

STEVEN L. SCHOONER

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GEORGE WASHINGTON UNIVERSITY LAW SCHOOL
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EXPERIENCE

Nash & Cibinic Professor of Government Procurement Law, *George Washington University Law School*, Washington, D.C., 1998-present, Tenured 2005.

- Jeffrey & Martha Kohn Senior Associate Dean for Academic Affairs (2023-present; 2006-2008)
- Professor of Law, Co-Director of the Government Procurement Law Program
- Associate Professor of Law, Co-Director of the Government Procurement Law Program
- Associate Professor of Law
- Associate Professor of Government Contracts Law

Courses: Contracts I and II; Government Contracts (Formation; Performance; Introduction); Moot Court; Thesis/Capstone.

Teaching Staff (Module on Contract Complaints & Disputes), International Master of Public Procurement Management, *University of Rome Tor Vergata*, Frascati, Italy, 2017-present.

Adjunct Professor, *Contract and Fiscal Law Department, The Judge Advocate General's School of the Army*, Charlottesville, Virginia, 1991-2007. Reserve Officer (retired), United States Army Judge Advocate Generals (JAG) Corps.

Associate Administrator for Procurement Law and Legislation, *Office of Federal Procurement Policy, Office of Management and Budget, Executive Office of the President*, Washington, D.C., 1996-98. [Career Senior Executive Service]

Trial Attorney, *Department of Justice, Civil Division, Commercial Litigation Branch*, Washington, D.C., 1991-96.

Associate, *Seyfarth, Shaw, Fairweather & Geraldson*, Washington, D.C., 1989-91.

Commissioner, *Armed Services Board of Contract Appeals*, Falls Church, Virginia, 1986-89. Active Duty, United States Army JAG Corps.

Associate, *Wickwire, Gavin & Gibbs*, Vienna, Virginia, 1985-86.

EDUCATION

LL.M. *George Washington University Law School*, Washington, D.C., 1989
Masters in Government Procurement Law (with highest honors)

J.D. *College of William & Mary, Marshall-Wythe School of Law*, Williamsburg, Virginia, 1985

B.A. *Rice University*, Houston, Texas, 1982

MISCELLANEOUS, INCLUDING AWARDS, HONORS, AND CERTIFICATIONS

- Faculty Advisor (or Associate Editor), PUBLIC CONTRACT LAW JOURNAL (1987-present)
- Advisory Board, THE GOVERNMENT CONTRACTOR (1998-present)
- Editorial Board, PUBLIC PROCUREMENT LAW REVIEW (U.K., 1999-2007, 2020-present)
- The Jacob Burns Award for Extraordinary Service to the George Washington University Law School (2024)
- Sustainability/Green Excellence Award, Excellence in Partnership Awards, The Coalition for Government Procurement (2023)
- Research Council, Systems Engineering Research Center (SERC, 2022-2024)
- Co-Editor, *Public Procurement, Government Contracts & Outsourcing eJournal* (2016-present); *GW Law School SSRN Paper Series* (2005-2012)
- Board of Directors, Procurement Round Table (2003-present)
- Board of Advisors, Executive Advisory Council, National Contract Management Association (NCMA) (2001-present)
- Fellow, National Contract Management Association (NCMA)
- Certified Professional Contracts Manager (CPCM)
- EU TED (European Union Tenders Electronic Daily) Ambassador award (2023)
- Member, U.S. General Services Administration's (GSA) Acquisition Policy Federal Advisory Committee (GAP FAC, focusing on sustainability) (Special Government Employee (SGE), 2022-2024)
- Committee Member, National Academies of Sciences Engineering and Medicine, Assessment of Partnership Options for a Small Satellite System for Collecting Scientific Quality Oceanic and Coastal Data (2021-2022)
- Contributor, Department of Defense Acquisition Innovation Research Center (AIRC) Panel on Joint Pathology Center (2021)
- Outstanding MSGC Faculty Award (GW School of Business, 2016)
- Charles A. Dana Distinguished Service Award (NCMA, 2012)
- Faculty Advisor, Government Contracts Moot Court Competition (1998-2016)
- Procurement Law Editor, JOURNAL OF PUBLIC PROCUREMENT (2001-2012)
- Subject Matter Expert, Business Executives for National Security (BENS) Task Force on Acquisition Law and Oversight (2008-2009)
- Alan E. Peterson Award for Distinguished Service in Government Contracts (2009)
- W. Gregor Macfarlan Excellence in Contract Management Research and Writing Award (NCMA, 2008) (with Greenspahn)
- Key Contributor, Defense Science Board Task Force on Management Oversight in Acquisition Organizations (2004-2005)
- 16th Creekmore Lecturer, 2004 Government Contract & Fiscal Law Symposium, U.S. Judge Advocate General's School
- Federal Bar Association, 1989 Younger Federal Lawyer Award
- American Bar Association, Section of Public Contract Law Essay Contest Winner (1985)
- Member of the Virginia and District of Columbia Bars
- Legion of Merit, Airborne Qualification (U.S. Army)
- Experienced Alternative Dispute Resolution Neutral and Expert Witness

PUBLICATIONS

FULL TEXT OF RECENT SCHOLARSHIP IS AVAILABLE AT:

<http://ssrn.com/author=283370>

BOOK

THE GOVERNMENT CONTRACTS REFERENCE BOOK: A COMPREHENSIVE GUIDE TO THE LANGUAGE OF PROCUREMENT (with various co-authors)

- fifth edition, 2021
- fourth edition, 2013
- third edition, 2007
- second edition, 1998
- first edition, 1992

JOURNAL ARTICLES AND BOOK CHAPTERS

Greenhouse Gas Assessment, Disclosure, and Targeting: Planting a Sustainable Public Procurement Seed, JOURNAL OF STRATEGIC CONTRACTING AND NEGOTIATION (in peer review) (with Matsuda)

A Force of Nature, A Model Worth Emulating: Remembering Ruth Burg, 53 PUBLIC CONTRACT LAW JOURNAL 498 (2024).

Deploying the WTO Agreement on Government Procurement (GPA) to Enhance Sustainability and Accelerate Climate Change Mitigation, 32 PUBLIC PROCUREMENT LAW REVIEW 223 (2023) (with Anderson, Salgueiro, and Steiner).

Strange Bedfellows? Representative Democracy And Academic Engagement with the Defense Industry, PART V: CONCLUSION, CHAPTER 17: ETHICAL DILEMMAS OF THE GLOBAL DEFENSE INDUSTRY (Oxford; Schoeni & Vestner, Eds.) (2023, with Matsuda).

Promoting Sustainable Public Procurement Through Economic Policy Tools: From Moral Suasion to Nudging, 4 EUROPEAN JOURNAL OF PUBLIC PROCUREMENT MARKETS (2023, with Klingler); recipient of a TED (*Tenders Electronic Daily*) Ambassador award (Publications Office of the European Union).

Graduate Level Distance Learning: Enhanced Student Experience, Significant Scalability Challenges: A Multiyear Case Study, 71 JOURNAL OF LEGAL EDUCATION 596 (2022, with Thornton and Speidel).

Dawn Of the Intercontinental Sniper: The Drone's Cascading Contribution to the Modern Battlefield's Complexity, Review of *PREDATOR: THE SECRET ORIGINS OF THE DRONE REVOLUTION*, by Richard Whittle, 8 JOURNAL OF NATIONAL SECURITY LAW & POLICY 321 (2016) (with Castellano).

Eyes on the Prize, Head in the Sand: Filling the Due Process Vacuum in Federally Administered Contests, 24 FEDERAL CIRCUIT BAR JOURNAL 391 (2015) (with Castellano).

Review Essay: Reading THE DREAM MACHINE: THE UNTOLD STORY OF THE NOTORIOUS V-22 OSPREY, by Richard Whittle, in *Light of the Defense Acquisition Performance Study*, 43 PUBLIC CONTRACT LAW JOURNAL 391 (2014) (with Castellano).

Editor's Note: Reflections on Comparative Public Procurement Law, 43 PUBLIC CONTRACT LAW JOURNAL 1 (2013).

Dead Contractors: The Un-Examined Effect of Surrogates on the Public's Casualty Sensitivity, 6 JOURNAL OF NATIONAL SECURITY LAW & POLICY 11 (2012) (with Swan).

Affirmatively Inefficient Jurisprudence?: Confusing Contractors' Rights to Raise Affirmative Defenses With Sovereign Immunity, 21 FEDERAL CIRCUIT BAR JOURNAL 685 (2012) (with Kovacs).

A Random Walk: The Federal Circuit's 2010 Government Contracts Decisions, 60 AMERICAN UNIVERSITY LAW REVIEW 1067 (2011).

Public Procurement: Focus on People, Value for Money and Systemic Integrity, Not Protectionism, Chapter 17, in *THE COLLAPSE OF GLOBAL TRADE, MURKY PROTECTIONISM, AND THE CRISIS: RECOMMENDATIONS FOR THE G20* (VoxEU.org, Richard Baldwin and Simon Evenett, Editors, 2009) (with Yukins).

Why Contractor Fatalities Matter, 38 PARAMETERS 78 (Autumn 2008); reprinted in Arabic, Emirates Center for Strategic Studies and Research, *International Studies*, Volume 87 (2009).

Too Dependent on Contractors? Minimum Standards for Responsible Governance, 6 JOURNAL OF CONTRACT MANAGEMENT 9 (Summer 2008) (with Greenspahn); reprinted in India in *PUBLIC PROCUREMENT POLICY AND LAW* (P L Jayanthi Reddy, editor, 2010).

Incrementalism: Eroding the Impediments to a Global Public Procurement Market, 38 GEORGETOWN JOURNAL OF INTERNATIONAL LAW 529 (2007) (with Yukins).

Post-Katrina Reconstruction Liability: Exposing the Inferior Risk-Bearer, 43 HARVARD JOURNAL ON LEGISLATION 287 (2006) (with Siuda-Pfeffer).

Contractor Atrocities at Abu Ghraib: Compromised Accountability in a Streamlined, Outsourced Government, 16 STANFORD LAW & POLICY REVIEW 549 (2005).

John Cibinic's Extraordinary Legacy, 35 PUBLIC CONTRACT LAW JOURNAL 21 (2005).

The Paper Tiger Stirs: Rethinking Suspension and Debarment, 14 PUBLIC PROCUREMENT LAW REVIEW 211 (2004).

Competitive Sourcing Policy: More Sail Than Rudder, 33 PUBLIC CONTRACT LAW JOURNAL 263 (2004).

The Future: Scrutinizing the Empirical Case for the Court of Federal Claims, 71 GEORGE WASHINGTON LAW REVIEW 714 (2003).

Commercial Purchasing: The Chasm Between the United States Government's Evolving Policy and Practice, Chapter 8 in PUBLIC PROCUREMENT: THE CONTINUING REVOLUTION at 137 (Sue Arrowsmith & Martin Trybus, editors 2003).

Review Essay: Communicating Governance: Will Plain English Drafting Improve Regulation?, 70 GEORGE WASHINGTON LAW REVIEW 163 (2002) (reviewing THOMAS A. MURAWSKI, WRITING READABLE REGULATIONS).

Desiderata: Objectives for a System of Government Contract Law, 11 PUBLIC PROCUREMENT LAW REVIEW 103 (2002); also *Introduction: the Symposium "Drafting a Government Procurement Law": Lessons Learned from the United States*, 11 PUBLIC PROCUREMENT LAW REVIEW 99 (2002).

Fear of Oversight: The Fundamental Failure of Businesslike Government, 50 AMERICAN UNIVERSITY LAW REVIEW 627 (2001).

Purchase Cards and Micro-Purchases: Sacrificing Traditional United States Procurement Policies At the Altar of Efficiency, 9 PUBLIC PROCUREMENT LAW REVIEW 148 (2000) (with Whiteman); reprinted in PUBLIC PROCUREMENT Volume I, page 207 (Sue Arrowsmith & Keith Hartley, editors, 2002).

What Next? A Heuristic Approach to Revitalizing the Contract Disputes Act of 1978, 28 PUBLIC CONTRACT LAW JOURNAL 635 (1999).

Pondering The Decline of Federal Government Contract Litigation in the United States, 8 PUBLIC PROCUREMENT LAW REVIEW 242 (1999).

Mixed Messages: Heightened Complexity In Social Policies Favoring Small Business Interests, 8 PUBLIC PROCUREMENT LAW REVIEW CS78 (No. 3, 1999).

Book Review, CONTRACTS DISPUTES ACT: ANNOTATED, by Robert T. Peacock and Peter D. Ting, 28 PUBLIC CONTRACT LAW JOURNAL 117 (1998), reprinted in VIV THE CLAUSE 9 (Winter Issue, January 1999).

Book Review: Change, Change Leadership, and Acquisition Reform, 26 PUBLIC CONTRACT LAW JOURNAL 467 (1997).

Book Review, CONSTRUCTION MANAGEMENT: LAW AND PRACTICE, by Michael C. Loulakis, Jon M. Wickwire, Mark R. Berry, and Thomas J. Driscoll, 25 PUBLIC CONTRACT LAW JOURNAL 537 (1996).

Look Before You Lend: A Lender's Guide to Financing Government Contracts Pursuant to the Assignment of Claims Act, 48 BUSINESS LAWYER 535 (1993)(with H. Schooner).

Volumes 10-19 Public Contract Law Journal Subject Matter and Authors Index, 20 PUBLIC CONTRACT LAW JOURNAL 249 (1991).

To Stay or Not to Stay: Difficult Decisions for Boards of Contract Appeals Confronted with Parallel Proceedings, 16 PUBLIC CONTRACT LAW JOURNAL 418 (1987)(with McCastlain).

Impossibility of Performance in Public Contracts: An Economic Analysis, 16 PUBLIC CONTRACT LAW JOURNAL 229 (1986).

Recovery of Costs for Defense Against the Government's Charge of Illegality, 16 PUBLIC CONTRACT LAW JOURNAL 94 (1986)(with Connelly).

The Davis-Bacon Act: Controversial Implementation of the 50% Rule, 5 THE CONSTRUCTION LAWYER 9 (No. 3, 1985); abridged and reprinted at 10 EMPLOYEE RELATIONS LAW JOURNAL 702 (1985).

Obscene Parody: The Judicial Exception To Fair Use Analysis, 14 JOURNAL OF ARTS MANAGEMENT AND LAW 69 (Vol. 3, 1984).

ESSAYS, OPINION, AND OTHER PUBLISHED WORKS

Feature Comments in THE GOVERNMENT CONTRACTOR (Thomson Reuters (formerly West)):

- *Ethics, Compliance, And The Dispiriting Saga Of Craig Whitlock's FAT LEONARD*, 66 GC ¶ 118 (2024).
- *A Brief Introduction to Gustavo Piga's "Transformational Procurement,"* 64 GC ¶ 266 (2022).
- *The Well-Reasoned Case for Reversing the Outsourcing Trend: A Review Essay of Jon Michaels' CONSTITUTIONAL COUP: PRIVATIZATION'S THREAT TO THE AMERICAN REPUBLIC*, 59 GC ¶ 319 (2017).
- *The WTO's Revised Government Procurement Agreement: An Important Milestone Toward Greater Market Access and Transparency in Global Public Procurement Markets*, 54 GC ¶ 1 (2012) (with Anderson & Swan).
- *Suing the Government as a "Joint Employer": Evolving Pathologies of the Blended Workforce*, 52 GC ¶ 341 (2010) (with Swan).
- *Tempering 'Buy American' In The Recovery Act—Steering Clear Of A Trade War*, 51 GC ¶ 78 (2009) (with Yukins); reprinted in THE NEW LANDSCAPE OF GOVERNMENT CONTRACTING at 49 (West 2010).
- *Empty Promise for the Acquisition Workforce*, 47 GC ¶ 203 (2005).
- *Risky Business: Managing Interagency Acquisition*, 47 GC ¶ 156 (2005).
- *Buying the "Black Beret": Balancing Customer "Needs" and Socio-Economic Policies*, 43 GC ¶ 158 (2001).

- *Watching The Sunset: Anticipating GAO's Study Of Concurrent Bid Protest Jurisdiction In The COFC And The District Courts*, 42 GC ¶ 108 (2000).
- *The Future of "Businesslike" Government: The CBD Asserts Its Rights Against Debtor Federal Agencies*, 41 GC ¶ 112 (1999).

Articles in CONTRACT MANAGEMENT Magazine:

- *Why Sustainable Procurement? Read All About It*, 64 CONT. MGMT. 48 (April 2024).
- *Food Procurement: An Essential Ingredient to Mitigating Climate Change and Enhancing Public Health*, 64 CONT. MGMT. 50 (February 2024) (with Waterman & Clark).
- *Leveraging the Federal Government's Buying Power to Mitigate Climate Change*, 63 CONT. MGMT. 40 (December 2023) (with Hall & Cooke).
- *No Time to Waste: Embracing Sustainable Procurement to Mitigate the Accelerating Climate Crisis*, 61 CONT. MGMT. 24 (December 2021).
- *Warming Up to Sustainable Procurement*, 60 CONT. MGMT. 32 (October 2020) (with Speidel).
- *Look Up and Around: Musings on Mentors, Role Models, and Professionalism*, 60 CONT. MGMT. 34 (January 2020, revised and updated); 54 CONT. MGMT. 32 (March 2014).
- *Reinvigorating Innovation: Lessons Learned From the Wright Brothers*, 56 CONT. MGMT. 46 (April 2016) (with Castellano).
- *The Contract Management Body of Knowledge: Understanding An Essential Tool for the Acquisition Profession*, 53 CONT. MGMT. 36 (December 2013) (with Couture).
- *Outlook: Scandal or Solution?*, 46 CONT. MGMT. 62 (January 2006) (with Kelman).
- *Requiem for Research*, 40 CONT. MGMT. 76 (November 2000).
- *Reinventing Acquisition: Expanding Opportunities for Small Businesses in Task Order Contracting*, 37 CONT. MGMT. 44 (October 1997) (with Williams & Mesaros).

Sustainable Procurement: Building Vocabulary to Accelerate the Federal Procurement Conversation, 21-10 BRIEFING PAPERS 1 (September 2021) (Thomson Reuters, 2d Series) (with Matsuda).

Analysis in the NASH & CIBINIC REPORT (West, Thomson Reuters):

- *Brand Name or Equal: Without "Equal," It's Not Competitive*, 34 N&CR ¶ 52 (October 2020).
- *Postscript II: Enhanced Debriefings*, 34 N&CR ¶ 26 (May 2020).
- *Enhanced Debriefings: A Toothless Mandate?*, 34 N&CR ¶ 10 (February 2020).
- *Commercial Products and Services: Raising the Market Research Bar or Much Ado About Nothing?*, 32 N&CR ¶ 52 (November 2018).
- *Indefinite-Delivery/Indefinite-Quantity Contracts: Time To Correlate Practice And Policy?*, 32 N&CR ¶ 44 (September 2018).
- *False Claims Act: Greater DOJ Scrutiny of Frivolous Qui Tam Actions?*, 32 N&CR ¶ 20 (April 2018).
- *Bid Protests: The RAND Study Of DOD Protests At The GAO And The COFC*, 32 N&CR

¶ 10 (February 2018).

- *Postscript: Contract Disputes Act “Claims”: Is “Additional or Unforeseen Work at the Government’s Behest” A Prerequisite?*, 26 N&CR ¶ 40 (August 2012).
- *Postscript III: Challenging an Override of a Protest Stay*, 26 N&CR ¶ 25 (May 2012).
- *Postscript: Defense to a Government Claim is a Contractor Claim*, 26 N&CR ¶ 6 (February 2012).
- *More Bites of Red Herring: Claims Court/BCA Differences In Handling Default Terminations*, 2 N&CR ¶ 21 (April 1988).

Viewpoint, Opinions and Analysis in GOVERNMENT EXECUTIVE Magazine:

- *Stop The Obstruction and Authorize the Transition* (November 12, 2020).
- *We Need To Talk About Corruption* (September 29, 2020).
- *The VA Grand Challenge: Looking for Love in The Wrong Places* (May 20, 2020) (with Nathaniel Castellano).
- *Suspend The Trump Organization From Doing Business With Government* (January 27, 2020) (with Kathleen Clark & Scott Amey).
- *The President’s Hotel Donation Ruse* (March 9, 2018) (with Kathleen Clark).
- *Exploiting Public Office for Private Gain* (January 29, 2017) (with Kathleen Clark).
- *GSA’s Trump Hotel Lease Debacle* (web - Nov. 28, 2016) (with Daniel Gordon), reposted on THE ATLANTIC (Nov. 29, 2016).
- *Keeping Up With Procurement*, 38 GOV. EXEC. (July 1, 2006, No. 11).
- *Procurement Proper*, 37 GOV. EXEC. 70 (August 15, 2005, No. 14).
- *Mismanaged Competition*, 36 GOV. EXEC. 70 (May 15, 2004, No. 8).
- *The Open Market*, 35 GOV. EXEC. 80 (June 2003, No. 7).
- *Badge of Courage*, 34 GOV. EXEC. 65 (August 2002, No. 11).
- *Suspensions Are Just a Side Show*, 34 GOV. EXEC. 58 (May 2002, No. 5).

Foreword, JESSICA L. CLARK & KRISTEN E. MURRAY, SCHOLARLY WRITING: IDEAS, EXAMPLES, AND EXECUTION, (Carolina Academic Press, Third Edition 2018; Second Edition, 2012).

Trump’s Washington Hotel is a Bridge Too Far for Fair Competition, NATIONAL LAW JOURNAL (web - March 20, 2017) (with Alan B. Morrison).

The Worst Job in Washington? Counsel to President Trump., THE HILL (web - February 15, 2017) (with Kathleen Clark).

Trump’s Business Plan Puts Government Credibility at Risk, THE HILL (web - January 17, 2017) (with Daniel I. Gordon).

Trump Leases his D.C. hotel from a Government Agency He’ll Soon be in Charge of, WASHINGTON POST (web - November 15, 2016) (with Daniel I. Gordon).

Prizes! Innovating, Risk Shifting, and Avoiding Contracts and Grants, 43 PUBLIC MANAGER 33 (No. 4, Winter 2014) (with Castellano).

Book Review: The Invisible Soldiers: How America Outsourced Our Security, by Ann Hagedorn, 44 PARAMETERS 152 (Autumn 2014).

Contractors and the Ultimate Sacrifice, THE SERVICE CONTRACTOR 16 (September 2010) (with Swan).

Federal Contracting and Acquisition, in FRAMING A PUBLIC MANAGEMENT RESEARCH AGENDA: EXAMINING THE OBAMA ADMINISTRATION'S THEMES FOR A HIGH-PERFORMING GOVERNMENT, IBM Center for the Business of Government (2010).

Remember Them, Too: Don't Contractors Count When We Calculate the Costs of War? WASHINGTON POST A21 (May 25, 2009).

Commentary: Achieving Effective Reform, FEDERAL TIMES 23 (April 13, 2009) (with Kelman).

Value for (Your) Money, 35 THE REPORTER 176 (No. 4, 2008).

Fiscal Waste? Priceless, L.A. TIMES, Opinion Section (September 14, 2005).

Adding Up Efficiency's Cost, LEGAL TIMES, Vol. 26, No. 43 (November 1, 2004) (with Yukins).

Contract Disputes Act, entry in MAJOR ACTS OF CONGRESS (Brian K. Landsberg, editor 2003).

Downsizing Government on the Cheap, STAR-LEDGER, Perspective Section (Sunday, September 28, 2003).

Mending Fences, Burning Bridges, STAR-LEDGER, Perspectives Section, page 1 (Sunday, March 30, 2003).

A Measure of Success, LEGAL TIMES, page 34 (March 17, 2003) (with Yukins).

Model Behaviour? Anecdotal Evidence of Tension between Evolving Commercial Public Procurement Practices and Trade Policy, 9 INTERNATIONAL TRADE LAW & REGULATION 4 (2003) (with Yukins).

Plotting Our Defense, LEGAL TIMES 30 (March 5, 2001) (Roundtable participant).

Who's Watching Now?, LEGAL TIMES, page S27 (April 26, 1999).

Protests Serve Public as Watchdog, FEDERAL COMPUTER WEEK 17 (March 8, 1999).

The CDA At Twenty: A Brief Assessment of BCA Activity, 34 PROCUREMENT LAWYER 10 (Number 4, Summer 1999) (with Coleman).

A Modest Proposal to Enhance Civil/Military Integration: Rethinking the Renegotiation Regime

as a Regulatory Mechanism To Decriminalize Cost, Pricing, and Profit Policy (1999 Defense Systems Management College Acquisition Research Symposium, June 21-23, 1999) (with Kovacic).

Articles and Practice Notes in THE ARMY LAWYER

- *The FTCA Discretionary Function Exception Nullifies \$25 Million Malpractice Judgment Against DCAA: A Sigh of Relief Concludes the DIVAD Contract Saga*, March 1999, page 17.
- *Contract Law Developments of 1997 – The Year In Review*, January 1998, page 3 (with Wallace, et al.).
- *Affirmative Action in Procurement: A Preview of the Post-Adarand Regulations in the Context of an Uncertain Judicial Landscape*, September 1997, page 3 (with Wallace).
- *Forewarned Is Forearmed: DCAA Held Liable for \$25 Million in Damages for Accounting Malpractice*, September 1996, page 37.
- *Costly Noncompliance With The Assignment of Claims Act: A Reminder For Counsel and Disbursing Officers*, July 1995, page 50.
- *Allowability Versus Allocability of General and Administrative Expenses: Recent Guidance From The Federal Circuit*, October 1994, page 60.
- *The Trade Agreements Act: Installation Procurement and International Government Acquisition Law*, September 1983, page 1 (with Rothlein).

The Unmovable Object (National Security) Meets the Irresistible Force (Environmental Protection); Result - Government Contractors Are Being Crushed by the Impact of Equally Paramount Objectives, 55 FEDERAL CONTRACTS REPORTS 878 (1991)(with Nibley & Onsdorf).

Applying the Truth In Negotiations Act To Interorganizational Transfers, 90-11 COSTS, PRICING & ACCOUNTING REPORT 3 (Nov. 1990)(with Nibley & Johnson).

The Lacey Order: Control of Complex Litigation Before the Boards of Contract Appeals, 9 THE CONSTRUCTION LAWYER 1 (No. 2, 1989).

COURSE BOOKS

Chapter author, THE THOMSON REUTERS GOVERNMENT CONTRACTS YEAR IN REVIEW CONFERENCE BRIEFS (Thomson Reuters, previously West, previously Federal Publications) 2022, 2021, 2020, 2019, 2018, 2017, 2016, 2015, 2014, 2013, 2012, 2011, 2010, 2009, 2008, 2007, 2006, 2005, 2004, 2003, 2002, 2001, 2000, 1999, 1998, 1997, 1996, 1995, 1994, 1991 (Chapters on “Emerging Issues,” “Acquisition Reform,” “Policy and Legal Frameworks for Open Procurement Markets,” “Disputes,” and “Environmental Issues”).

Contributing author, THE GOVERNMENT CONTRACT COMPLIANCE HANDBOOK (Federal Publications, 2d ed. 1991).

Chapter author of “Socio-Economic Problems,” “Special Categories of Contracting,” and “FAR Clauses and Forms,” in WORKING WITH THE FAR (Federal Publications, 1990).

Chapter author of *Small Business Obligations*, in the 1989 National Education Seminar course book, *SUBCONTRACTS: GOVERNMENT AND INDUSTRY ISSUES* (National Contract Management Association).

Co-author of the 1988 National Education Seminar course book, *SOURCE SELECTION* (National Contract Management Association) (with Nash, Cibinic & Bednar).

Co-author, *ARCHITECT-ENGINEER LIABILITY UNDER THE LAWS OF THE DISTRICT OF COLUMBIA, MARYLAND, AND VIRGINIA* (Cambridge Institute, 1986) (with Wickwire & Loulakis).

CONGRESSIONAL TESTIMONY, PRESENTATIONS

Discussion of *Dead Contractors: The Un-Examined Effect of Surrogates on the Public's Casualty Sensitivity*, before the U.S. Commission on Wartime Contracting, Washington, D.C. (May 2011).

Congressional Oversight Panel [Troubled Asset Relief Program (TARP)], *Oversight in Federal Contracting* (September 22, 2010).

U.S. Senate Committee on Homeland Security & Governmental Affairs, Ad Hoc Subcommittee on Contracting Oversight, *Interagency Contracts (Part I): Overview and Recommendations for Reform* (February 25, 2010).

U.S. House of Representatives, Committee on Armed Services, Defense Acquisition Reform Panel, *Expert Perspectives on Managing the Defense Acquisition System and the Defense Acquisition Workforce* (February 25, 2010).

U.S. House of Representatives, Committee on Armed Services, Defense Acquisition Reform Panel, *Shaping a Workforce for Today's Acquisition Environment That Can Meet DoD's Needs* (July 21, 2009).

U.S. House of Representatives, Bipartisan Smart Contracting Caucus Panel Discussion on *Federal Acquisition Workforce* (May 19, 2009).

U.S. Senate, Committee on Homeland Security & Governmental Affairs, Subcommittee on Federal Financial Management, Government Information, Federal Services, and International Security, *Addressing Cost Growth of Major Department of Defense Weapons Systems* (September 25, 2008).

U.S. Senate, Committee on Homeland Security & Governmental Affairs, *Is DHS Too Dependent on Contractors to Do the Government's Work?* (October 17, 2007).

U.S. Senate, Committee on Environment and Public Works, Subcommittee on Superfund and Waste Management, *Impact of Certain Government Contractor Liability Proposals on Environmental Laws* (November 8, 2005).

U.S. Senate, Democratic Policy Committee, *Iraq Contracting: Predictable Lessons Learned* (September 10, 2004).

U.S. House of Representatives, Joint Hearing: Committee on Veterans Affairs, Benefits Subcommittee, and Small Business Committee, Subcommittee on Workforce, Empowerment, and Government Programs, *Contracting with Service-Disabled Veteran-Owned Small Businesses* (July 15, 2004).

U.S. Senate, Democratic Policy Committee, *Contracting in Iraq* (November 3, 2003).

U.S. House of Representatives, Small Business Committee, *Small Business and Public Procurement* (May 7, 2003).

U.S. House of Representatives, Committee on Government Reform, Subcommittee on Technology and Procurement Policy, *The Service Acquisition Reform Act of 2002 (SARA)* (March 7, 2002).

U.S. House of Representatives, Small Business Committee, *Black Beret Procurement: Business As Usual at the Pentagon?* (April 5/May 2, 2001).

U.S. House of Representatives, Small Business Committee, *The Proposed Changes to Part 9 of the Federal Acquisition Regulation Relating to Contractor Responsibility* (October 21, 1999).

AMICUS CURIAE BRIEF

Brief of Amici Curiae, Alabama Power Company, et al. in Support of Plaintiff-Appellant Northern States Power Company, submitted to the United States Court of Appeals for the Federal Circuit (Number 99-5096), July 27, 1999 (with Nash).

SELECTED/REPRESENTATIVE PRESENTATIONS

Presentation on “The Landscape of Green Public Procurement in the U.S.,” Interdisciplinary workshop on Green Public Procurement Law and Public Management, University of Copenhagen, Denmark (April 2024).

Presentations on various public procurement-related topics at the Workshops on Obtaining Value for Money sponsored by the U.S. Trade and Development Agency (USTDA) Global Procurement Initiative (GPI), in:

- Washington, DC and Rosslyn, Virginia (various);
- Kathmandu, Nepal (April 2024)
- Bangkok, Thailand (April 2023; 2022, virtual);
- Quito, Ecuador (March 2023);
- Nairobi, Kenya (November 2022);

- Jakarta, Indonesia (October 2022);
- Kingstown, Jamaica (May 2022);
- Columbia (Fall 2021-2022) (virtual);
- Sao Paulo, Brazil (June 2018);
- Panama City, Panama (December 2016);
- Mexico City, Mexico (September 2016); and
- Bucharest, Romania (June 2015).

20th Anniversary Celebratory Keynote, ChileCompra at 20 Years: New Challenges for Better Public Purchases, Santiago, Chile (August 2023).

Panel Moderator, “Multinational Procurement Efforts and Technology Transfers” at the 13th Seminar for Legal Advisors of the Armed Forces, International Society for Military Law and the Law of War, United States Military Academy, West Point, New York (June 2023).

Presentation on “Emerging Policy and Practice Issues” at the Thomson Reuters (formerly, West) *Government Contracts Year In Review* Conference in Washington, D.C. (February 2023, annual, virtual since pandemic).

Keynote, “Climate Change and Acquisition: The Urgent Need to Embrace Sustainable Procurement,” 2022 Big A Acquisition Conference, U.S. Department of Commerce (Virtual, May 2022).

Presentation, “Reconciling Social and Green Issues (Related to Public Procurement) Across the Globe,” at the SAPIENS (Sustainability and Procurement in International, European, and National Systems) Advanced Training Course: Actors in Developing Sustainable Public Procurement (SPP) Rules and Best Practices,” (Virtual, Frascati, Rome, Italy, April 2022).

Presentations on various public procurement and sustainable procurement-related topics at programs sponsored (or co-sponsored) by the U.S. Department of Commerce Commercial Law Development Program (CLDP):

- Armenia (Virtual, March 2022);
- Georgia (Virtual, March 2022);
- Dominican Republic (Virtual, October 2021);
- Casablanca, Morocco (May, 2013) (for Algeria, Libya, Morocco, and Tunisia); and
- Istanbul, Turkey (June 2012) (for the Iraqi Ministry of Electricity).

Presentation on “Administration Priorities and the Procurement System,” Coalition for Government Procurement 2021 Fall Training Conference (Virtual, November 2021).

Policy Dialogue Session, “Ensuring Sustainability of the Public Procurement Appeals System and Promoting Effective Management of the Overall Public Procurement System of Thailand” (Virtual, November 2021).

Presentation on Government Contracts Distance Education, Leadership Strategy Summit on Online Legal Education (Virtual, November 2021).

Webinar Series on Sustainability: Current State, National Contract Management Association (Virtual, September 2021).

Moderator, Acquisition Innovation Research Center (AIRC) Forum: Intellectual Property Valuation in the Defense Acquisition Process (Virtual, September 2021).

Keynote Presentation at the University of Minnesota Seminar on Government Contracts, Minneapolis, Minnesota (Virtual, September 2021; in person in prior years).

Panelist, Measuring Sustainability in Government Purchasing, Society for Benefit-Cost Analysis Annual Conference (Virtual, March 2021).

Presentations on various public procurement-related topics (including transparency, corruption control, and oversight) at World Trade Organization (WTO) sponsored (or co-sponsored) programs:

- Advanced Global E-Workshop on Government Procurement, (*Virtual*, December 2020);
- Joint WTO-EBRD National Workshop on Government Procurement for Aruba, Oranjestad, Aruba (February 2020);
- Advanced Regional Workshop on Government Procurement for Caribbean Economies, Port-of-Spain, Trinidad and Tobago (February 2020);
- WTO-EBRD-UNCITRAL Regional Workshop on Government Procurement for Central and Eastern Europe, Central Asian and the Caucasus Countries, Vienna, Austria (December 2019);
- Advanced Global Workshop on Government Procurement, Geneva, Switzerland (May 2019);
- WTO-International Monetary Fund-Centre for Economics and Finance (IMF-CEF) Advanced Regional Workshop on Government Procurement for Arab & Middle East Countries, Kuwait City, Kuwait (April 2019);
- Advanced Global Workshop on Government Procurement for Latin American Countries, Mexico City, Mexico (March 2019);
- Advanced Global Workshop on Government Procurement and Governance, Geneva, Switzerland (November 2018);
- Advanced Global Workshop on Government Procurement, Geneva, Switzerland (September 2018);
- Reflections Seminar: “Of Trade, Good Governance ... and Public Procurement” (for WTO team), Geneva, Switzerland (June 2018);
- National Workshop on Government Procurement, Manila, Philippines (May 2018);
- Advanced Regional Workshop on Government Procurement for Asian Economies, Bangkok, Thailand (January 2018);
- Advanced Global Workshop on Government Procurement, Geneva, Switzerland (November 2017);

- Advanced Regional Workshop on Government Procurement for Latin American Countries, Buenos Aires, Argentina (May 2017);
- WTO and Arab Monetary Fund (AMF) Regional Workshop on Government Procurement for AMEC (Arab and Middle East Countries), Abu Dhabi, United Arab Emirates (October 2016);
- Regional Workshop on Government Procurement for English-Speaking African Countries, Windhoek, Namibia (September 2016);
- Regional Workshop on Government Procurement for Central and Eastern Europe, Central Asian and the Caucasus Countries, Vienna, Austria (October 2015);
- Joint WTO-Arab Monetary Fund Regional Workshop on Government Procurement for Arab and Middle East Countries, Abu Dhabi, United Arab Emirates (September 2014);
- National Seminar on the Revised WTO Agreement on Government Procurement (GPA), Xi'an, China (September 2013);
- Joint Singapore-WTO Advanced Regional Workshop on Government Procurement for WTO Members and Observers in Asia and the Pacific, Singapore (January 2013);
- Joint WTO-ALADI (Latin American Integration Association) Regional Workshop on Government Procurement for Latin American Countries, Montevideo, Uruguay (November 2012);
- Joint WTO-USAID-MPI (Vietnam Ministry of Planning and Investment) National Seminar on the Revised WTO Agreement on Government Procurement (GPA), Ha Long Bay, Vietnam (July 2012);
- Joint WTO-Arab Monetary Fund Regional Workshop on Government Procurement for Arab and Middle East Countries, Abu Dhabi, United Arab Emirates (June 2012);
- Joint WTO-United Nations Economic and Social Commission for Asia and the Pacific (ESCAP) Advanced Government Procurement Workshop for Asian Economies, Bangkok, Thailand (December 2011);
- National Seminar on the Revised WTO Agreement on Government Procurement, Wuhan, China (June 2011);
- Joint WTO-FLACSO (Latin American School of Social Sciences) Advanced Regional Workshop on Government Procurement for Latin American Countries, Buenos Aires, Argentina (November 2010);
- Symposium on the WTO Agreement on Government Procurement: Developmental and Trade Significance, Changing Context and Future Prospects, Geneva, Switzerland (February 2010);
- Joint WTO-United Nations ESCAP Regional Workshop on Government Procurement for Asia-Pacific Economies, Bangkok, Thailand (November 2009);
- Regional Workshop on Government Procurement for English-Speaking African Countries, Accra, Ghana (June 2009);
- Regional Workshop on Government Procurement for Arab and Middle East Countries, Tunis, Tunisia (June 2009);
- Regional Workshop on Government Procurement for Caribbean Countries in Bridgetown, Barbados (June 2006);
- Joint WTO-Singapore Regional Workshop on Government Procurement for Asia Pacific Economies, Singapore (July 2005);
- Regional Workshop on Government Procurement for Arab and Middle Eastern Countries, Amman, Jordan (March 2005);

- Joint WTO and Institute for the Integration of Latin America and the Caribbean of the Inter-American Development Bank (INTAL/IADB), Regional Workshop on Government Procurement for Latin American Countries, Santo Domingo, Dominican Republic (October 2004);
- Regional Government Procurement Workshop for WTO Members and Observers in the Asia-Pacific Region, Manila, Philippines (May 2004);
- Joint WTO-Institute for the Integration of Latin America and the Caribbean (IDB/INTAL) Regional Workshop on Government Procurement for South American Countries and Mexico, Buenos Aires, Argentina (July 2003);
- Joint WTO-World Bank Regional Workshop on Procurement Reforms and Transparency, Dar Es Salaam, Tanzania (January 2003);
- Symposium on Transparency in Government Procurement, Geneva, Switzerland (October 2002); and
- Joint WTO-Inter American Development Bank (IDB) Regional Workshop on Government Procurement, San Jose, Costa Rica, (September 2002).

Moderator, Roundtable 3: The “Other” Grounds: A Look at Performance- and Capacity-Based Debarments, World Bank Fifth International Debarment Colloquium (Virtual, October 2020).

Presentation on “Sustainable Procurement: Rethinking Value and Procurement Outcomes,” US Department of Health & Human Services Office of Acquisitions (Virtual, August 2020).

Presentations on various public procurement-related topics at the INTAL-IDB Advanced Online Training Course on Government Procurement and Trade for Senior Officials from the MEROCUR Countries (Remote, July 2-21, 2020).

Panelist for the INTAL-IDB Virtual Dialogue: Public Procurement and Digital Solutions: Challenges During the Emergency COVID-19 (May 2020).

Co-Host, Co-Moderator, and Panelist (*varied roles*), Nash & Cibinic Roundtable, Washington, D.C. (December 2019, *prior years*).

Presentations on various public procurement-related topics at the “First Journeys of Public Procurement: From archetypes to building a national vision” Conference, San Jose, Costa Rica (November 2019).

Panelist discussing “Procurement Reforms in Contingency Operations,” at the International Stability Operations Association Annual Summit, Arlington, Virginia (October 2019).

Presentation on “Performance Measurement in Public Procurement,” at the United Nations Supply Chain Management Brownbag Luncheon, New York, New York (August, 2019).

Moderator of the Main Stage Panel on “Managing Change: Critical Analysis of Solutions” at the 2019 National Contract Management Association (NCMA) World Congress, Boston, Massachusetts (July 2019).

Moderator of the Workshop on “Performance Measurement in Public Procurement,” Public Procurement Global Revolution IX Conference, University of Nottingham, Nottingham, UK (June 2019).

Keynote Presentation: “Leading Innovation in Public Procurement,” at the Inter-American Development Bank (IDB) Kick-Start Workshop on “Improving Efficiency in Investment Management and Public Procurement,” Lima, Peru (March 2019).

Keynote Presentation, “Public Procurement, Good (Effective) Governance, and The Importance of Human Capital (People) to ‘The Business of Government,’” First National Public Procurement Forum, National (Brazilian) Public Procurement Network, Brasilia, Brazil (December 2018).

Panelist discussing “Convergence and International Economic Law, Policy and Political Economy,” at the City Law School of London program “Modelling Convergence of the EU with the World: Taking, Receiving and Becoming EU law,” London, UK (November 2018).

Presentation, “The Need for Speed,” 2018 Space Contracting Executives Forum, Los Angeles, California (August 2018).

Moderator, Executive Panel, Government Contract Pricing Summit, Bethesda, MD (June 2018).

Panelist on “Norms, Ethics, and Constitutional Culture,” UCLA LAW REVIEW Symposium Los Angeles, California (February 2018).

Moderator, Panel on “Government Contracts,” 33rd Annual Federal Circuit Symposium, AMERICAN UNIVERSITY LAW REVIEW, Washington, D.C. (January 2018).

Keynote Address, XII Annual Conference on Government Procurement in the Americas, Montego Bay, Jamaica, (December 2016).

Presentation: “The Pendulum’s Swing? 20 Years After the Acquisition ‘Reinvention,’” 44th Annual Government Acquisition Symposium, Huntsville, AL (November 2016).

Alan Peterson Keynote, “Rethinking Procurement Policy: Why Outcomes Matters (and Process Matter Less)” at the 55th Annual National Seminar on Government Contracts, University of Minnesota, Humphrey School of Public Affairs, Minneapolis, MN (September 2016).

Panelist discussing “Defence Procurement: Global Issue” at the University of Rome Tor Vergata Global Procurement Conference, Frascati, Italy (July 2016).

Keynote presentation, “Panorama of Government Procurement: From Theory to Practice,” CONSAD (National Council of State Administration Secretaries) IX Public Management Conference, Brasilia, Brazil (June 2016).

Presentations on Acquisition Planning and Electronic Commerce at the “Changing Paradigm in

Public Procurement: Towards Value for Money and Higher Efficiency” Conference, sponsored by the Organization for Security and Co-operation in Europe (OSCE) and the Republic of Serbia Public Procurement Office, Belgrade, Serbia (June 2016).

Presentations on “Emerging Issues” at Corporate Counsel Day, Wright-Patterson Air Force Base, Dayton, OH (May 2016; May 2015).

Moderator, Panel on “First Principles: Theory and Purpose” at the Third World Bank Suspension & Debarment Colloquium, Washington, DC (December 2015).

Presentation: “Procurement Principles,” National Association of State Procurement Officials (NASPO) State and Local Procurement Law Institute, Fort Worth, Texas (August 2015).

Presentations on Defense Acquisition performance assessment, small business policies, Public Procurement: Global Revolution VII Conference, University of Nottingham, UK (June 2015).

Presentations on public procurement topics at the World Bank Retreat on Re-strategizing Tanzania Public Procurement Reforms, Bagamoyo, Tanzania (May 2015).

Presentation: “A Decade of Ethics Scandals: Industry and Government” at the DII (Defense Industry Initiative on Business Ethics and Conduct) 2015 Best Practices Forum, Washington, D.C. (May 2015).

Moderator and Panelist on public-procurement related topics at the World Bank conference “From Procurement to Results: Value for Money, Accountability, Participation,” Manila, Philippines (April 2015).

Presentation on “Measuring What Matters: Rethinking Defence Acquisition Metrics,” at the *Acquisition and its Theoretical Foundations* Conference, Defence Academy of the United Kingdom, Cranfield University, Shrivenham, United Kingdom (October 2014).

Presentation on “Current Developments in U.S. Procurement Law” at the *Europe Meets U.S. Symposium* at the Ludwig-Maximilians-Universitat Munchen, Munich, Germany (July 2014).

Presentations on contract administration-related topics at the United Nations Global Service Centre *Contracts Management Conference*, Entebbe, Uganda (May 2014).

Presentations on various public procurement-related topics at the OECD-IMF CEF Workshop on *Good Practices in Modernizing Public Procurement*, Kuwait City, Kuwait (April 2014).

Presentation, “Public Procurement Insights and Trends,” *Procurement Week 2014*, Institute for Competition & Procurement Studies, Bangor University, Cardiff, Wales (March 2014).

Keynote, *The New Federal Market*, Coalition for Government Procurement 2013 Fall Training Conference, Falls Church, Virginia (October 2013).

Keynote, “Combating Corruption in Public Procurement: Global Challenge, Domestic Concerns and Solutions,” Regional Forum for Latin America and the Caribbean: Tackling Corruption and Collusion in Public Procurement, Panama City, Panama (September 2013).

“Nash & Schooner Government Contracts Update” *Webinar Series*, Public Contracting Institute (*various topics, periodic, 2011-2013*).

Panelist, “Outside Expert Perspective on Air Force Acquisition,” at the Air Force General Counsel’s Acquisition Law Conference, Crystal City, Virginia (February 2013, 2012).

Panelist, Forum on Innovation for Government Effectiveness, Center for Strategic & International Studies, Washington, D.C. (January 2013).

Panelist on “Expanding Awareness,” at the National Contract Management Association (NCMA) Mid-Year Leadership Conference, Las Vegas, Nevada (January 2013).

Panelist, “Standards and Guidelines,” Workshop on Transparency and Governance of Private Military and Security Services, University of Denver (May 2012).

Keynote, Advanced Studies in Government Contracts Law, Alaska Bar Association, Anchorage, Alaska (March 2012).

Panelist, “The Federal Circuit and Government Contracts Law,” at the American University Washington College of Law on “The Federal Circuit: 30 Years Back, 30 Years Forward,” Washington, D.C. (February 2012).

Co-Host/Moderator, GW Law-Johns Hopkins Round Table, Evolving Issues at the Intersection of Contractor Personnel and Public Service Ethics, Washington, D.C. (January 2012).

Co-Host, Law & Technology in the Federal Market Conference, George Washington University Law School, Washington, D.C. (December 2011).

Keynote presentation on “Myth-Busting” at the Coalition for Government Procurement Fall Conference, Arlington, Virginia (October 2011).

Luncheon Speaker on DoD Acquisition-related topics at the Space Contracting Executive Conference, Los Angeles, California (August 2011, 2010).

Moderated the Plenary Panel, “Show Me the Money: Corporate Survival in Tough Economic Times,” at the National Contract Management Association (NCMA) World Congress, Denver, Colorado (July 2011).

Presentations related to Public Procurement Law and Policy at the Hawaii Procurement Institute and the University of Hawaii (July 2011, August 2006).

Presentations related to Public Procurement Law and Policy at, *inter alia*, the University of

Guam and the Guam Chamber of Commerce, Guam (June 2011).

Presentation on “The Pendulum’s Trajectory: Acquisition Reform in Search of Equilibrium,” National Contract Management Association, DC Chapter Fellows Night, Washington, D.C. (June 2011).

Keynote Speaker at Greater Washington Society of CPA’s, (Sixth and) Seventh Annual Government Contractor Accounting & Compliance Developments Conference, McLean, Virginia (June 2011, 2010).

Presentations related to Public Procurement Law and Policy at the Corvinus University of Budapest, the Hungarian Bar Association, and the Budapest Chamber of Commerce, Budapest, Hungary (May 2011).

Presentation, “Defense Acquisition: Reform or Retrenchment?,” at the 2011 Army Material Command (AMC) Continuing Legal Education Program, Huntsville, Alabama (April 2011).

Presentation, “A Random Walk: The Federal Circuit’s 2010 Government Contracts Decisions,” at the AMERICAN UNIVERSITY LAW REVIEW’s “First Look at the 2010 Decisions of the United States Court of Appeals for the Federal Circuit,” Washington, D.C. (February 2011).

Presentation on “Trade Policy Challenges in Government Procurement and Competition Policy” at the Asian Development Bank Institute, Tokyo, Japan (December 2010).

Moderated the Plenary Panel, “The Federal Budget and the Economy,” at the National Contract Management Association (NCMA) 29th Annual Government Contract Management Conference, Arlington, Virginia (December 2010).

Moderated the Panel, “Emerging Issues in U.S. and European Procurement,” and co-hosted the U.S.-European Procurement Leadership Round Table, Düsseldorf, Germany (November 2010).

Moderated the Panel, “Post-Award Contract Management,” at the IPOA Annual Summit of the Stability Operations Industry, Washington, D.C. (October 2010).

Co-Moderated the Panel, “The Greening of American Procurement—A Transnational Perspective,” at the White House Council on Environmental Quality’s GreenGov Symposium, Washington, D.C. (October 2010).

Panelist discussing “Comparative and International Government Procurement Law: Stepping Stones to Reform,” at The XVIIIth International Congress of Comparative Law, Washington, D.C. (July 2010).

Moderated the Plenary Panel, “Who’s On First: The Role of Contractors in Accomplishing the Work of Government,” at the National Contract Management Association (NCMA) World Congress, Fort Lauderdale, Florida (July 2010).

Luncheon Speaker on “Federal Acquisition Challenges and Trends” at the National Defense Industrial Association (NDIA) Manufacturing Division, Washington, D.C. (May 2010).

Panelist on “Key Case Review” at the Board of Contract Appeals Judges Association Annual Seminar, Alexandria, Virginia (April 2010).

Presentation on “Reforming Federal Contracting and Acquisition” at the Forum: *Framing a Public Management Research Agenda: Examining the Obama Administration Themes for a High-Performing Government*, IBM Center for the Business of Government, Washington, D.C. (November 2009).

Panel Moderator, “The Transatlantic Defense Market,” at the Public Procurement Summit, Berlin, Germany (July 2009).

Law Day Luncheon Presentation, “A Legacy of Liberty,” National Contract Management Association (NCMA)/Hanscom Air Force Base, Massachusetts (May 2009).

Panel Moderator, “Managing Contractors in the Battlespace,” National Contract Management Association (NCMA) World Congress, Long Beach, California (April 2009).

Presentation/Discussion, “Contractors in the Battlespace,” U.S. Commission on Wartime Contracting, Arlington, Virginia (April 2009).

Presentation on “Reducing Corruption Risks in Defence Contracts: The Challenges of Offset Agreements,” at the NATO Conference on Building Integrity and Defense Institution Building, Monterey, California (February 2009).

Presentation: “Not Your Father’s Battlefield: Outsourcing Policy and Representative Democracy,” Robert S. Strauss Center for International Security and Law, University of Texas, Austin, Texas (February 2009).

Presentation on “Privatized Military Operations” at the National Defense University’s Industrial College of the Armed Forces, Washington, D.C. (January 2009, February 2008, January 2007).

Presentation, “Value for Money,” at the Air Force Judge Advocate General’s Keystone Conference, National Harbor, Maryland (November 2008).

Panelist Discussing “Crimes Committed By Members of the Visiting Force,” at the Conference: Peacekeeping Operations: The Legal Dimension, Catholic University Law School, Washington, D.C. (September 2008).

Presentation, “Living (For the Foreseeable Future) With a Blended Workforce,” Director’s Speaker Series, U.S. Office of Government Ethics, Washington, D.C. (May 2008).

Presentations: “Leadership in Acquisition: Challenges and Opportunities” and “Too Dependent on Contractors?,” National Contract Management Association World Congress, Cincinnati, Ohio

(April 2008).

Presentation on “Suspension and Debarment: A Constitutional Due Process Quagmire?” at the National Suspension and Debarment Conference, Charleston, South Carolina (March 2008).

Presentation on “Outsourcing the Use of Force In Iraq (and Beyond)” at Rice University’s James E. Baker Institute for Public Policy, Houston, Texas (March 2008).

Moderator, “The Battle After the Battle: Contractors Defend New Legal Onslaughts” at the ABA Public Contract Law Section Federal Procurement Institute, Annapolis, Maryland (March 2008).

Presentation on “Too Dependent on Contractors? Minimum Standards for Responsible Governance” at Hofstra University Law School, Hempstead, New York (February 2008).

Presentation on “Debriefings: Best Practices,” at the United Nations Procurement Division Workshop on the Application of Internationally Accepted Best Practices for Debriefing Unsuccessful Vendors and Suppliers, New York, New York (December 2007).

Panelist, “Outsourcing the Federal Government,” at the American Bar Association 2007 Administrative Law Conference, Washington, D.C. (October 2007).

Presentation on “Contract Disputes Litigation,” at the Sorbonne Conference “Oversight Over Public Procurement: European and International Perspectives,” Paris, France (October 2007).

Presentation on “Modern Public Procurement Techniques: Benefits, Concerns, and Regulation” at the Fortieth Anniversary Congress “Modern Law for Global Commerce,” United Nations Commission on International Trade Law (UNCITRAL), Vienna, Austria (July 2007).

Plenary presentation, “Strategy and Planning: The Chasm Between Law, Policy, and Practice,” National Contract Management Association World Congress, Dallas, Texas (April 2007).

Luncheon Presentation, “Acquisition Leadership Today,” at the National Contract Management Association (NCMA) Mid-Year Leadership Conference in Annapolis, Maryland (Feb. 2007).

Presentation, “Incremental Globalization: Chipping Away at the Barriers to an International Procurement Market,” at the GEORGETOWN JOURNAL OF INTERNATIONAL LAW Symposium, Washington, D.C. (January 2007).

Keynote Presentation, “Systemic Transparency’s Essential Role in Promoting Integrity and Reducing Corruption,” at the Organization for Economic Co-operation and Development (OECD) Symposium on Mapping Out Good Practices for Integrity and Corruption Resistance in Procurement, in Paris, France (November 2006).

Presentation of “A Conversation About Malversation: The Post-Millennial U.S. Experience Combating Corruption in Public Procurement” at the “Public Procurement: Global Revolution III” Conference at the University of Nottingham, England (June 2006).

Presentation, “Future Trends in Government and Commercial Contracting” at the National Contract Management Association (NCMA) World Congress, Atlanta, Georgia (April 2006).

Panelist, “Public Functions in a Privatized World: Outsourcing Abroad,” at the Princeton University Woodrow Wilson School 75th Anniversary Program at the Carter Center in Atlanta, Georgia (March 2006).

Panelist, “Contractors on the Battlefield,” National Security Law program at the AALS Annual Meeting (January 2006).

Presentation on “Improving the Efficiency of Public Procurement Systems,” IVth Global Forum on Fighting Corruption, Brasilia, Brazil (June 2005).

Presentation on Government and Contracting at the Harvard Law School conference, “Governance by Design: Cost, Effectiveness, and Democratic Norms,” Cambridge, Massachusetts (March 2005).

Presentation at the Outsourcing the Government Conference, National Academy of Public Administration, Washington, D.C. (February 2005).

The 16th Major Frank B. Creekmore Lecture in Government Contract Law, 2004 Government Contract and Fiscal Law Symposium, The Judge Advocate General’s School of the Army, Charlottesville, Virginia (December 2004).

Presentation on “Troubling Trends in Procurement and Governance” at the National Institute of Health Acquisition Symposium, Rocky Gap, Maryland (November 2004).

Presentation on “Integrity and Credibility in Contemporary Public Procurement,” at the 32nd Symposium on Government Acquisition, Federal Bar Association, Huntsville, Alabama (November 2004).

Presentation on “Contractor Atrocities at Abu Ghraib: Compromised Accountability in a Streamlined, Outsourced Government” and Moderator on “U.S. Procurement Issues,” at International Procurement Conference, Fort Lauderdale, Florida (October 2004).

Presentation on “Oversight Issues,” Department of the Navy, Office of the General Counsel Roundtable on “Contractors on the Battlefield,” Washington, D.C. (October 2004).

Panelist, “Trade Issues,” University of Kentucky Patterson School of Diplomacy and International Commerce Annual Fall Conference, Lexington, Kentucky (October 2004).

Luncheon Presentation, “Ethics: Troubling Trends in Procurement and Governance,” Corporate Counsel Day V, Headquarters Air Force Material Command, Dayton Ohio (June 2004).

Presentation on: “The Role and Importance of Regulatory and Review Bodies in Public

Procurement,” International Symposium on Transparency and Efficiency in Public Procurement, Istanbul, Turkey (May 2004).

Panelist, “Opportunities and Challenges in Federal Procurement,” U.S. General Accounting Office, Washington, D.C. (March 2004).

Presentation, “U.S. Public Procurement: Major Contract Provisions,” Ministry of Finance Delegation from the People’s Republic of China, Arlington, Virginia (December 2003).

Panelist, “Federal Circuit Decisions Revisited,” Federal Circuit Bench & Bar Conference, Amelia Island, Florida (May 2003).

“Troubling Trends in Procurement and Governance,” 12th Annual Ethics Conference, United States Office of Government Ethics, King of Prussia, Pennsylvania (March 2003).

Presentation on “The Future: Scrutinizing the Empirical Case for the Court of Federal Claims,” at the United States Court of Federal Claims 20th Anniversary Judicial Conference, Washington, D.C. (October 2002).

Foreign Expert and Session Chair, International Symposium on China’s Government Procurement Legal System and Government Procurement Under WTO Membership, Kunming, China (August 2002).

Luncheon Presentation on Public Procurement, Council of Europe, Group of States Against Corruption (GRECO) Evaluation Visit, Washington, D.C. (June 2002).

Dean’s Hour Guest Lecture in Business Law, United States Military Academy, West Point, New York, (April 2002).

Presentation, “Public Procurement: The United States Government’s Evolving Policy and Practice,” National Directors of Supply Workshop, Niagra-on-the-Lake, Canada (April 2002).

Luncheon Presentation, “Procurement Reforms – Unintended Impacts and Yet-to-be-Discovered Impacts,” National Defense Industrial Association (NDIA) Procurement Committee Annual Educational Seminar, St. Petersburg Beach (Florida, March 2002).

OFPP Lecture, “Fear of Oversight: The Fundamental Failure of Businesslike Government,” White House Conference Center, Washington, D.C. (October 2001).

Presentation of “Commercial Purchasing: The Chasm Between the United States Government’s Evolving Policy and Practice,” at the Public Procurement: Global Revolution II conference, University of Nottingham, England (September 2001).

Presentation of “Desiderata: Objectives For A System of Government Procurement Law,” George Washington University Symposium for Procurement Officials from the People's Republic of China Washington, D.C. (April 2001).

Presentation, "Procurement Law and Policy Issues," U.S. Small Business Administration Office of General Counsel's Guest Speaker Series, Washington, D.C. (December 2000).

Keynote Speaker, "The Acquisition Workforce," Marine Corps Contracting Officers Conference, Quantico, Virginia (May 2000).

Lecture, "U.S. Government Procurement: Lessons Learned from A Decade of Reform," University of Nottingham School of Law, Nottingham, England (March 2000).