26th Annual Review of the Field of National Security Law

Monday, November 14, 2016

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


Moderator
James E. Baker

Discussants
Charles A. Allen
Deputy General Counsel, International Affairs
U.S. Department of Defense

Rita Siemion
International Legal Counsel
Human Rights First

Colonel David E. Graham, USA (ret.)
Distinguished Fellow,
Center on National Security Law
University of Virginia School of Law
10:15 – 10:30 a.m.  
Break

10:30 – 12:00 p.m.  
Panel II – The National Security Process and Structure

Moderator  
Colonel David E. Graham, USA (ret.)

Discussants  
Richard C. Gross, Brig. Gen., USA (ret.)  
Partner  
Fluet Huber Hoang

Rosa Brooks  
Professor of Law  
Georgetown Law

Brian Egan  
Legal Advisor  
U.S. Department of State

Stephen Preston  
Chair, Defense, National Security and Government Contracts Practice  
WilmerHale

12:00 – 1:00 p.m.  
Luncheon Break

1:00 – 1:45 p.m.  
Keynote - Lt. General Edward C. Cardon, USA  
Director, Office of Business Transformation  
U.S. Department of the Army  
“Adjusting to the Cyber Landscape”

1:45 – 2:00 p.m.  
Break

2:00 – 3:30 p.m.  
Panel III – Cyber Challenges for the New Administration

Moderator  
Maj. Gen. Charles 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  
Kristen Eichensehr  
Assistant Professor of Law  
UCLA School of Law

Jill Rhodes  
Vice President and Chief Information Security Officer  
Option Care

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

Eric Talbot Jensen  
Professor of Law  
J. Reuben Clark Law School,  
Brigham Young University
3:30 – 3:45 p.m. Break

3:45 – 4:45 p.m. Panel IV – Refugees, Humanitarian Challenges and the Law

Moderator
Elissa Massimino
President and Chief Executive Officer
Human Rights First

Discussants
David Harden
Assistant Administrator for Democracy
Conflict and Humanitarian Assistance
US Agency for International Development

Seth M. M. Stodder
Assistant Secretary of Homeland Security for Border, Immigration & Trade Policy
US Department of Homeland Security

Jesse Tampio
Attorney-Advisor for Human Rights and Refugees
Office of the Legal Advisor
Department of State

5:00 p.m. Reception

6:00 p.m. Dinner with Conversation – Judge James E. Baker and Avril D. Haines, Assistant to the President and Deputy National Security Advisor

TUESDAY, NOVEMBER 15, 2016

8:00 a.m. Registration and Continental Breakfast

8:30 a.m. – 8:45 a.m. Welcome and Opening Remarks
Linda Klein
President, American Bar Association

8:45 a.m. – 10:15 a.m. Panel V – Continuity, Change and Future Challenges in the Use of Force Abroad

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

Discussants
John Bellinger
Partner, National Security and Public International Law Practice
Arnold & Porter

Mary DeRosa
Distinguished Visitor from Practice
Co-Director, Global Law Scholars Program
Georgetown Law

Christine Fair
Associate Professor, Security Studies Program
Edmund Walsh School of Foreign Service
Georgetown University

Martin S. Lederman
Associate Professor of Law
Georgetown Law

Charlie Savage
Washington Correspondent
The New York Times

10:15 a.m. – 10:30 a.m.  Break

10:30 a.m. – 11:45 a.m.  Panel VI – Legal Issues in Civilian/Military Relations for the 21st Century

Moderator
William Banks
Board of Advisors Distinguished Professor of Law
Professor of Public Administration and International Affairs
Maxwell School of Citizenship & Public Affairs
Syracuse University College of Law

Discussants
Executive Director, Strategic Military, Science, Space and Security Initiatives
University of Colorado, Colorado Springs
Interim Executive Director, National Cybersecurity Center

LTC Laura Calese, USA
Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff

M. Tia Johnson
Assistant Secretary for Legislative Affairs
Department of Homeland Security

Mackubin Thomas Owens
Dean of Academics
Institute of World Politics

11:45 a.m. – 12:00 Noon  Break

12:00 p.m. – 12:30 p.m.  Lunch

12:30 p.m. – 1:30 p.m.  Panel VII – National Security and the Courts

Moderator
Thurgood Marshall Jr.
Partner
Morgan, Lewis & Bockius LLP

Discussants
James A. Baker
General Counsel
Federal Bureau of Investigation

Miguel Estrada
Partner
Gibson Dunn

The Honorable James Orenstein
US Magistrate, US District Court
Eastern District of New York

1:30 p.m. – 1:45 p.m.  Break

1:45 p.m. – 2:45 p.m.  Panel VIII - National Security and Military Space Operations

Moderator
W. Renn Gade*
Office of the Director of National Intelligence

Discussants
Dale Stephens
Associate Professor and Director Adelaide Research Unit on Military Law and Ethics
University of Adelaide Law School

Maj. General Jeffrey A. Rockwell, USAF
Air Force Deputy Judge Advocate General

Rob Ramey
Deputy Legal Advisor
Regional Delegation to the United States and Canada
International Committee of the Red Cross

2:45 p.m. – 3:00 p.m.  Break

3:00 p.m. – 5:00 p.m.  Panel IX – Ethical Considerations for National Security Lawyers

Moderator
Harvey Rishikof

Discussants
Judge James E. Baker

Lala R. Qadir
Associate
Covington & Burling LLP

5:00 p.m.  CLE Sign-Out
Scholarships to defray tuition expense for this conference are available upon application on a case-by-case basis. Preference will be given to military lawyers, public interest lawyers, government lawyers, full-time law professors, solo or small firm practitioners of limited means, law students and unemployed attorneys. The Scholarship application can be found on our website – www.americanbar.org/natsecurity. Scholarship applications must be received by October 19. You will be notified prior to the program if your application is approved. 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).

**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/ABAEvetsCalendar/EventDetails.aspx?productId=203572183 or contact holly.mcmahon@americanbar.org.
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