7th Annual Homeland Security Law Institute

Co-Sponsored by the

ABA Commission on Immigration
ABA Criminal Justice Section
ABA Forum on Air and Space Law
ABA Government and Public Sector Lawyers Division
ABA Section of Environment, Energy and Natural Resources
ABA Section of Intellectual Property Law
ABA Section of International Law
ABA Section of Public Utility, Communications and Transportation Law
ABA Section of Science and Technology Law
ABA Section of State and Local Government Law
ABA Standing Committee on Law and National Security
ABA Young Lawyers Division

PROGRAM CHAIR: Joe D. Whitley
PROGRAM VICE-CHAIRS: Chad Boudreaux, Elizabeth L. Branch
SECTION CHAIR: Michael Herz

13 HOURS OF PROFESSIONAL PRACTICE CLE CREDIT REQUESTED
Message from Joe D. Whitley

As Vice-Chair of the American Bar Association’s Administrative Law and Regulatory Practice Section, I would like to invite you to attend the 7th Annual Homeland Security Law Institute. Our program will be held on March 22 & 23, 2012 at the Capital Hilton in Washington, DC.

For those of you who practice in the area of Homeland Security law, this two-day program was designed with you in mind. Our topics agenda for this year is listed below:

- Former U.S. Attorney General Michael Mukasey, Former DHS Secretary Michael Chertoff together with Former CIA Director General Michael Hayden, Assistant Secretary to International Affairs and Chief Diplomatic Officer to DHS the Honorable Alan Bersin, Former Governor of Oklahoma The Honorable Frank Keating and James (Jim) Carafano from The Heritage Foundation as our Keynote Speakers.

I am confident the Homeland Security Law Institute will be an invaluable resource for your practice. The content of our program, materials provided to our attendees and the insightful and informative discussions from our faculty experts in the field of Homeland Security make this program a tremendous success year after year.

I would like to thank our program Co-Chairs, Chad Boudreaux of Huntington Ingalls Industries, Inc. and Lisa Branch of Smith, Gambrell & Russell LLP, who have been instrumental in helping to put this conference together. Our Planning Committee Members: Matthew McCabe (U.S. House of Representatives), Adam Isles (Raytheon Company), Adam White (Boyden Gray & Associates), Vincent Vitkowsky (Edwards Wildman Palmer LLP) and Mary Kate Whalen (DHS), also deserve recognition for helping to select our topics for this year’s panel discussions. A special thanks goes to Anne Kiefer, Section Director and Toni Martinez, Program Associate of the Section, who make this program work. And we are most grateful for the crucial financial support provided by our generous sponsors.

We look forward to seeing you on March 22nd & 23rd.

Best regards,

Joe D. Whitley
Section Vice-Chair & Program Chair
Former and First General Counsel, DHS
Twice-Appointed U.S. Attorney
## THE SCHEDULE AT A GLANCE

### THURSDAY, MARCH 22, 2012

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
<th>Ballroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 – 8:45 am</td>
<td>Continental Breakfast &amp; Registration</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>8:45 – 9:00 am</td>
<td>Welcome and Introductions</td>
<td>Presidential</td>
</tr>
<tr>
<td>9:00 – 9:40 am</td>
<td>How to Protect Our Borders — What to Expect in 2012 and Beyond</td>
<td>Presidential</td>
</tr>
<tr>
<td>9:40 – 10:40 am</td>
<td>Executive Agency General Counsel Panel: A Look at Homeland Security</td>
<td>Presidential</td>
</tr>
<tr>
<td></td>
<td>Legal and Policy Issues</td>
<td></td>
</tr>
<tr>
<td>10:40 – 10:50 am</td>
<td>Break</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>10:55 – 12:00 pm</td>
<td>Homeland Security: Regulatory and Legislative Developments 2012</td>
<td>Presidential</td>
</tr>
<tr>
<td>12:00 – 12:30 pm</td>
<td>Lunch</td>
<td>Congressional</td>
</tr>
<tr>
<td>12:30 – 1:30 pm</td>
<td>Homegrown Threats and Radicalization</td>
<td>Congressional</td>
</tr>
<tr>
<td>1:45 – 3:00 pm</td>
<td>Homeland Defense and Civil Support: The Role of the Military Within Our Own Borders</td>
<td>Federal B</td>
</tr>
<tr>
<td>1:45 – 3:00 pm</td>
<td>Cargo &amp; Supply Chain Security</td>
<td>Statler AB</td>
</tr>
<tr>
<td>3:00 – 3:15 pm</td>
<td>Break</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>3:15 – 4:30 pm</td>
<td>The Law Enforcement Agenda 2012</td>
<td>Federal B</td>
</tr>
<tr>
<td>3:15 – 4:30 pm</td>
<td>Homeland Security &amp; Information Sharing: Perspectives from Federal, State &amp; Local Governments and the Private Sector</td>
<td>Statler AB</td>
</tr>
<tr>
<td>3:15 – 4:30 pm</td>
<td>Private Civil Litigation against Alleged Terrorist Sponsors</td>
<td>Federal A</td>
</tr>
<tr>
<td>4:45 – 5:15 pm</td>
<td>What’s Next in the War on Terror?</td>
<td>Presidential</td>
</tr>
<tr>
<td>5:30 – 7:00 pm</td>
<td>Cocktail Reception</td>
<td>Senate</td>
</tr>
</tbody>
</table>

### FRIDAY, MARCH 23, 2012

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
<th>Ballroom</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00 – 8:40 am</td>
<td>Continental Breakfast</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>8:40 – 8:45 am</td>
<td>Welcome and Introductions</td>
<td>Presidential</td>
</tr>
<tr>
<td>8:45 – 9:15 am</td>
<td>Volatility Overseas and its Impact on America’s Homeland Security</td>
<td>Presidential</td>
</tr>
<tr>
<td>9:15 – 9:25 am</td>
<td>Break</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>9:25 – 10:30 am</td>
<td>Pressing Challenges in Immigration Law and Policy</td>
<td>Federal B</td>
</tr>
<tr>
<td>9:25 – 10:30 am</td>
<td>National Preparedness: Have 10 Years and Billions of Dollars Made Our Communities Better Prepared?</td>
<td>Statler AB</td>
</tr>
<tr>
<td>9:25 – 10:30 am</td>
<td>Cybersecurity Developments in the Federal Government and Private Sector</td>
<td>Federal A</td>
</tr>
<tr>
<td>10:30 – 10:45 am</td>
<td>Break</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>10:45 – 11:55 am</td>
<td>Two Ounces of Prevention: The SAFETY Act and PS Prep — Voluntary Programs and To Mitigate Liability</td>
<td>Federal B</td>
</tr>
<tr>
<td>10:45 – 11:55 am</td>
<td>Careers in Homeland Security &amp; National Security — The Academic Path, etc.</td>
<td>Statler AB</td>
</tr>
<tr>
<td>10:45 – 11:55 am</td>
<td>Chemical Facility Anti-Terrorism Standards (CFATS)</td>
<td>Federal A</td>
</tr>
<tr>
<td>12:00 – 12:30 pm</td>
<td>Lunch</td>
<td>Congressional</td>
</tr>
<tr>
<td>12:30 – 1:30 pm</td>
<td>Perspectives on the War against Terrorism</td>
<td>Congressional</td>
</tr>
<tr>
<td>1:45 – 3:00 pm</td>
<td>International Issues: Spotlight on FCPA &amp; OFAC</td>
<td>Federal A</td>
</tr>
<tr>
<td>1:45 – 3:00 pm</td>
<td>CFIUS &amp; Foreign Investments</td>
<td>Federal B</td>
</tr>
<tr>
<td>3:00 – 3:15 pm</td>
<td>Break</td>
<td>Capital Terrace</td>
</tr>
<tr>
<td>3:15 – 4:30 pm</td>
<td>Protecting America’s Cities from a Terrorist Attack: Evaluating the Chemical, Biological, Radiological and Nuclear (CBRN) Threat</td>
<td>Presidential</td>
</tr>
<tr>
<td>4:30 pm</td>
<td>Concluding Remarks</td>
<td>Presidential</td>
</tr>
</tbody>
</table>
PROGRAM FACULTY

Joe D. Whitley, Program Chair
Vice Chair, ABA Section of Administrative Law and Regulatory Practice, Shareholder, Greenberg Traurig LLP, Atlanta, GA and Washington, DC
Former and first General Counsel, U.S. Department of Homeland Security (DHS); former U.S. Attorney for the Northern (Atlanta) and Middle (Macon) Districts of Georgia, U.S. Department of Justice (DOJ)

Chad N. Boudreaux, Program Vice Chair
Corporate Vice President and Associate General Counsel, Huntington Ingalls Industries, Inc., Newport News, VA
Former Deputy Chief of Staff, U.S. Department of Homeland Security (DHS); former Senior Counsel to the Deputy Attorney General, U.S. Department of Justice (DOJ)

Elizabeth L. Branch, Program Vice Chair
Partner, Smith, Gambrell & Russell LLP, Atlanta, GA
Former Counselor to the Administrator of the Office of Information and Regulatory Affairs (OIRA), U.S. Office of Management and Budget (OMB); former Associate General Counsel for Rules and Legislation, U.S. Department of Homeland Security (DHS)

Ernest B. Abbott
Founder and Principal, FEMA Law Associates, PLLC, Washington, DC
Former General Counsel at Federal Emergency Management Agency (FEMA)

Jayson P. Ahern
Principal, The Chertoff Group, Washington, DC
Former Acting Commissioner, U.S. Customs & Border Protection (CBP)

Dmitri Alperovitch
President, Asymmetric Cyber Operations LLC, Omaha, NE

Steve Amitay
President, Amitay Consulting, Washington, DC

Stewart A. Baker
Partner, Steptoe & Johnson, LLP, Washington, DC
Former Assistant Secretary for Policy, U.S. Department of Homeland Security (DHS) and former General Counsel, National Security Agency

Timothy L. Beres
Vice President and Director, CNA Safety and Security, Washington, DC
Former Director of Preparedness Programs, Office for Domestic Preparedness, U.S. Department of Homeland Security (DHS)

The Honorable Alan D. Bersin
Assistant Secretary of International Affairs & Chief Diplomatic Officer to U.S. Department of Homeland Security (DHS), Washington, DC
Former Commissioner, U.S. Customs & Border Protection

Scott P. Boylan
Vice President, General Counsel and Secretary, MorphoTrust USA, Washington, DC

Rachel Brand
Chief Counsel for Regulatory Litigation, U.S. Chamber of Commerce, National Chamber Litigation Center, Washington, DC
Former Assistant Attorney General, Office of Legal Policy, U.S. Department of Justice (DOJ)

Harry G. Broadman
Chief Economist and Emerging Market Practice Leader, PricewaterhouseCoopers (PwC) LLP, Washington, DC

J. Duncan Campbell III
Managing Director, Ridge Global LLC, Washington, DC

Daniel L. Cantor
Partner, O’Melveny & Myers LLP, New York, NY

Valerie E. Caproni
Vice President and Deputy General Counsel, Northrop Grumman Corporation, Falls Church, VA
Former General Counsel of the Federal Bureau of Investigation

James (Jim) J. Carafano, Ph.D.
Deputy Director, The Kathryn and Shelby Cullom Davis Institute for International Studies and Director, Douglas and Sarah Allison Center for Foreign Policy Studies, The Heritage Foundation, Washington, DC

John P. Carlin
Principal Deputy Assistant Attorney General and Chief of Staff, National Security Division (NSD), U.S. Department of Justice (DOJ), Washington, DC

Angeline G. Chen
Vice President, General Counsel and Chief Compliance Officer, Marinette Marine Corporation, Washington, DC

The Honorable Michael Chertoff
Co-Founder and Managing Principal, The Chertoff Group and Covington & Burling LLP, Washington, DC
Former Secretary, U.S. Department of Homeland Security (DHS)

Paul W. “Whit” Cobb, Jr.
Senior Vice President and General Counsel, PAE, Arlington, VA
Former Deputy General Counsel, U.S. Department of Defense (DOD)

Ralph J. Colleli
Attorney Advisor, National Protection and Programs (NPP) Division, Office of the General Counsel, U.S. Department of Homeland Security (DHS), Washington, DC

Darrell L. Darnell
Senior Associate Vice President for Safety and Security, The George Washington University, Washington, DC
Former Director of Resilience Policy, National Security Staff, The White House and former Director, Homeland Security and Emergency Management Agency (HSEMA)

Bruce Davidson
Director, Office of SAFETY Act Implementation, U.S. Department of Homeland Security (DHS), Washington, DC

Timothy H. Edgar
Senior Legal Advisor to the Information Sharing Environment, Office of the Director of National Intelligence, U.S. National Intelligence Agency (NIA), Washington, DC
Joshua Filler  
Owner, Filler Security Strategies, Inc., Washington, DC  
*Former Director, Office of State & Local Government Coordination, U.S. Department of Homeland Security (DHS)*

Brian E. Finch  
Partner, Dickstein Shapiro LLP, Washington, DC

Robert Fitch  
Director, BAE Systems, Inc., Manassas, VA

Ivan K. Fong  
General Counsel, U.S. Department of Homeland Security (DHS), Washington, DC

Michael J. Garcia  
Partner, Kirkland & Ellis LLP, New York, NY  
*Former U.S. Attorney for the Southern District of New York; former and first Assistant Secretary, Immigration & Customs Enforcement (ICE)*

Daveed Gartenstein-Ross  
Director, Center for the Study of Terrorist Radicalization, Foundation for Defense of Democracies, Washington, DC

Michael German  
Policy Counsel, American Civil Liberties Union (ACLU), Washington Legislative Office, Washington, DC

Michael I. Greenberger  
Professor, University of Maryland, Center for Health and Homeland Security, Baltimore, MD

Douglas Greenburg  
Partner, Latham & Watkins LLP, Washington, DC

Kevin Gronberg  
Senior Counsel, U.S. House of Representatives, Committee on Homeland Security, Washington, DC

Hilary Hageman  
Deputy General Counsel, CACI International, Inc., Arlington, VA  
*Former Associate Deputy General Counsel, U.S. Department of Defense (DOD)*

Dr. Paul Halpern  
Director, Department of Defense (DOD) CFIUS Program, Office of the Under Secretary of Defense for Acquisition, Technology and Logistics (AT&L), Washington, DC

Bret Hartman  
Chief Technology, EMC Fellow, RSA, The Security Division of EMC, Bedford, MA

The Honorable Michael V. Hayden  
Principal, The Chertoff Group, Washington, DC  
*Former Director, U.S. Central Intelligence Agency (CIA) and former Director, National Security Agency*

Jessica R. Herrera-Flanigan  
Partner, Monument Policy Group, Washington, DC  
*Former Staff Director and General Counsel, House Homeland Security Committee*

Otto J. Hetzel  
Professor Emeritus, Wayne State University Law School, Detroit, Michigan and Attorney at Law, Washington, DC

Eleanor J. Hill  
Partner, King & Spalding LLP, Washington, DC  
*Former Inspector General to the Department of Defense (DOD)*

Mark Jaskowiak  
Deputy Assistant Secretary of the Treasury for Investment Security, U.S. Department of Treasury, Washington, DC

Jack L. Johnson, Jr.  
Principal, PricewaterhouseCoopers LLP, McLean, VA

Gregory G. Katsas  
Partner, Jones Day LLP, Washington, DC  
*Former Assistant Attorney General, Civil Division, U.S. Department of Justice (DOJ)*

The Honorable Frank Keating  
President and Chief Executive Officer, American Bankers Association, Washington, DC  
*Former Governor of Oklahoma*

RDML Frederick Kenney  
Judge Advocate General, U.S. Coast Guard (USCG), Washington, DC

Kumar C. Kibble  
Deputy Director, U.S. Immigration and Customs Enforcement (ICE), Washington, DC

Brad J. Kieserman  
Chief Counsel, Federal Emergency Management Agency (FEMA), Washington, DC

Jason Klitenic  
Partner, Holland & Knight, Washington, DC

Stephen J. Landes  
Partner, Edwards Wildman Palmer LLP, Chicago, IL

James A. Lewis  
Senior Fellow and Director, Technology and Public Policy Program Center for Strategic and International Studies (CSIS), Washington, DC

Robert S. Litt  
General Counsel, Office of the Director of National Intelligence Agency (NIA), Washington, DC

Michael X. Marinelli  
Shareholder, Greenberg Traurig LLP, Washington, DC

Matthew McCabe  
Republican Counsel for the Committee on Homeland Security, U.S. House of Representatives, Washington, DC

James W. McCament  
Chief, Office of Legislative Affairs, U.S. Citizenship and Immigration Services (CIS), Washington, DC
Christina E. McDonald  
Associate General Counsel for Regulatory Affairs, U.S. Department of Homeland Security (DHS), Washington, DC

Paul F. McHale  
President, Civil Support International LLC, Alexandria, VA  
*Former Congressman and Assistant Secretary of Defense for Homeland Defense*

Nancy McLernon  
President & CEO, Organization for International Investment, Washington, DC

Clyde D. Miller  
Director, Corporate Security, BASF Corporation, Florham Park, NJ

Judith Miller  
Adjunct Fellow, Manhattan Institute, New York, NY

**The Honorable Michael B. Mukasey**  
Partner, Debevoise & Plimpton LLP, Washington, DC  
*Former United States Attorney General*

Dana B. Pashkoff  
Of Counsel, McKenna Long & Aldridge, Washington, DC

Philip J. Perry  
Partner, Latham & Watkins, Washington, DC  
*Former General Counsel, U.S. Department of Homeland Security (DHS)*

Mark E. Plotkin  
Partner, Covington & Burling LLP, Washington, DC

Marcus Pollock  
Chief, Standards and Technology Branch, National Integration Center, Federal Emergency Management Agency (FEMA), U.S. Department of Homeland Security (DHS), Washington, DC

Stephen W. Preston  
General Counsel, Office of the Director of Central Intelligence Agency (CIA), McLean, VA

Christopher Richardson  
Assistant General Counsel for Legislative Affairs, Office of the General Counsel, U.S. Department of Homeland Security (DHS), Washington, DC

Harvey Rishikof  
Senior Policy Advisor, Office of the Director of National Intelligence, Washington, DC, Chair, ABA Standing Committee on Law and National Security, Washington, DC

**Colonel Chris Rofrano**  
Chief Counsel, National Guard Bureau (NGB), Washington, DC

Mark E. Rosen  
Vice President and Deputy General Counsel, The CAN Corporation, Alexandria, VA  
*Former Associated General Counsel for Science and Technology, U.S. Department of Homeland Security (DHS)*

Marianne Rowden  
President and CEO, American Association of Exporters & Importers, Washington, DC

Jonathan J. Rusch  
Deputy Chief for Strategy and Policy, Fraud Section, Criminal Division, U.S. Department of Justice and Adjunct Professor, Georgetown University of Law, Washington, DC

Cynthia Ryan  
General Counsel, National Geospatial-Intelligence Agency (NGA), Washington, DC

Gregory Schaffer  
Assistant Secretary, Office of Cybersecurity and Communications, U.S. Department of Homeland Security (DHS), Washington, DC

**Jason Schlosberg**  
Trial Attorney, Office of the Chief Counsel, Federal Railroad Administration (FRA), U.S. Department of Transportation (DOT), Washington, DC

Dennis R. Schrader  
President, DRS International, LLC, Annapolis, MD  
*Former Deputy Administrator for National Preparedness, Federal Emergency Management Agency (FEMA) and former Homeland Security Advisor to the Governor of Maryland*

Brendan P. Shields  
Republican Policy Director of the Senate Homeland Security and Governmental Affairs Committee, Washington, DC

Daniel W. Sutherland  
Chief, National Counterterrorism Center (NCTC) Global Engagement Group, Washington, DC

James W. Swanson  
Senior Director American Bar Association, Washington, DC

Chad C. Sweet  
Co-Founder and Managing Principal, The Chertoff Group, Washington, DC  
*Former Chief of Staff, U.S. Department of Homeland Security (DHS)*

Jeffrey A. Taylor  
Vice President & General Counsel, Raytheon Company — Integrated Defense Systems, Tewksbury, MA

Hugo Teufel III  
Partner, Edwards Wildman Palmer LLP, New York, NY  
*Former Chief Privacy Officer, U.S. Department of Homeland Security (DHS)*

Mardi Ruth Thompson  
Deputy Chief Counsel for Regulations & Security Standards, U.S. Transportation Security Administration (TSA), Washington, DC

Paul J. Thompson  
Professor, Penn State University Harrisburg, Middletown, PA

**The Honorable Jim Turner**  
Partner, Arnold & Porter, LLP, Washington, DC

Vincent J. Vitkowsky  
Partner, Edwards Wildman Palmer LLP, New York, NY

Carl M. Wagner  
Associate Deputy General Counsel to the Assistant Secretary of Defense Homeland Defense & Americas’ Security Affairs, Washington, DC
PROGRAM FACULTY CONTINUED

Kenneth L. Wainstein  
Partner, O’Melveny & Myers LLP, Washington, DC  
*Former Assistant to the President (43rd) for Homeland Security and Counterterrorism*

Joel A. Webber  
Of Counsel, Couri & Couri, Chicago, IL

Baruch Weiss  
Partner, Arnold & Porter LLP, Washington, DC

Andrew Weissmann  
General Counsel and Assistant Director, Federal Bureau of Investigation (FBI), Washington, DC

Matthew T. West  
Partner, Baker Botts L.P., Washington, DC

Adam J. White  
Counsel, Boyden Gray & Associates, Washington, DC

Thomas Winkowski  
Assistant Commissioner, Office of Field Operations, U.S. Customs and Border Protection, Washington, DC

John F. Wood  
Hughes Hubbard & Reed LLP, Washington, DC  
*Former U.S. Attorney for the Western District of Missouri; Chief of Staff, U.S. Department of Homeland Security (DHS)*

Julie Myers Wood  
President, ICS Consulting LLC (ICS) and Immigration Customs Solutions, LLC, Washington, DC  
*Former Assistant Secretary for Immigration & Customs Enforcement (ICE) and former Assistant Secretary for Export Enforcement, U.S. Department of Commerce*

David Wulf  
Deputy Director, Infrastructure Security Compliance Division (ISCD), Office of Infrastructure Protection, U.S. Department of Homeland Security (DHS), Washington, DC

MEETING LOCATION


**Walking directions to Capital Hilton from:**

**Farragut North Metro Station (Red Line)**  
Exit the station and go east two blocks on K Street to 16th Street. Capital Hilton will be on the northeast corner of 16th and K Streets.

**Farragut West Metro Station (Orange & Blue Lines)**  
Exit the station and go east two blocks on I Street to 16th Street. Go north one block on 16th Street. Capital Hilton will be on the northeast corner of 16th and K Streets.

**McPherson Square Metro Station (Orange & Blue Lines)**  
Take the White House exit and go two blocks east on I Street to 16th. Go north one block on 16th Street. Capital Hilton will be on the northeast corner of 16th and K Streets.

Download a [PDF of the metro map](#) for further details. For driving directions or more information about the hotel, visit the Travel Information section of the meeting website or the Capital Hilton’s website.

**Parking:**  
Parking is valet only at a rate of $42 per day. See the hotel’s [travel website](#) for further details. We apologize but we cannot validate parking.

MEETING REGISTRATION

Register online or complete the registration form on the last page of this brochure. Advance registration is available until March 16, 2012.

On-site registration will be available unless maximum capacity is reached. A credit card or check is required for on-site in-person registration.

Cancellations will be accepted without charge until March 1, 2012. No refunds are possible after that date — substitutions only. Email antonia.martinez@americanbar.org or fax request to 202-662-1529.

Scholarships are available for meeting registration. Contact anne.kiefer@amercianbar.org or 202-662-1690 to request a scholarship. Decisions are based upon individual circumstances.

CONTINUING LEGAL EDUCATION (CLE)

13 Hours of Professional Practice Credit have been requested, but can not be guaranteed. Contact your state or local MCLE board to verify requirements. All CLE materials will be distributed on a flash drive at registration. Please contact antonia.martinez@americanbar.org by March 1, 2012 if your local MCLE board/state requires a hard copy of materials.

SPECIAL NEEDS?

Please contact Toni Martinez at 2026621582 or antonia.martinez@americanbar.org to request accommodation for any special needs no later than March 1, 2012.
## PROGRAM AGENDA

### Thursday, March 22, 2012

<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:30 am – 8:45 am</td>
<td>Continental Breakfast &amp; Registration</td>
</tr>
<tr>
<td>8:45 am – 9:00 am</td>
<td>Welcome and Introductions</td>
</tr>
<tr>
<td></td>
<td><strong>Presidential</strong></td>
</tr>
<tr>
<td></td>
<td>James W. Swanson, Joe D. Whitley, Chad N. Boudreaux, Elizabeth L. Branch</td>
</tr>
</tbody>
</table>
| 9:00 am – 9:40 am | How to Protect Our Borders — What to Expect in 2012 and Beyond  
|           | **Joe. D. Whitley (Introducer)**  
|           | The Honorable Alan D. Bersin  
|           | The Honorable Alan D. Bersin will discuss his former role as Commissioner of CBP and how CBP is making new strides to protect and secure our borders. He will share his views on what to expect in the coming year with regards to technology, enforcement and regulation.  
|           | **CLE CREDIT**  
|           | Presidential                                                                                                                           |
| 9:40 am – 10:40 am | Executive Agency General Counsel Panel: A Look at Homeland Security Legal and Policy Issues  
|           | **Joe D. Whitley (Introducer), Ivan K. Fong (Moderator)**  
|           | John P. Carlin, Robert S. Litt, Stephen W. Preston, Cynthia Ryan, Andrew Weissmann  
|           | The chief executives from DHS, NSD, DOJ, DNIA and CIA, as well as the National Geo-Spatial Intelligence Agency and FBI will review current issues in their respective agencies regarding the law and policy issues within Homeland Security.  
|           | **CLE CREDIT**  
|           | Presidential                                                                                                                           |
| 10:40 am – 10:50 am | Break                                                                                                                                   |
| 10:55 am – 12:00 pm | Homeland Security: Regulatory and Legislative Developments 2012  
|           | **Jason Klitenic (Introducer), Elizabeth L. Branch (Moderator)**  
|           | Matthew McCabe, Christina E. McDonald, Christopher Richardson  
|           | This panel will provide an overview of significant regulatory initiatives of DHS in 2012. Panel members will provide a summary of the first session of the 112th Congress and status of significant homeland security legislation, such as S.1546, the Department of Homeland Security Authorization Act of 2011.  
|           | **CLE CREDIT**  
|           | Presidential                                                                                                                           |
| 12:00 pm – 12:30 pm | Lunch                                                                                                                                   |
| 12:30 pm – 1:30 pm | Homegrown Threats and Radicalization                                                                                                   |
|           | **Chad N. Boudreaux (Introducer), Adam J. White (Moderator)**  
|           | Daveed Gartenstein-Ross, Judith Miller, Brendan P. Shields, Daniel W. Sutherland  
|           | Detecting and deterring homegrown threats requires unprecedented coordination among federal, state and local officials, and keen knowledge of local communities and both national and International trends. This panel will debate the facts at issue and the policy choices available to officials. Brendan Shields, Republican Director of Homeland Security Policy for the Senate, Homeland Security & Governmental Affairs Committee, will discuss the Committee’s five year record of work on the issue of violent Islamist extremism, including the Committee’s 2011 report on the Fort Hood attack. He also will discuss the Committee’s view of the Administration’s record on violent Islamist extremism, arguing that while the Committee appreciates the Administration’s effort, much more needs to be done at a far faster pace, given the growing nature of the threat. Daveed Gartenstein-Ross, of the Foundation for Defense of Democracies, will focus on what he describes as “The nation’s decision to use vague, imprecise language in referring to the enemy in this conflict—language such as ‘violent extremism,’ removing any reference to Islam, Islamism, Jihadism, etc”. Finally, Judith Miller, of the Manhattan Institute, will focus on the difficult intersection of federal and local counterterrorism efforts, particularly in New York City.  
|           | **CLE CREDIT**  
<p>|           | Congressional                                                                                                                          |</p>
<table>
<thead>
<tr>
<th>Time</th>
<th>Session</th>
</tr>
</thead>
<tbody>
<tr>
<td>1:45 pm – 3:00 pm</td>
<td><strong>Homeland Defense and Civil Support: The Role of the Military Within our Own Borders</strong></td>
</tr>
<tr>
<td></td>
<td>The Honorable Jim Turner (Introducer), Paul F. McHale (Moderator)</td>
</tr>
<tr>
<td></td>
<td>Brad J. Kieserman, Colonel Chris Rofrano, Carl M. Wagner</td>
</tr>
<tr>
<td></td>
<td>Panel members will discuss the role the U.S. military plays in helping DHS to secure U.S.</td>
</tr>
<tr>
<td></td>
<td>borders from invasion and terrorist attacks.</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Federal B</td>
</tr>
<tr>
<td>1:45 pm – 3:00 pm</td>
<td><strong>Cargo &amp; Supply Chain Security</strong></td>
</tr>
<tr>
<td></td>
<td>Michael X. Marinelli (Introducer), Joel A. Webber (Moderator)</td>
</tr>
<tr>
<td></td>
<td>Marianne Rowden, Jason Schlosberg, Mardi Ruth Thompson</td>
</tr>
<tr>
<td></td>
<td>Marianne Rowden, President of American Association Exporters and Importers (AAEI) will</td>
</tr>
<tr>
<td></td>
<td>discuss Homeland Security aspects of international trade - Bioterrorism Act developments,</td>
</tr>
<tr>
<td></td>
<td>CTPAT Validation Process developments, “10+2” Security Filing developments, and Certified</td>
</tr>
<tr>
<td></td>
<td>Cargo in international trade. Jason Schlosberg, a trial attorney with the DOT Federal Railroad Administration will talk about the developments in protecting rail from asymmetric attack featuring Positive Train Control requirements and the views and role of rail shippers in shaping those rules; and a DOT viewpoint on recent alignments between “Hazardous Materials” as defined by DOT pursuant to the 1975 Hazardous Materials Transportation Act (and its progeny) and “Security-Sensitive Materials” as defined pursuant to the 2007 Implementing 9/11 Commission Recommendations Act; DOT view of TIH rail security regulations two years since adoption. Mardi Thompson, Deputy Chief Counsel for Regulations and Security Standards at Transportation Security Administration will share air cargo security developments; a TSA viewpoint issuance of recent alignments between “Hazardous Materials” as defined by DOT pursuant to the 1975 Hazardous Materials Transportation Act (and its progeny) and “Security-Sensitive Materials” as defined pursuant to the 2007 Implementing 9/11 Commission Recommendations Act; TSA view of TIH rail security regulations two years since adoption.</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Statler AB</td>
</tr>
<tr>
<td>1:45 pm – 3:00 pm</td>
<td><strong>Emerging Compliance Issues for Government Contractors: An In-House Perspective</strong></td>
</tr>
<tr>
<td></td>
<td>Jason Klitenic (Introducer), Chad N. Boudreaux (Moderator)</td>
</tr>
<tr>
<td></td>
<td>Paul W. “Whit” Cobb, Jr., Hilary Hageman, Eleanor J. Hill, John F. Wood</td>
</tr>
<tr>
<td></td>
<td>This panel will explore emerging compliance issues for government contractors, primarily</td>
</tr>
<tr>
<td></td>
<td>through the lens of in-house counsel. The panel’s emphasis will be on the homeland defense</td>
</tr>
<tr>
<td></td>
<td>industry, with a particular focus on the U.S. Departments of Defense and Homeland Security.</td>
</tr>
<tr>
<td></td>
<td>Panel members are all former high-ranking government officials who now are on the cutting</td>
</tr>
<tr>
<td></td>
<td>edge of compliance issues affecting the industry. This panel is recommended for in-house counsel, lawyers and consultants advising companies, compliance and ethics officers, government officials, and anyone else interested in the challenges and opportunities in this area.</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Federal A</td>
</tr>
<tr>
<td>3:00 pm – 3:15 pm</td>
<td><strong>Break</strong></td>
</tr>
<tr>
<td>3:15 pm – 4:30 pm</td>
<td><strong>The Law Enforcement Agenda 2012</strong></td>
</tr>
<tr>
<td></td>
<td>Jack L. Johnson, Jr. (Introducer), Jayson P. Ahern (Moderator)</td>
</tr>
<tr>
<td></td>
<td>RDML Frederick Kenney, Kumar C. Kibble, Thomas Winkowski</td>
</tr>
<tr>
<td></td>
<td>This panel will focus on DHS law enforcement perspectives and the operational components</td>
</tr>
<tr>
<td></td>
<td>of the agency.</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Federal B</td>
</tr>
<tr>
<td>3:15 pm – 4:30 pm</td>
<td>**Homeland Security &amp; Information Sharing: Perspectives from Federal, State &amp; Local</td>
</tr>
<tr>
<td></td>
<td>Governments and the Private Sector</td>
</tr>
<tr>
<td></td>
<td>Baruch Weiss (Introducer), Hugo Teufel III (Moderator)</td>
</tr>
<tr>
<td></td>
<td>Scott P. Boylan, Timothy H. Edgar, Michael German, Bret Hartman</td>
</tr>
<tr>
<td></td>
<td>Information sharing is the process of exchanging data by means of various computer networks</td>
</tr>
<tr>
<td></td>
<td>usually operated by separate organizations. This panel will discuss their perspectives on</td>
</tr>
<tr>
<td></td>
<td>how information sharing has improved and continues to improve from the Federal, state and</td>
</tr>
<tr>
<td></td>
<td>local governments to the private sector, and how information sharing allows for a more to-the-minute</td>
</tr>
<tr>
<td></td>
<td>response to potential threats and acts of terrorism globally and internationally.</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Statler AB</td>
</tr>
<tr>
<td>Time</td>
<td>Event</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------------------------------------------------------</td>
</tr>
<tr>
<td>3:15 pm – 4:30 pm</td>
<td>Private Civil Litigation Against Alleged Terrorist Sponsors</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Federal A</td>
</tr>
<tr>
<td>4:45 pm – 5:15 pm</td>
<td>What’s Next in the War on Terror?</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Presidential</td>
</tr>
<tr>
<td>5:30 pm – 7:00 pm</td>
<td>Cocktail Reception</td>
</tr>
<tr>
<td>Friday, March 23, 2012</td>
<td></td>
</tr>
<tr>
<td>8:00 am – 8:40 am</td>
<td>Continental Breakfast</td>
</tr>
<tr>
<td>8:40 am – 8:45 am</td>
<td>Welcome and Introductions</td>
</tr>
<tr>
<td>8:45 am – 9:15 am</td>
<td>Volatility Overseas and its Impact on America’s Homeland Security</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Presidential</td>
</tr>
<tr>
<td>9:15 am – 9:25 am</td>
<td>Break</td>
</tr>
<tr>
<td>9:25 am – 10:30 am</td>
<td>Pressing Challenges in Immigration Law and Policy</td>
</tr>
<tr>
<td>CLE CREDIT</td>
<td>Federal B</td>
</tr>
</tbody>
</table>
### 9:25 am – 10:30 am  
**National Preparedness: Have 10 Years and Billions of Dollars Made Our Communities Better Prepared?**

*Otto J. Hetzel (Introducer), Joshua Filler (Moderator)*  
*Ernest B. Abbott, Timothy L. Beres, Darrell L. Darnell, Dennis R. Schrader*

Since September 11, 2001, the United States has developed numerous policies, doctrines and frameworks and spent tens of billions of dollars to enhance the nation’s ability to prevent, protect against, respond to and recover from threats and acts of terrorism and other catastrophic risks. Just over ten years since the worst terrorist attacks in American history, the question remains, are we better prepared as a nation as a result of these changes and investments? A panel of homeland security experts, several of them founding members of the Department of Homeland Security, with experience at the local, state and federal levels of government, as well as private sector experience, will address this fundamental question.

### CLE CREDIT  
Statler AB

### 9:25 am – 10:30 am  
**Cybersecurity Developments in the Federal Government and Private Sector**

*Jack L. Johnson, Jr. (Introducer), Stewart A. Baker (Moderator)*  
*Dmitri Alperovitch, Kevin Gronberg, James A. Lewis, Gregory Schaffer*

This panel will focus on the scope of the intensity of the cyber crime problem in its current state, the role of typical APT the security measures being taken, and the potential risks and possibility for sabotage. Panelists from the private sector will be focusing on what companies are doing in response to terrorism and threats, as well as the functionality of their implementations. Given the explanation of this technology, the success and/or lack of success will also be discussed. Technical approaches including DNSSEC, TPM lockdown Data Loss Prevention, disclosures, intrusion risks among CEO’s and GC’s and cost systems will also be covered. Panel members will also touch on policy challenges and obstacles to an effective government response and the pending bills in the House and Senate.

### CLE CREDIT  
Federal A

### 10:30 am – 10:45 am  
**Break**

### 10:45 am – 11:55 am  
**Two Ounces of Prevention: The SAFETY Act and PS Prep - Voluntary Programs and To Mitigate Liability**

*Jack L. Johnson, Jr. (Introducer), Brian E. Finch (Moderator)*  
*Steve Amitay, Bruce Davidson, Dana B. Pashkoff, Marcus Pollock*

The panel will explore voluntary programs companies can explore to help better prepare themselves for emergency events, including terrorist attacks. We hear the latest from government and private sectors on the SAFETY Act, which can be used to manage or eliminate terrorist-related liability, as well as the Private Sector Preparedness Program (PS-Prep), which helps organizations prepare themselves for a range of emergency events. We will also explore other voluntary guidelines and preparedness programs available through non-profit organizations to help prepare for disasters.

### CLE CREDIT  
Federal B

### 10:45 am – 11:55 am  
**Careers in Homeland Security & National Security — The Academic Path, etc.**

*Otto J. Hetzel (Introducer), Harvey Rishikof (Moderator)*  
*Angeline G. Chen, Michael I. Greenberger, Mark E. Rosen, Paul B. Thompson*

A panel discussion designed for law students, those considering law school and young lawyers to explore how to turn their interest in homeland security and national security into actual practice. Topics will include: the how/why “homeland security and national security law” (HS/NS) should be considered its own field; what areas within the national security law realm are essential to an interested lawyer and provide a necessary contextual understanding for the field? This panel will further discuss government career trajectory for new hires within a government agency and managing expectations, the role of private sector law firms in homeland security/national security law and opportunities for students/lawyers, the current state of the economy and how that will affect opportunities for employment with government agencies and what areas of law affecting the HS/NS law field are emerging or on the horizon and can be useful for law students and young lawyers to begin actively educating themselves about now (e.g. cyber issues, energy, etc.).

### CLE CREDIT  
Statler AB
<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
</table>
| 10:45 am – 11:55 am | Chemical Facility Anti-Terrorism Standards (CFATS)  
Chad N. Boudreaux (Introducer), Philip J. Perry (Moderator)  
Ralph J. Colleli, Clyde D. Miller, David Wulf |
| 12:00 pm – 12:30 pm | Lunch |
| 12:30 pm – 1:30 pm | Perspectives on the War Against Terrorism  
Joe D. Whitley (Introducer)  
The Honorable Michael B. Mukasey |
| 1:45 pm – 3:00 pm | International Issues: Spotlight on FCPA & OFAC  
Joe D. Whitley (Introducer), Kenneth L. Wainstein (Moderator)  
Valerie E. Caproni, Douglas Greenburg, Jeffrey A. Taylor, Matthew T. West |
| 1:45 pm – 3:00 pm | CFIUS & Foreign Investments  
Jonathan J. Rusch (Introducer), Mark E. Plotkin (Moderator)  
Harry G. Broadman, Robert Fitch, Dr. Paul Halpern, Mark Jaskowiak, Nancy McLernon |
| 3:00 pm – 3:15 pm | Break |
| 3:15 pm – 4:30 pm | Protecting America's Cities from a Terrorist Attack: Evaluating the Chemical, Biological, Radiological and Nuclear (CBRN) Threat  
The Honorable Frank Keating |
| 4:30 pm | Concluding Remarks |
Homeland Security Deskbook: Private Sector Impacts of the War Against Terrorism …….. PRICE TBD
2012 EDITION AVAILABLE SOON!

The Law of Counterterrorism NEW! ................................................................. Special: $45
Ed. Lynne K. Zusman

Counterterrorism is defined as “offensive measures taken to prevent, deter, pre-empt, and respond to terrorism”. In contrast, anti-terrorism is defined as “Defensive measures used to reduce the vulnerability to terrorist acts”. This important and ground-breaking work addresses the multiple facets of legal authority that affect our ability to fight transnational terrorism. Over the last decade, the American public has benefited from the work of many federal agencies, this book examines in detail the roles they play, the highly esoteric nature of counterterrorism law, and the importance of adhering to the rule of law when engaged in counterterrorism.

Homeland Security: Legal and Policy Issues .............................................. Special: $45
Ed. Joe D. Whitley and Lynne K. Zusman

Homeland Security: Legal and Policy Issues serves as an important compilation of policy and practice-oriented information pertaining to the Homeland Security Act. The book provides a timely summary and overview analysis of the Congressional and Executive response to Homeland Security concerns arising from either man-made or natural disasters. Expert authors have included easy references to additional authorities and information sites, making this publication a useful tool and lasting legal education sourcebook.

Ed. Ernest B. Abbott and Otto J. Hetzel

This book provides practical insight and guidance to help governments and their counsel protect lives, property, public safety, and the public welfare in accordance with law and the Constitution. The book ends with a substantially updated and expanded checklist of legal issues that local government attorneys must deal with in times of disaster.

Careers in National Security ................................................................. Special: $15
Ed. Lauren Bean

This book features testimonials from established practitioners in the field of National Security law, detailing how they entered the field of national security law and offering advice for students and lawyers on opportunities and suggestions for entering the field, including the various facets of National Security law.

Ed. Andrew M. Borene

Now updated, expanded and revised, The U.S Intelligence Community Law Sourcebook, 2011 Edition, is your complete guide to U.S intelligence community source material, including relevant federal statutes, intelligence authorization acts, executive orders, attorney general and the director of national intelligence guidelines, and proposed significant legislation in the intelligence community.
7th Annual Homeland Security Law Institute

Location: Capital Hilton, 1001 16th Street NW, Washington, DC, 20036, (202) 3931000. The hotel is located within blocks of 3 Metro Stations: Farragut North Metro Station (Red Line), Farragut West Metro Station (Blue & Orange Lines), and McPherson Square Metro Station (Blue & Orange Lines). Parking: Valet parking is available at the Capital Hilton at a rate of $40.00 per day. Sorry we can not validate parking.

Cancellation: Cancellations accepted without charge until March 1, 2012. No refunds are possible after that date — substitutions only. Email Antonia.martinez@americanbar.org or Fax request to 2026621529.

Scholarships: Contact Anne Kiefer anne.kiefer@americanbar.org or 202.662.1690 to request a registration Scholarship. Decisions are based upon individual circumstances.

CLE: 13 Hours of Professional Practice Credit Have Been Requested, but can not be guaranteed. Contact your state or local MCLE board to verify requirements.

Special Needs: Please contact Toni Martinez at 2026621582 or antonia.martinez@americanbar.org to request accommodation for any special needs no later than March 1, 2012.

Name: _____________________________________________________________

ABA Member I.D. __________________________________________ Administrative Law Section Member? Yes ___ No ___

Email: _____________________________________________________________ Phone: ________________________________

Organization: _______________________________________________________

Address: ________________________________________________________________________________________________

City, State, Zip: ____________________________________________________________________________________________

Qty. Registration Type Rates
____ Section Member Rate *Includes members of all ABA CoSponsoring Entities (See list of cosponsors on cover) $299*
____ Government Employees $299
____ NonSection Member Rate $399
____ Law Student Rate Per Day, Choose: □ Thurs, March 22  □ Fri, March 23 $25

TOTAL REGISTRATION FEES $__________

Qty. Publications Rates
____ Homeland Security Deskbook (Coming Spring 2012 – Preorder Only) TBD
____ The Law of Counterterrorism NEW! $45
____ Homeland Security: Legal and Policy Issues $45
____ Careers in National Security $15

Documents, 2011 Edition

TOTAL PUBLICATIONS FEES: $__________

GRAND TOTAL: $__________

PUBLICATIONS: TAX: DC residents add 5.75%, IL residents add 9.25%. Shipping & Handling: Order(s) $10–$49.99 add $5.95; Order(s) $50$–99.99 add $7.95; Order(s) $100$–199.99 add $9.95

Payment by check or credit card is required at time of registration. Make checks payable to the American Bar Association. Return this form by EMAIL: antonia.martinez@americanbar.org OR FAX: 202.662.1529 OR MAIL: Toni Martinez, ABA Section of Administrative Law, 740 15th Street NW, Washington, DC 20005.

METHOD OF PAYMENT
□ Check (payable to “American Bar Association”) □ VISA □ MasterCard □ AMEX

Card Number: ___________________________________________ Exp. Date: _____________________________

Name on card: __________________________________________________________________________________________

Signature: ____________________________________________________________________________________________

Would you like to be a Member of the Section of Administrative Law & Regulatory Practice? Check here □ to have the $60 Annual Dues added to this invoice (must already be an ABA member).
Section of Administrative Law and Regulatory Practice

2012 Annual Meeting Schedule

2012 Spring Conference
“The Administrative Agency in an Electronic Age”
Chair: Michael Herz
April 20, 2012 | Princeton University, Princeton, New Jersey

Eighth Annual Administrative Law and Regulatory Practice Institute
Chair: Joe D. Whitley

2012 Annual Meeting
CLE Programs:
“Overriding the Experts: Executive Rejection of Administrative Agency Expertise”
“Privacy Law in 2012: Where We Are and Where We Are Going”
“Has the Consumer Financial Protection Board Changed the Rulemaking Process?”
August 3, 2012 | Fairmont Hotel, Chicago, Illinois

Administrative Law Conference
October 25–26, 2012
Capital Hilton, Washington, DC