AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON LAW AND NATIONAL SECURITY

26TH ANNUAL REVIEW OF THE FIELD OF NATIONAL SECURITY LAW

CO-SPONSORED BY THE

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CENTER ON NATIONAL SECURITY AND THE LAW, GEORGETOWN LAW

NOVEMBER 14, 2016-NOVEMBER 15, 2016
THE CAPITAL HILTON
1001 16TH STREET, NW, WASHINGTON, DC

MONDAY, NOVEMBER 14, 2016

8:00 a.m. Registration, CLE sign-in and Continental Breakfast

8:30 – 8:45 a.m. Conference Overview and Welcome

James E. Baker
Chair
ABA Standing Committee on Law and National Security


Moderator
James E. Baker

Discussants
Charles A. Allen
Deputy General Counsel, International Affairs
U.S. Department of Defense

Rita Siemion
International Legal Counsel
Human Rights First

Colonel David E. Graham, USA (ret.)
Distinguished Fellow,
Center for National Security Law
University of Virginia School of Law
10:15 – 10:30 a.m.  

Break

10:30 – 12:00 p.m.

Panel II – The National Security Process and Structure

Moderator
John Norton Moore  
Walter L. Brown Professor of Law & Director  
Center for National Security Law  
University of Virginia School of Law

Discussants
Richard C. Gross  
Partner  
Fluet Huber Hoang  
Brigadier General, USA (ret.)

Rosa Brooks  
Professor of Law  
Georgetown Law

Brian Egan  
Legal Advisor  
U.S. Department of State

Stephen Preston  
Chair, Defense, National Security and Government Contracts Practice  
WilmerHale

12:00 – 1:00 p.m.

Luncheon Break

1:00 – 1:45 p.m.

Keynote - Lt. General Edward C. Cardon  
Director, Office of Business Transformation  
U.S. Department of the Army

1:45 – 2:00 p.m.

Break

2:00 – 3:30 p.m.

Panel III – Cyber Challenges for the New Administration

Moderator
Maj. Gen. Charles Dunlap Jr., USAF (ret.)  
Professor of the Practice of Law & Executive Director  
Center on Law, Ethics and National Security  
Duke University School of Law

Discussants
Kristen Eichensehr  
Assistant Professor of Law  
UCLA School of Law

Jill Rhodes  
Vice President and Chief Information Security Officer  
Option Care

Harvey Rishikof  
Chair  
ABA Standing Committee on Law and National Security Advisory Committee

Eric Talbot Jensen  
Professor of Law  
J. Reuben Clark Law School,  
Brigham Young University
3:30 – 3:45 p.m.  Break

3:45 – 4:45 p.m.  Panel IV – Refugees, Humanitarian Challenges and the Law

Moderator

Discussants
Elissa Massimino
President and Chief Executive Officer
Human Rights First

Gayle Smith*
Administrator
US Agency for International Development

5:00 p.m.  Reception

6:00 p.m.  Dinner with Conversation – Judge James E. Baker and Avril D. Haines, Assistant to the President and Deputy National Security Advisor

TUESDAY, NOVEMBER 15, 2016

8:00 a.m.  Registration and Continental Breakfast

8:30 a.m. – 8:45 a.m.  Welcome and Opening Remarks
Linda Klein
President, American Bar Association

8:45 a.m. – 10:15 a.m.  Panel V – Continuity, Change and Future Challenges in the Use of Force Abroad

Moderator
Laura Donohue
Professor of Law
Director, Center on National Security and the Law
Georgetown Law

Discussants
John Bellinger
Partner, National Security and Public International Law Practice
Arnold & Porter

Vice Adm. James W. Crawford III
Judge Advocate General
U.S. Navy

Mary DeRosa
Distinguished Visitor from Practice
Co-Director, Global Law Scholars Program
Georgetown Law
Christine Fair  
Associate Professor, Security Studies Program  
Edmund Walsh School of Foreign Service  
Georgetown University  

Charlie Savage  
Journalist and Newspaper Reporter  
The New York Times  

10:15 a.m. – 10:30 a.m.  
Break  

10:30 a.m. – 11:45 a.m.  
Panel VI – Legal Issues in Civilian/Military Relations for the 21st Century  

Moderator  
William Banks  
Board of Advisors Distinguished Professor of Law  
Professor of Public Administration and International Affairs  
Maxwell School of Citizenship & Public Affairs  
Syracuse University College of Law  

Discussants  
Executive Director, Strategic Military, Science, Space and Security Initiatives  
University of Colorado, Colorado Springs  
Interim Executive Director, National Cybersecurity Center  

M. Tia Johnson  
Assistant Secretary for Legislative Affairs  
Department of Homeland Security  

Col. Harrold J. McCracken  
Staff Judge Advocate  
NORAD and USNORTHCOM  

Mackubin Thomas Owens  
Dean of Academics  
Institute of World Politics  

11:45 a.m. – 12:00 Noon  
Break  

12:00 – 12:30 p.m.  
Lunch  

12:30 p.m. – 1:30 p.m.  
Panel VII – National Security and the Courts  

Moderator  
Thurgood Marshall Jr.  
Partner  
Morgan, Lewis & Bockius LLP  

Discussants  
James A. Baker  
General Counsel  
Federal Bureau of Investigation  

Miguel Estrada  
Partner  
Gibson Dunn  

The Honorable James Orenstein  
US Magistrate, US District Court
Eastern District of New York

1:30 p.m. – 1:45 p.m.  
Break

1:45 p.m. – 2:30 p.m.  
Panel VIII - National Security and Military Space Operations

Moderator  
W. Renn Gade*  
Senior Legal Counsel  
U.S. National Counterterrorism Center

Discussants  
Dale Stephens  
Associate Professor  
Adelaide Law School  
Adelaide, South Australia

Maj. General Jeffrey A. Rockwell  
Deputy Judge Advocate General, USAF

Rob Ramey  
Deputy Legal Advisor  
Regional Delegation to the United States and Canada  
International Committee of the Red Cross

2:30 p.m. – 4:30 p.m.  
Panel IX – Ethical Considerations for National Security Lawyers

Moderator  
Harvey Rishikof

Discussants  
James E. Baker

Raj De *  
Partner, Mayer Brown  
Former General Counsel, National Security Agency

Lala R. Qadir  
Associate  
Covington & Burling LLP

4:30 p.m.  
CLE Sign-Out
Scholarships to defray tuition expense for this conference are available upon application on a case-by-case basis. Preference will be given to military lawyers, public interest lawyers, government lawyers, full-time law professors, solo or small firm practitioners of limited means, law students and unemployed attorneys. The Scholarship application can be found on our website – www.americanbar.org/natsecurity. Scholarship applications must be received by October 19. You will be notified prior to the program if your application is approved. A minimum fee may be charged on all approved scholarship applications to defray expenses. For programs with tuition costs over $500, qualifying attorneys will receive at least a 50% reduction in the course fee(s).

**CLE Information**

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, MN, MS, MO, MT, NH, NM, NV, NY, NC, ND, OH, OK, OR, PA, PR, SC, TN, TX, UT, VT, VA, VI, WA, WI, and WV. These states sometimes do not approve a program for credit before the program occurs. This course is expected to qualify for 12.00 CLE credit hours including 2.0 ethics hours in 60-minute states, and 14.40 credit hours including 2.40 ethics hours in 50-minute states. This transitional program is approved for both newly admitted and experienced attorneys in NY. Attorneys may be eligible to receive CLE credit through reciprocity or attorney self-submission in other states. For more information about CLE accreditation in your state, visit http://shop.americanbar.org/ebus/ABAEvetsCalendar/EventDetails.aspx?productId=203572183 or contact holly.mcmahon@americanbar.org.
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