



AMERICAN BAR ASSOCIATION
STANDING COMMITTEE ON LAW AND NATIONAL SECURITY

27TH ANNUAL REVIEW OF THE FIELD OF NATIONAL SECURITY LAW

NOVEMBER 16 - 17, 2017
THE CAPITAL HILTON PRESIDENTIAL BALLROOM
1001 16TH STREET, NW, WASHINGTON, DC

THURSDAY, NOVEMBER 16

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

8:30 – 8:45 a.m. **Conference Overview and Welcome**
Judge James E. Baker
Chair
ABA Standing Committee on Law and National Security

8:45 – 10:15 a.m. **Panel I – National Security Law in Private Practice**

Moderator
Caroline Krass
Partner
Gibson, Dunn & Crutcher

Discussants
Ambassador Robert Kimmitt
Senior International Counsel
WilmerHale

Amy Jeffress
Partner
Arnold & Porter Kaye Scholer

Ingrid Price
Associate
Covington & Burling

Don Vieira
Partner
Skadden, Arps, Slate, Meagher & Flom

10:15 – 10:30 a.m.

Break

10:30 – 12:00 p.m.

Panel II – Artificial Intelligence: Issues of Technology, Ethics, and Law

Moderator

Lala Qadir

Associate
Covington & Burling

Discussants

Gregory Neal Akers

Senior Vice President of Advanced Security Initiatives
Cisco Security and Trust Organization

Michael Page

Policy and Ethics Advisor
OpenAI

Lt. Col. Alan Schuller, USMC

Associate Director
Stockton Center for the Study of International Law
U.S. Naval War College

David Vladeck

A.B. Chettle Chair in Civil Procedure
Georgetown Law

12:00 – 1:00 p.m.

Luncheon Break

1:00 – 1:45 p.m.

Panel III – National Security Law and Policy, from the Privacy and Civil Liberties Oversight Board to the Department of Justice

Discussants

The Honorable Rachel Brand

Associate Attorney General
U.S. Department of Justice

Raj De

Partner
Mayer Brown

1:45 – 2:00 p.m.

Break

2:00 – 3:30 p.m.

Panel IV – Cyber Operations and the Law of Armed Conflict

Moderator

Col. David E. Graham, USA (ret.)

Associate Director for Programs
Center for National Security Law
University of Virginia School of Law

Discussants

Col. Gary Brown, USAF (ret.)

Senior Legal Advisor
U.S. Department of Defense

Col. Gary Corn, USA

Staff Judge Advocate
U.S. Cyber Command

Rebecca Crootof

Executive Director, Information Society Project
Research Scholar and Law Lecturer
Yale University Law School

Maj. Gen. Charles Dunlap Jr., USAF (ret.)

Professor of the Practice of Law
Executive Director, Center on Law, Ethics and National Security
Duke University Law School

3:30 – 3:45 p.m.

Break

3:45 – 4:45 p.m.

Panel V – Legal Ethics and Leaking by Government Attorneys

Discussants

F. Scott Kieff

Fred C. Stevenson Research Professor of Law
George Washington University Law School

Susan Gibson

Inspector General
National Reconnaissance Office

5:00 p.m.

Reception

5:30 p.m.

Dinner Opening Remarks

Hilarie Bass

President
American Bar Association

Dinner Conversation: Congress, National Security, and the Legislative Function

Discussants

Judge James E. Baker

The Honorable David Skaggs

Former Congressional Representative
2nd District, Colorado

The Honorable Zachary Wamp

Former Congressional Representative
3rd District, Tennessee

FRIDAY, NOVEMBER 17

8:00 a.m.

Registration and Continental Breakfast

8:30 a.m. – 8:45 a.m.

Welcome and Opening Remarks

8:45 a.m. – 10:15 a.m.

Panel VI – The Foreign Intelligence Surveillance Act (FISA)

Moderator

Robert Litt

Counsel
Morrison & Foerster

Discussants

Laura Donohue

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

Elizabeth Goitein

Co-Director, Liberty & National Security Program
Brennan Center for Justice at NYU School of Law

Susan Hennessey

Managing Editor
Lawfare

Jamil Jaffer

Adjunct Professor of Law and Director, National Security Law & Policy Program
Antonin Scalia Law School
George Mason University

Alexander Joel

Chief, Office of Civil Liberties, Privacy and Transparency
Office of the Director of National Intelligence

10:15 a.m. – 10:30 a.m.

Break

10:30 a.m. – 12:00 noon

Panel VII – The Arctic: National Security and Oceans Law for the New Maritime Frontier

Moderator

RADM Kevin E. Lunday, USCG

Discussants

Julie Gascon

Assistant Commissioner
Central and Arctic Region
Canadian Coast Guard

Bronwyn Douglass

Senior Attorney
Maritime and International Law
Office of the Judge Advocate General, U.S. Coast Guard

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

12:00 p.m. – 1:00 p.m.

Lunch

1:00 p.m. – 1:45 p.m.

Panel VIII – Current Events in National Security Law and Cyber Policy

Discussants

Monika Bickert

Head of Product Policy and Counterterrorism
Facebook

Harvey Rishikof

Chair
ABA Standing Committee on Law and National Security Advisory Committee

1:45 p.m. – 2:00 p.m.

Break

2:00 p.m. – 3:30 p.m.

Panel IX – Looking Forward: National Security Law Beyond 2020

Moderator

Jill Rhodes

Vice President & Chief Information Security Officer
Option Care Enterprises

Discussants

Carrie Cordero

Counsel
ZwillGen PLLC

Michael Davis

Chief Technology Officer
CounterTack

Orde Kittrie

Professor of Law
Sandra Day O'Connor College of Law
Arizona State University

James McJunkin

Vice President & Chief Information Security Officer
Discover Financial Services

3:45 p.m. – 4:00 p.m.

Break

4:00 p.m. – 5:00 p.m.

Panel X – The Model Rules in the National Security Context

Discussants

Judge James E. Baker

Chair

ABA Standing Committee on Law and National Security

Harvey Rishikof

Chair

ABA Standing Committee on Law and National Security Advisory Committee

5:00 p.m.

CLE Sign Out

MCLE

The ABA directly applies for and ordinarily receives CLE credit for ABA programs in AK, AL, AR, AZ, CA, CO, CT, DE, GA, GU, HI, IA, IL, IN, KS, KY, LA, ME, MN, MS, MO, MP, MT, NH, NJ, NM, NV, NY, NC, ND, OH, OK, OR, PA, 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 **12.5 CLE** credit hours in 60-minute states, including **2.0 ethics credits** and **15 CLE** credit hours in 50-minute states, including **2.4 ethics credits**. 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 https://www.americanbar.org/cle/mandatory_cle.html*

Scholarships

Scholarships to defray tuition expense for the ABA Standing Committee on Law and National Security programs are available upon application on a program-by-program, case-by-case basis. Preference will be given to public interest lawyers, government lawyers, full-time law professors, solo or small firm practitioners of limited means, and unemployed attorneys. 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).

Sponsors of the Annual Review of the Field of National Security Law Conference



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