

**From the Pentagon Papers to WikiLeaks:
A Transatlantic Conversation on the Public's Right to Know**

Heidelberg Center for American Studies (HCA), May 10-12, 2012

Program

Thursday, May 10

6:15 p.m. Welcome

6:30 p.m. **KEYNOTE**

*"A Unique Gift to Truth and Freedom: The First Amendment to the
Constitution of the United States"*

Neil Sheehan, Journalist, Washington, D.C.

Afterwards Reception

Friday, May 11

9:00 a.m. **SESSION I: HOW THE US KEEPS ITS SECRETS**

*"Looking Backwards: Freedom of Information in Historical
Perspective"*

Kathleen Donohue, Department of History, Central Michigan
University, and author of *Information Wars: The Public's Right to
Know and the Making of Modern America* (in progress)

"The Pentagon Papers and Beyond"

Louis Fisher, Constitutional Scholar, former Research Director of the
House Iran-Contra Committee

Discussion

10:30 a.m. Coffee Break

11:00 a.m. **SESSION II: INVESTIGATIVE JOURNALISM**

"Investigating in a Minor Key"

Susan Sheehan, Pulitzer-Prize-winning investigative journalist,
Washington, D.C.

"Watergate 4.0: How Would the Story Unfold in the Digital Age?"

Alicia Shepard, Professorial Lecturer, American University, author of *Woodward
and Bernstein: Life in the Shadows of Watergate*, and former ombudsman for
National Public Radio

Discussion

12:30 p.m. Lunch Break

- 2:00 p.m. **SESSION III: THE COURTS AND THE PUBLIC’S RIGHT TO KNOW**
 “Latecomer Nation? Looking Back on Six Years of Legislation and Litigation under the German FOIA”
 Klaus Gronenberg, Ministerial Counselor, Freedom of Information Division, Office of the Federal Commissioner for Data Protection and Freedom of Information, Bonn

 “Access to Government Information as a Foundation for American Democracy – and How and Why the Courts Have Generally Failed to Recognize This”
 Frederick A. O. (“Fritz”) Schwarz, Jr., Senior Counsel, Brennan Center for Justice at NYU Law School; formerly lead counsel for the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activity (Church Committee)

 Discussion
- 3:30 p.m. Coffee Break
- 4:00 p.m. **SESSION IV INFORMATION CONTROL IN THE BUSH ERA**
 “The Constitutional Politics of Information Control”
 Heidi Kitrosser, Law School, University of Minnesota, and author of *Secrecy and Separated Powers: Executive Privilege Revisited*

 “Getting Leaks Under Control: Congress’s Persistently Wrenching Problem?”
 Jennifer K. Elsea, Legislative Attorney, Congressional Research Service, Washington, D.C. and author of *Criminal Prohibitions on the Publication of Classified Defense Information*

 Discussion
- 6:30 p.m. **ROUNDTABLE: THE PUBLIC’S RIGHT TO KNOW IN THE NEW INFORMATION AGE**

 Christoph Bieber, Johann Wilhelm Welker Chair for Ethics in Political Management and Society, NRW School of Governance, Duisburg

 Jennifer K. Elsea, Legislative Attorney, Congressional Research Service, Washington, D.C.

 Robin Fields, Investigative journalist

 Frederick A. O. (“Fritz”) Schwarz, Jr., Senior Counsel, Brennan Center for Justice at NYU Law School
- 8:00 p.m. Adjourn

Saturday, May 12

9:00 a.m. **SESSION V: CHALLENGING GOVERNMENT SECRECY THEN AND NOW**

“When the Watchdogs Don’t Bark: The Rise and Decline of Press Challenges to Government Secrecy”

David Cuillier, Professor of Journalism, University of Arizona, and Chairman of the Freedom of Information Committee of The Society of Professional Journalists

“Lessons of Watergate, the First 40 Years”

Barry Sussman, editor of the Nieman Watchdog Project and former *Washington Post* editor

Discussion

10:30 a.m. Coffee Break

11:00 a.m. **SESSION VI: KEEPING THE PUBLIC INFORMED IN A CORPORATE AGE**

“Journalism vs. Perception Management: A Losing Battle between Fact and Propaganda in the Modern Age”

Robert Parry, Investigative reporter and founder of Consortium News

“Getting the Information No One Wants You to Have and Setting It Free”

Robin Fields, Investigative journalist, senior editor at *Propublica*

Discussion

12:30 p.m. Lunch Break

3:30 p.m. **SESSION VII: OPEN ACCESS TO INFORMATION**

“From WikiLeaks to OpenLeaks: Is there a German Perspective on the Politics of Leaking?”

Christoph Bieber, Johann Wilhelm Welker Chair for Ethics in Political Management and Society, NRW School of Governance, Duisburg

“WikiLeaks – Lessons Learned”

Marcel Rosenbach, *Der Spiegel*

Discussion

5:00 p.m. Coffee Break

5:30 p.m. **SESSION VIII: GENERAL DISCUSSION**

Moderator: Kathleen Donohue, Department of History, Central Michigan University

6:30 p.m. Adjourn