



The Science & Technology Law (SciTech) Section's Homeland Security Committee, the Public Contract Law (PCL) Section's Cybersecurity Committee and the Standing Committee on Law and National Security are co-sponsoring a joint program focusing on the emerging – and often unsettled – legal and policy issues arising out of cyber warfare.

Cyber Warfare Law & Frontier Justice: What's the Law, Who's the Judge, and Where's the Authority?

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DATE:

JUNE 13, 2011

TIME:

9:00am PDT
11:00am CDT
12:00pm EDT
(90 minute program)

LOCATION:

Crowell & Moring LLP
1001 Pennsylvania Ave.,
NW, Washington, DC

COST:

\$15 charge for in
person attendees,
lunch will be provided

\$15 Charge for
telephone attendees

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No CLE credit will be
offered for this program.



Summary

A nuclear processing facility shuts down. Government websites crash. A city goes dark. Is it an accident – or Stuxnet? After the cyber attacks on Estonia and Georgia and the Stuxnet penetration of Iran's Bushehr nuclear power facility, cyber war has moved from theory to reality. With the fog of cyber war comes a torrent of legal and policy issues regarding authentication, intelligence gathering, counterstrike authority, and liability under domestic and international laws.

- What are the limits on the Department of Defense (Title 10) and the intelligence community (Title 50) to probe domestic and international networks, share information to authenticate cyber foes, and launch cyber attacks?
- What are the liability risks to government agencies, private contractors, and third parties that support information gathering and cyber counterstrikes?
- Do private networks have a 5th Amendment or other remedy if the U.S. Government shuts down systems to stop an attack – or conscripts such systems to launch an attack?

Panel

- **Dr. Herbert S. Lin** (Chief Scientist, Computer Science & Telecommunications Board, National Research Council of the National Academies & Study Director for *Technology, Policy, Law, and Ethics regarding U.S. Acquisition and Use of Cyberattack Capabilities*)
- **Dr. Catherine Lotrionte** (Executive Director, Institute for Law, Science and Global Security at Georgetown University and former Counsel to the President's Foreign Intelligence Advisory Board at the White House)
- **Suzanne Spaulding** (Principal, Bingham Consulting Group and former General Counsel for the Senate Select Committee on Intelligence and Assistant General Counsel at CIA)

Moderator

- **David Z. Bodenheimer** (Partner, Crowell & Moring LLP, Co-Chair of SciTech Homeland Security Committee and Vice Co-Chair of PCL Cybersecurity Committee)