25TH ANNUAL REVIEW OF THE FIELD OF NATIONAL SECURITY LAW

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AMERICAN BAR ASSOCIATION STANDING COMMITTEE ON LAW AND NATIONAL SECURITY CENTER FOR NATIONAL SECURITY LAW, UNIVERSITY OF VIRGINIA SCHOOL OF LAW CENTER ON LAW, ETHICS AND NATIONAL SECURITY, DUKE UNIVERSITY SCHOOL OF LAW CENTER ON NATIONAL SECURITY AND THE LAW, GEORGETOWN LAW

NOVEMBER 5, 2015-NOVEMBER 6, 2015
THE CAPITAL HILTON
1001 16TH STREET, NW, WASHINGTON, DC

THURSDAY, NOVEMBER 5, 2015

7:30 a.m. Registration, CLE sign-in and Continental Breakfast

8:00 – 8:30 a.m. Conference Overview and Welcome
James E. Baker
Chair
ABA Standing Committee on Law and National Security

8:30 – 10:30 a.m. Panel I – Executive Branch Updates on Developments in National Security Law
National Security Law in Process—the Lawyers’ Group Perspective

Moderator
James E. Baker

Discussants
RDML Darse E. “Del” Crandall, USN
Legal Counsel to the Chairman of the Joint Chiefs of Staff
**Brian Egan**  
Legal Adviser to the National Security Council  
Office of the White House Counsel  
Executive Office of the President

**The Honorable Caroline Krass**  
General Counsel  
Central Intelligence Agency

**The Honorable Robert Litt**  
General Counsel  
Office of the Director of National Intelligence

**Mary E. McLeod**  
Acting Legal Adviser & Principal Deputy Legal Adviser  
Office of the Legal Adviser  
U.S. Department of State

**Robert Taylor**  
Acting General Counsel & Principal Deputy General Counsel  
U.S. Department of Defense

**Karl R. Thompson**  
Principal Deputy Assistant Attorney General  
Office of Legal Counsel  
U.S. Department of Justice

10:30 – 10:45 a.m.  **Break**

10:45 – 12:30 p.m.  **Panel II – Legal Issues of Future War**

**Moderator**  
Maj. Gen. Charles J. 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**  
**Laurie Blank**  
Clinical Professor of Law  
Director, International Humanitarian Law Clinic  
Emory University School of Law

**Rosa Brooks**  
Professor of Law  
Georgetown Law

**Nita Farahany**  
Professor of Law & Professor of Philosophy  
Duke University School of Law

**Colonel David E. Graham, USA (ret.)**  
Executive Director  
The Judge Advocate General’s Legal Center and School  
U.S. Army

12:30–1:15 p.m.  **Luncheon Break**

Moderator
William Banks
Interim Dean
Board of Advisors Distinguished Professor of Law
Professor of Public Administration and International Affairs Maxwell School of Citizenship & Public Affairs
Director, Institute for National Security and Counterterrorism
Syracuse University

Discussants
Erin Murphy
Partner
Bancroft PLLC

Derek Shaffer
Partner
Quinn Emanuel Urquhart & Sullivan, LLP

2:15 – 2:30 p.m.  Break

2:30 – 4:15 p.m.  Panel III – Legal Issues in the South China Sea Controversy

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

Discussants
Peter Dutton
Professor of Strategic Studies
Director, China Maritime Studies Institute
U.S. Naval War College

Nong Hong
Executive Director and Senior Fellow
Institute for China-America Studies

James Kraska
Professor of Law
Stockton Center for the Study of International Law
U.S. Naval War College

Paul Reichler
Partner
Co-Head, International Litigation and Arbitration Group
Foley Hoag LLP

Captain J. Ashley Roach, USN (ret.)
Chair
International Law Association Committee on Baselines under the Law of the Sea

4:30 p.m.  Reception

5:30 p.m.  Dinner
A Discussion with National Security Journalists—“What Are the News Stories of the Next Decade?”

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

**Dana Priest**
Investigative Reporter  
*The Washington Post*  
John S. and James L. Knight Chair in Public Affairs Journalism  
Phillip Merrill College of Journalism, University of Maryland

**Dina Temple-Raston**
Counterterrorism Correspondent  
*National Public Radio*

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**FRIDAY, NOVEMBER 6, 2015**

7:45 a.m.  
**Continental Breakfast**

8:15 – 8:30 a.m.  
**Welcome and Opening Remarks**  
*Linda Klein*  
President-Elect  
American Bar Association

8:30 – 10:30 a.m.  
**Panel IV – National Security Ethical Challenges and Model Rules**

**Discussants**

**James E. Baker**

**Lala R. Qadir**  
Associate  
Covington & Burling LLP

**Harvey Rishikof**

10:30 – 10:45 a.m.  
**Break**

10:45 – 12:30 p.m.  
**Panel V – Emerging Technology and Executive Order 12333**

**Moderator**

*Mary Ellen Callahan*  
Chair  
Privacy and Information Governance Practice, Jenner & Block

**Discussants**

**Lara Flint**  
Chief Counsel for National Security Issues  
U.S. Senate Committee on the Judiciary

**Nancy Fortenberry**  
General Counsel  
President’s Intelligence Advisory Board

**Elisa Massimino**  
President and Chief Executive Officer  
Human Rights First

**David Medine**  
Chair  
Privacy and Civil Liberties Oversight Board
12:30 – 1:15 p.m.  
**Luncheon Break**

1:15 – 2:00 p.m.  
**The State of Play: Retooling Uncle Sam Since 9/11**

**Moderator**
Joel Brenner  
Principal  
Joel Brenner LLC

**Discussants**
The Honorable Stevan Bunnel  
General Counsel  
U.S. Department of Homeland Security

The Honorable John Carlin  
Assistant Attorney General for National Security  
U.S. Department of Justice

2:00 – 3:45 p.m.  
**Panel VI – Domestic Drones**

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

**Discussants**
General Randolph D. Alles, USMC (ret.)  
Assistant Commissioner  
Office of Air and Marine  
U.S. Customs and Border Protection  
U.S. Department of Homeland Security

Lisa Ellman  
Partner  
Co-Chair, Global Unmanned Aircraft Systems Practice  
Hogan Lovells LLP

Alan Frazier  
Associate Professor of Aviation  
University of North Dakota

Reginald C. “Reggie” Govan  
Chief Counsel  
Federal Aviation Administration

Colonel Dawn Zoldi, USAF  
Staff Judge Advocate (General Counsel)  
U.S. Air Force Academy

3:45 – 4:00 p.m.  
**Break**

4:00 – 5:30 p.m.  
**Panel VII – The Future of Nuclear Non-Proliferation**

**Moderator**
David Koplow  
Professor of Law  
Georgetown Law
**Discussants**

**Li Bin**  
Senior Associate  
Nuclear Policy Program and Asia Program  
Carnegie Endowment for International Peace

**The Honorable Thomas M. Countryman**  
Assistant Secretary  
Bureau of International Security and Nonproliferation  
U.S. Department of State

**Michaela Dodge**  
Senior Policy Analyst, Defense and Strategic Policy  
Davis Institute for National Security and Foreign Policy  
The Heritage Foundation

**David Jonas**  
Former General Counsel  
National Nuclear Security Administration

**Seyed Hossein Mousavian**  
Research Scholar, Program on Science and Global Security  
Princeton University

5:30 p.m.  
**CLE Sign-Out**

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**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 15.25 CLE credit hours including 2.0 ethics hours in 60-minute states, and 18.30 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/ABAEventsCalendar/EventDetails.aspx?.productId=203572183](http://shop.americanbar.org/ebus/ABAEventsCalendar/EventDetails.aspx?productId=203572183) or contact Program Assistant, Nina Jones - [nina.jones@americanbar.org](mailto:nina.jones@americanbar.org) or 202-662-1036.
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Dinner Sponsor:
Murrah Center for Homeland Security Law & Policy
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The Standing Committee wishes to thank LexisNexis for their support of this conference.