europe," Embassy of the Federal Republic of Germany, Washington, DC, May 2, 2007.

"Literature and Politics in the Contemporary World," lecture to students in the Faculty of Humanities at the University of Oulu, Finland. December 1, 2006.

"The Conservative Public Interest Law Movement," presentation to Harry S. Truman Scholars, The *Brookings Institution*, Washington, DC, June 1, 2001.

"History and Impact of Conservative Public Interest Law," *The National Press Foundation*, Washington, DC, May 16, 2001.

"Free Speech and Workplace Harassment," *Florida Bar Association*, Miami, FL, February 21, 1997.

"Campaign Finance Reform and the First Amendment," *The Federalist Society*, Washington, DC, November 15, 1996.

"The Interest Group Connection: The Judicial Connection," *The Lobbying Institute*, American University, Washington, DC, November 20, 1995.

"The Meaning of *Rosenberger v. UVA*," lecture on U.S. Supreme Court opinion, *36th Annual Conference of the Association for College and University Religious Affairs*, UCLA, October 30, 1995.

"Campus Speech Codes: The Social Construction of Sexual Harassment," *The Wolfe Institute for the Humanities*, Ewen Lecture in Civil Liberties and Academic Freedom, Brooklyn College, New York, NY, April 6, 1995.

"Hate Crimes and Constitutional Rights," *Howard University School of Law Annual Symposium*, Washington, DC, February 26, 1993.

"Justice: Color Blind and Gender Neutral?," *17th Annual District of Columbia Judicial Conference*, Washington, DC, June 5, 1992.

"Political Correctness, Hate Speech and Academic Freedom on College Campuses," *Association of the Bar of the City of New York*, New York, NY, February 5, 1992.

"Politically Correct Speech and Its Impact on Academic Freedom and Education," *The University of Baltimore School of Law*, Baltimore, MD, November 13, 1991.

"The FOIA: Has It Helped or Harmed the Nation?," *Society of Professional Journalists*, Crystal City, VA, March 12, 1986.

"The First Amendment and Libel Law," *The Judicial Conference of the District of Columbia Circuit*, Williamsburg, VA, May 20, 1985.

"National Security v. Free Speech," *Institute of Bill of Rights Law Symposium*, College of William and Mary, VA, March 30, 1985.

"Trends in Libel Law: Just Redress or Invitation to Suppress?," *Pennsylvania Bar Association*, Philadelphia, PA, February 19, 1985.

OTHER AFFILIATIONS & AWARDS

Board of Trustees, Shimer College, 2009 – 2010

Literary Counsel, *The American Interest* magazine, Jan. 2006 – Dec. 2007

Premio Internazionale Ignazio Silone, *Fondazione Silone*, Rome, Italy, March 8, 2003