22<sup>nd</sup> Annual Review of the Field of National Security Law

Co-Sponsored by the

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 University Law Center

November 29 – November 30, 2012

Ritz-Carlton Hotel
1150 22nd Street, NW, Washington, DC
THURSDAY, NOVEMBER 29, 2012

7:30 a.m.   Registration and Continental Breakfast

8:00 – 8:30 a.m.   Conference Overview and Welcome

   Harvey Rishikof
   Director of Cybersecurity and the Law, College of Information Science and Technology, The iSchool, Drexel University; & Chair, ABA Advisory Committee on Law and National Security

   Laurel Bellows
   President
   American Bar Association


   Moderator
   William C. Banks
   Director
   Institute for National Security and Counterterrorism, Syracuse University

   Discussants
   The Honorable James Robertson (Ret.)
   Judge
   U.S. District Court for the District of Columbia Circuit

   Robert Chesney
   Charles I. Francis Professor of Law
   University of Texas (Austin) School of Law

   The Honorable Brett M. Kavanaugh
   Judge
   U.S. Court of Appeals for the District of Columbia Circuit

   Deborah Pearlstein
   Assistant Professor of Law
   Cardozo School of Law

10:15 – 10:30 a.m.   Break
10:30 a.m. – 12:30 p.m.  Panel II – Intelligence Law Developments

Moderator

George Jameson
Principal, Jameson Consulting
Chairman, Council on Intelligence Issues

Discussants

Eliana Davidson
Deputy General Counsel, Intelligence
U.S. Department of Defense

Chris Donesa
Chief Counsel
Permanent Select Committee on Intelligence
U.S. House of Representatives

Christine Healey
General Counsel
Select Committee on Intelligence
U.S. Senate

Robert Litt
General Counsel
Office of the Director of National Intelligence

Stephen Preston
General Counsel
Central Intelligence Agency

12:30 – 1:15 p.m.  Luncheon Break


Steven R. Chabinsky
Senior Vice President, Legal Affairs & Chief Risk Officer
CrowdStrike, Inc.

2:15 – 2:30 p.m.  Break

2:30 – 4:15 p.m.  Panel III – Emerging Technologies
Thursday, November 29, 2012 Continued

**Moderator**

**Viet Dinh**  
Principal, Bancroft, PLLC  
Professor of Law and Co-Director of Asian Law and Policy Studies  
Georgetown University Law Center

**Discussants**

**David Cole**  
Professor of Law  
Georgetown University Law Center

**Lisa Monaco**  
Assistant Attorney General  
National Security Division  
U.S. Department of Justice

**Robert O’Harrow, Jr.**  
Investigative Reporter, Technology and National Security  
Washington Post

**Wyndee Parker**  
National Security Advisor to  
House Minority Leader Nancy Pelosi  
U.S. House of Representatives

5:00 p.m.  
Reception

6:00 p.m.  
Dinner with Keynote Address - Ritz-Carlton Hotel Plaza II Ballroom

**The Honorable William H. Webster**  
Former Director  
Federal Bureau of Investigation & Central Intelligence Agency

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**Friday, November 30, 2012**

8:00 a.m.  
Continental Breakfast

8:15 – 8:30 a.m.  
Welcome and Opening Remarks

**James E. McPherson**  
Chair  
ABA Standing Committee on Law and National Security
Friday, November 30, 2012 Continued

8:30 – 10:15 a.m.  Panel IV – National Security and International Law

Moderator
Robert F. Turner
Professor and Associate Director
Center for National Security Law
University of Virginia School of Law

Discussants
Jeremy Rabkin
Professor of Law
George Mason University School of Law

His Excellency Stephen Schwebel
Former President and Judge
International Court of Justice

Nicholas Rostow
Distinguished Research Professor
National Defense University and
Senior Director, Center for Strategic Research,
INSS

Ruth Wedgwood
Edward B. Burling Professor of International Law
and Diplomacy & Director
International Law and Organizations Program
Johns Hopkins School of Advanced International
Studies

10:15 – 10:30 a.m.  Break

10:30 a.m. – 12:15 p.m.  Panel V – The Law of Armed Conflict: Past,
Present and Future

Moderator
The Honorable Scott L. Silliman
Judge, U.S. Court of Military Commission Review,
and Professor of the Practice of Law & Director
Emeritus
Center on Law, Ethics and National Security
Duke University School of Law
Discussants

Laurie Blank
Professor of Law & Director
International Humanitarian Law Clinic
Emory University School of Law

David E. Graham
Executive Director
The Judge Advocate General’s Legal Center and
School
U.S. Army

Hays Parks
Former Senior Associate Deputy General Counsel
International Affairs
U.S. Department of Defense

Sean Watts
Associate Professor of Law
Creighton University School of Law

12:15 – 1:30 p.m. Luncheon Break

Introduction
Dean William M. Treanor
Executive Vice President and Dean
Georgetown University Law Center

1:30 – 2:15 p.m. Keynote Address – “Newfangled Checks on Executive Power”

Neal K. Katyal
Paul and Patricia Saunders Professor of National Security Law
Georgetown University Law Center

2:15 – 2:30 p.m. Break

2:30 – 4:00 p.m. Panel VI – Human Rights and National Security Law Issues

Moderator
Stephen I. Vladeck
Professor of Law & Associate Dean for Scholarship American University Washington College of Law
Friday, November 30, 2012 Continued

Discussants

Colonel Richard B. Jackson (Ret.)
Special Assistant for Law of War Matters
U.S. Army Judge Advocate General

Martin S. Lederman
Associate Professor of Law
Georgetown University Law Center

Neomi Rao
Associate Professor of Law
George Mason University School of Law

Hina Shamsi
Director
National Security Project
American Civil Liberties Union

4:00 – 5:15 p.m.

Panel VII – Ethical Dilemmas Facing Lawyers
Practicing National Security Law
(Government and Private Practice)

Moderator

Major General 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

The Honorable James E. Baker
Chief Judge
U.S. Court of Appeals for the Armed Forces

Kathleen Clark
John S. Lehmann Research Professor of Law
Washington University in St. Louis
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