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Sponsored by:

American Bar Association Standing Committee on Law and National Security;  
Center for National Security Law, University of Virginia School of Law; and  
Center on Law, Ethics and National Security, Duke University School of Law

**Roster of Speakers**

**Stewart A. Baker** is a former Chair of the Standing Committee on Law and National Security, and the Assistant Secretary for Policy at the Department of Homeland Security. Prior to that, he was a partner with Steptoe & Johnson and General Counsel of the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction. He has also served as General Counsel of the National Security Agency, a Member and Acting Chair of the President's Export Council Subcommittee on Encryption, and law clerk to Justice John Paul Stevens. Asst. Sec. Baker is a graduate of Brown University and the University of California School of Law.

**Jeremy Bash** is Minority General Counsel of the House Permanent Select Committee on Intelligence. In the 108<sup>th</sup> Congress, Mr. Bash served as a policy advisor and counsel to Congresswoman Jane Harman, the Committee's Ranking Member. Prior, he was Of Counsel at O'Melveny and Myers in its Washington office. Mr. Bash was the National Security Issues Director for the Gore-Lieberman Presidential campaign in 2000. He is a graduate of Georgetown University and Harvard Law School, where he was an editor of the Harvard Law Review.

**Bradford A. Berenson** is a litigator in the Washington, DC office of Sidley Austin, LLP. From January 2001 through January 2003, Mr. Berenson served as Associate Counsel to the President of the United States, where he worked on issues associated with the Bush Administration's relations with Congress, its justice and domestic policy initiatives, and the war on terrorism. These included judicial selection, responses to congressional oversight and investigations, the USA Patriot Act, the Military Order authorizing the use of military commissions, detainee policy and anti-terrorism litigation, presidential action against terrorist financing, and the creation of the new Department of Homeland Security. He clerked for Judge Laurence H. Silberman of the U.S. Court of Appeals for the District of Columbia Circuit and Justice Anthony M. Kennedy of the United States Supreme Court. Mr. Berenson graduated *summa cum laude* from Yale University, *magna cum laude* from Harvard Law School, where he was Supreme Court editor of the Harvard Law Review.

**James Jay Carafano** is the Assistant Director of the Kathryn and Shelby Cullom Davis Institute for International Studies and Senior Research Fellow at the Douglas and Sarah Allison Center for Foreign Policy Studies at The Heritage Foundation. His research focuses on protecting US citizens, providing for economic growth and preserving civil liberties. An accomplished historian and teacher, Dr. Carafano was an assistant professor at the U.S. Military Academy in West Point, N.Y. and served as Director of Military Studies at the Army's Center of Military History. He also taught at Mount Saint Mary College in New York and served as a fleet professor at the U.S. Naval War College. He is a visiting professor at the National Defense University and Georgetown University. A graduate of West Point, he rose to the rank of Lt. Colonel in the U.S. Army. Dr. Carafano also has a master's degree and a doctorate from Georgetown University and a master's degree in strategy from the U.S. Army War College.

**Michael Chertoff** serves as the Secretary of the U.S. Department of Homeland Security. Prior to this Secretary Chertoff served as United States Circuit Judge for the Third Circuit Court of Appeals, Assistant Attorney General for the Criminal Division at the Department of Justice, and US Attorney for the District of New Jersey. As Assistant Attorney General, he helped trace the 9/11 terrorist attacks to the al-Qaida network, and worked to increase information sharing within the FBI and with state and local officials. Before joining the Bush Administration, Chertoff was a Partner in the law firm of Latham & Watkins. From 1994 to 1996, he served as Special Counsel for the U.S. Senate Whitewater Committee. He clerked for Supreme Court Justice William Brennan, Jr. Secretary Chertoff graduated *magna cum laude* from Harvard College and Harvard School of Law.

**Robert Deitz** is the Senior Councillor to the Director of the Central Intelligence Agency. Prior to that Mr. Deitz was General Counsel to NSA. While serving as NSA's chief lawyer, Deitz was also acting Deputy General Council, Intelligence, at the Defense Department in 2003 and 2004. He was in private law practice in Washington for 17 years before joining NSA, and worked in the Carter administration from 1978 to 1981. Mr. Deitz clerked for Supreme Court Justices William O. Douglas, Potter Stewart and Byron White. He is a graduate of Harvard Law School.

**Steve A. Fennell** is a partner in the Washington office of Steptoe & Johnson LLP, where he is a chair of the Litigation Department and serves on the firm's Executive Committee. Mr. Fennell's litigation practice involves a broad range of complex civil matters concerning government, nuclear and construction contracts, antitrust, RICO and intellectual property disputes, environmental and asbestos insurance coverage, employment discrimination and environmental injury cases. He is currently serving as lead counsel representing Gulf War POWs in a suit against Iraq. Mr. Fennell was law clerk to Judge Edward S. Northrop, US District Court for the District of Maryland. Mr. Fennell graduated *magna cum laude* from the University of Maryland and Georgetown University Law Center, where he was Editor of the Georgetown Law Journal.

**Richard E. Friedman** currently serves as the President and Chair of National Strategy Forum, Inc. He is also a former Chair of the Standing Committee on Law and National Security, and is currently a Counselor to the Committee. He also serves as a member of the Advisory Committee of the Syracuse University Maxwell School of Citizenship and Public Affairs National Security Studies Program. He has served on special assignment for the U.S. Department of State in Romania, on the U.S. Army Science Board Ballistic Missile Defense Committee, as a consultant to the government of the Republic of Georgia for legislation regarding national security and economic matters, and participated in strategic planning conferences for Central Asian Republics.

**Allan Gerson** is chairman of AG International Law, PLLC. Mr. Gerson brought the first suit against a foreign state on behalf of the families of the victims of the Pan Am 103 Lockerbie bombing and was instrumental in passage of the The Antiterrorism and Effective Death Penalty Act of 1996, which made it possible for U.S. citizens to hold foreign governments accountable in U.S. courts for complicity in terrorism. Presently he is engaged in a lawsuit against Saudi and other interests on behalf of families of victims of the 9/11 attacks; and in a lawsuit against the Arab Bank, on behalf of over 700 victims of Hamas related terrorist acts. He has served as a senior fellow at the American Enterprise Institute and as a Distinguished Professor of International Law and Transactions at George Mason University. Mr. Gerson earned his J.D. at New York University Law School, his LL.M. from Hebrew University of Jerusalem, and J.S.D. in international law from Yale Law School.

**Jack Goldsmith** is Henry L. Shattuck Professor of Law at Harvard University, specializing in international law, foreign affairs law, and national security law. He is the author of dozens of articles on these and other subjects. His most recent publication (with Tim Wu) is *Who Controls The Internet?* Before coming to Harvard, he served as Assistant Attorney General, Office of Legal Counsel, from October 2003 through July 2004, and Special Counsel to the General Counsel to the Department of Defense from September 2002 through June 2003. Professor Goldsmith taught at the University of Chicago Law School from 1997-2002, and at the University of Virginia Law School from 1994-1997.

**Jane Harman** is a leading Congressional expert on terrorism, homeland security and foreign affairs. She was first elected in 1992 to represent California's 36th Congressional district. In 2002, Harman was appointed by the House Democratic leadership as the Ranking Democrat on the House Permanent Select Committee on Intelligence. She also serves on the Homeland Security Committee. Harman gave up her seat in 1998 to run for Governor and also served as a Regent's Professor at UCLA, teaching public policy and international relations. She won back her seat in 2000. Prior to her election to Congress, Harman worked as an attorney, chief counsel to a U.S. Senate subcommittee, deputy secretary to the Cabinet in the Carter White House, and special counsel to the Department of Defense. Harman graduated from Smith College and Harvard Law School. She is currently a member of the Council on Foreign Relations, the Aspen Institute Strategy Group, the Harvard Law School Dean's Advisory Board, and the UCLA School of Public Affairs Advisory Board.

**Albert C. Harvey** is Chair of the American Bar Association's Standing Committee on Law and National Security. He is also a Partner at Thomason, Hendrix, Harvey, Johnson & Mitchell in Memphis, TN and retired from the United States Marine Corps Reserve with the rank of Major General in 1997. Gen. Harvey clerked for Tennessee Supreme Court Justice Larry Creson and was an Assistant Public Defender for Shelby County. He has served as President of both the Memphis and Tennessee Bar Associations. He has received his B.S. and J.D. from the University of Tennessee.

**William J. Haynes II** is the General Counsel of the Department of Defense. He provides oversight, guidance, and direction regarding legal advice on all matters arising within the Department of Defense, including the Office of the Secretary of Defense, and oversees legal services delivered by the military and civilian attorneys in all Department of Defense components. Prior to serving as the General Counsel, Mr. Haynes twice was a partner in the Washington, D.C. office of Jenner & Block, served as staff vice president and associate general counsel of General Dynamics Corporation, and as general counsel of General Dynamics Corporation's Marine Group and served as General Counsel of the Department of the Army. Mr. Haynes clerked for U.S. District Judge James B. McMillan in Charlotte, North Carolina and served four years on active duty as a Captain in the U.S. Army. He is a graduate of Davidson College and Harvard Law School.

**Neal K. Katyal** is a Professor of Law at the Georgetown University Law Center. Prior to coming to Georgetown, he was law clerk to Justice Stephen G. Breyer of the U.S. Supreme Court and to Judge Guido Calabresi of the Second Circuit Court of Appeals. During 1998-99, he served as National Security Adviser to the Deputy Attorney General. He was commissioned by President Clinton in 1999 to co-author a report on ways the legal profession can enhance its pro bono activities and diversify the Bar, served as co-counsel to Vice President Al Gore in the U.S. Supreme Court case of *Bush v. Palm Beach Canvassing Board* in 2000, and was Visiting Professor at Yale Law School in 2001-02 and Harvard Law School in 2002. He is a graduate of Dartmouth College and Yale Law School.

**Joe Margulies** is an attorney with the MacArthur Justice Center and an Associate Clinical Professor at Northwestern University Law School in Chicago. He began his legal career clerking for William Hart of the Northern District of Illinois, and joined the staff of the Texas Capital Resource Center, where he represented men and women on Texas' death row. Margulies entered private practice in Minneapolis, specializing in civil rights and capital defense and was the Distinguished Practitioner in Residence at Cornell University Law School. Margulies was lead counsel in *Rasul v. Bush*, involving the detentions at the Guantánamo Bay Naval Station, and in *Habib v. Bush*, involving the rendition of Mamdouh Habib from Pakistan to Egypt. He is the author of *Guantánamo and the Abuse of Presidential Power*. He earned his A.B. at Cornell University and his J.D., *cum laude*, at Northwestern University.

**Kate Martin** has been Director of the Center for National Security Studies since 1992. Previously, she served as litigation director for the Center when it was a joint project of the ACLU and the Fund for Peace. Ms. Martin has taught Strategic Intelligence and Public Policy at Georgetown University Law School and also served as general counsel to the National Security Archive, a research library located at George Washington University. She is a graduate of Pomona College and the University of Virginia Law School, where she was a member of the Law Review.

**Karen J. Mathis**, a partner in the Denver office of McElroy, Deutsch, Mulvaney & Carpenter, LLP, is the president of the American Bar Association and former chair of its House of Delegates. She is a business, commercial and estate planning lawyer with more than 30 years' experience. At the ABA, her presidential initiatives are: Youth at Risk, Second Season of Service and Rule of Law. Mathis received her B.A. from the University of Denver, *cum laude* and her law degree from the University of Colorado School of Law.

**Dan Meyer** is the Director, Civilian Reprisal Investigations at the Office of the Inspector General, U.S. Department of Defense. He investigates whistleblower reprisal complaints filed by Department of Defense civilians pursuant to Section 7, Inspector General Act of 1978. Recent CRI cases focused on procurement of the C-130J aircraft, the former U.S. Army program known as "Able Danger", and the integrity of ground intelligence data. The selection of these cases has, in part, been to develop a means for reviewing security clearance decisions alleged to be a pretext for reprisal. A former Naval Officer, Mr. Meyer is a veteran of the Gulf War. He received his A.B. from Cornell University and J.D. from Indiana University School of Law.

**John Norton Moore** is the Walter L. Brown Professor of Law at the University of Virginia School of Law and director of the University's Center for National Security Law. He is former chair and counselor to the Standing Committee on Law and National Security. Professor Moore served as Counselor of International Law to the State Department and as Legal Adviser to Kuwait during the Gulf War and as their Legal Adviser in the United Nations Iraq-Kuwait Boundary Demarcation Commission after the war. He received his A.B. from Drew University, his LL.B. from Duke University School of Law and his LL.M. from University of Illinois College of Law.

**Deborah N. Pearlstein** is Director of the U.S. Law and Security Program at Human Rights First, and a visiting scholar at the Woodrow Wilson School for Public and International Affairs at Princeton University. Previously, Ms. Pearlstein served in the White House as a Senior Editor and Speechwriter for President Clinton. An expert in U.S. constitutional law, she focuses on U.S. detention and intelligence operations, executive power, and the role of the courts. She clerked for Justice John Paul Stevens. Ms. Pearlstein graduated *cum laude* from Cornell University in 1993 and *magna cum laude* from Harvard Law School in 1998.

**Steven R. Perles** is the senior attorney and founder of the Perles Law Firm, P.C. Mr. Perles has handled a number of cases before the Supreme Court of the United States, United States courts of appeals and district courts across the country. His litigation practice has included important cases in the field of Foreign Sovereign Immunities Act litigation, particularly cases involving claims against or the defense of foreign governments before United States federal courts and administrative agencies. He began his legal career in Congress and served as chief legislative assistant and staff attorney for Senator Ted Stevens. He is a graduate of the University of Alaska and the College of William & Mary's Marshall-Wythe School of Law.

**Philip J. Perry** is General Counsel of the Department of Homeland Security. Prior to joining the Department, he served as a litigation partner with Latham & Watkins, LLP. From 2002 to 2003, he served as the General Counsel of the White House Office of Management and Budget. In 2001 to 2002, Mr. Perry served as the Acting Associate Attorney General and Principal Deputy Associate Attorney General overseeing the Department of Justice's five civil litigation divisions. In 1997, Mr. Perry was counsel to the Senate Committee on Governmental Affairs' Special Investigation on Campaign Finance Abuses. Perry is a graduate of Colorado College and Cornell University Law School.

**Albert C. Pierce** is the first Professor of Ethics and National Security at the National Defense University. Prior to that, he had served as the founding director of the Center for the Study of Professional Military Ethics at the U.S. Naval Academy in Annapolis, Maryland and a Professor of Military Strategy at the National War College, where he taught courses in military strategy, the use of military force, civil-military relations, ethics, French security policy, and national security policymaking. Dr. Pierce is a graduate of the Catholic University of America, and holds an M.A. and a Ph.D. from Tufts University.

**Benjamin A. Powell** is the General Counsel of the Office of the Director of National Intelligence. He has worked as a computer scientist at the Federal Bureau of Investigation and served as an officer in the United States Air Force where he managed programs for the Intelligence Community primarily involving computer and network technology. Mr. Powell has served as a Law Clerk for Judge John M. Walker, Jr. on the United States Court of Appeals for the Second Circuit, and for Justice Byron White and Justice John Paul Stevens on the United States Supreme Court. He most recently served as an Associate Counsel to the President and Special Assistant to the President, where his work included advising on various initiatives related to reform of the Intelligence Community and the creation of the DNI. Mr. Powell graduated *magna cum laude* from the University of Pennsylvania and attended Columbia Law School, where he was a Senior Editor of the Columbia Law Review, a Kent Scholar, and a Tony Patiño Fellow.

**Mike Power** is the Chief Counsel for the House Committee on Homeland Security, chaired by Congressman Peter King of New York. He previously served as a Legislative Aide to Rep. Gerald Solomon, Rep. John Sweeney and most recently as an associate attorney for the law firm Patton Boggs LLP. Mr. Power is a graduate of Cornell University and received his law degree from The George Washington University Law School.

**Dana Priest** covers the intelligence community and national security issues for The Washington Post and is an analyst for NBC News. Priest has written extensively on the CIA's covert counterterrorism operations around the world, their secret rendition and detention practices and the intelligence lapses involving the Sept. 11 plot and the failure of pre-war intelligence in Iraq. In 2006 she received a number of awards for her reporting on CIA secret prisons and counterterrorism operations overseas including: The Pulitzer Prize for Beat Reporting, The George Polk Award for National Reporting and The Overseas Press Club's Bob Considine Award for interpretation of international affairs. She also received the first Distinguished Social Sciences Alumni Award from the University of California at Santa Cruz in 2006. In 2004, she was a Pulitzer Prize finalist twice, for her reporting on clandestine intelligence, and for her contribution to the Post's reporting on the Abu Ghraib prison abuse scandal. Ms. Priest holds a B.A. in political science from the University of California at Santa Cruz.

**Elizabeth Rindskopf Parker** is the Dean of Pacific McGeorge Law School. Prior, she served as General Counsel for the National Security Agency, Principal Deputy Legal Adviser for the Department of State and General Counsel for the CIA. Early in her career she was active in litigating civil rights and civil liberties matters, with two successful arguments before the U.S. Supreme Court. She is a member of the American Bar Foundation and the Council on Foreign Relations, currently serves on the National Academy of Sciences' Roundtable on Scientific Communication and National Security, and the U.S. Public Interest Declassification Board. Former Chair of the Standing Committee, she has taught as a visitor professor at Case Western Reserve Law School and Cleveland-Marshall State School of Law.

**Chuck Rosenberg** is the United States Attorney for the Eastern District of Virginia. Prior to this, he served as the United States Attorney for the Southern District of Texas. He has also served in several senior posts at the Department of Justice where his work focused on counterterrorism, counterintelligence, and national security matters, including as: Chief of Staff to Deputy Attorney General James B. Comey, Counselor to Attorney General John Ashcroft; and, before that, as Counsel to FBI Director Robert S. Mueller, III. He received a B.A. from Tufts University, an M.P.P. from Harvard University and a J.D. from the University of Virginia.

**Jarisse J. Sanborn** was the Staff Judge Advocate, Headquarters Air Mobility Command, Scott Air Force Base until her retirement this past September at the rank of Brigadier General. General Sanborn began her military career as a squadron and wing executive officer. She was then selected to attend law school under the auspices of the Air Force's Funded Legal Education Program. As the 4th Fighter Wing Staff Judge Advocate, she deployed to Oman and Saudi Arabia during the Persian Gulf War in 1990-1991. Prior to her current assignment, General Sanborn served in a series of dual-hatted Staff Judge Advocate positions, such as at U.S. Transportation Command and Air Mobility Command. She graduated *magna cum laude* from Randolph-Macon Woman's College and Creighton University School of Law and received a Master of Science degree in national security strategy from the National War College.

**Joseph E. Schmitz** is the Chief Operating Officer and General Counsel of Prince Group LLC, a holding company for Blackwater USA. Prior to that, he served as Inspector General of the Department of Defense (DoD). As the sole DoD representative on the President's Council on Integrity & Efficiency (PCIE) and, by law, "the principal adviser to the Secretary of Defense for matters relating to the prevention of fraud, waste, and abuse in the programs and operations of the Department," Inspector General Schmitz chaired the Defense Council on Integrity & Efficiency (DCIE), the members of which included component heads of the Audit, Inspection, and Investigative units of the military departments, and the Inspectors General of the other DoD agencies and major components. Prior, he was a partner at Patton Boggs LLP, was Special Assistant to the Attorney General and clerked for James L. Buckley, Circuit Judge, U.S. Court of Appeals for the District of Columbia. Mr. Schmitz graduated with distinction from the U.S. Naval Academy, and rose to the rank of Captain. He received a J.D. from Stanford University.

**Jonathan B. Schwartz** is the Deputy Legal Adviser with responsibility for the Middle East at the U.S. Department of State. He clerked for the U.S. Court of Appeals in the District of Columbia after graduating from Stanford Law School.

**Scott L. Silliman** is Professor of the Practice of Law and Executive Director for the Center on Law, Ethics and National Security at Duke University School of Law. He also holds appointments as an Adjunct Professor of Law at the University of North Carolina at Chapel Hill, and at North Carolina Central University. Professor Silliman served in a variety of leadership positions in the United States Air Force Judge Advocate General's Department, including the senior attorney for Tactical Air Command during the first Persian Gulf War (1990-91). His teaching and research interests focus on national security law, international humanitarian law, and operational law. As an expert on the Law of War, Professor Silliman is a frequent commentator on CNN, National Public Radio, and other national news and radio programs on issues involving military law and national security. He received his B.A. and J.D. from the University of North Carolina at Chapel Hill.

**Suzanne E. Spaulding** is currently Chair of the Advisory Committee of the Standing Committee on Law and National Security as well as its past Chair. She is currently a Principal at Bingam Consulting Group, LLP. Prior to that she was the Managing Director of the Harbour Group, LLC. She previously served as the Democratic Staff Director for the House Permanent Select Committee on Intelligence, where she supervised the staff's work on activities such as the inquiry into pre-war intelligence on Iraq, a comprehensive Intelligence Transformation Act; the annual intelligence authorization bills and ongoing oversight of the intelligence community. Prior positions include Senior Counsel/Legislative Director for Senator Arlen Specter, Assistant General Counsel for the CIA, and General Counsel and Deputy Staff Director for the Senate Select Committee on Intelligence. Ms. Spaulding received her undergraduate and law degrees from the University of Virginia

**Arlen Specter** is the Senior Senator from Pennsylvania and is currently Chairman of the Senate Committee on the Judiciary and the Senate Appropriations Subcommittee on Labor, Health and Human Services, and Education. He was former Chairman of the Senate Committee on Veterans' Affairs. Senator Specter is the author of the Armed Career Criminal Act and the Terrorist Prosecution Act. A month after the attacks of September 11, 2001, Senator Specter drafted the legislation that established the Department of Homeland Security. Sen. Specter is a graduate of the University of Pennsylvania and Yale Law School, where he served as an editor of the Yale Law Journal.

**Scott W. Stucky** is the Majority General Counsel for the Senate Committee on Armed Services. As the Chief of the Legislative Branch at the Office of the Judge Advocate General, Headquarters U.S. Air Force, he served as the Department of the Air Force's principal legislative counsel and statutory analyst. His last attachment in the Air Force Reserve was as Senior Individual Mobilization Augmentee to the Chief Judge of the Air Force Court of Criminal Appeals. Mr. Stucky earned a B.A. from Wichita State University, *summa cum laude*, a J.D. from Harvard Law School, an M.A. from Trinity University, and an LL.M. from George Washington University.

**James H. Thessin** is the Principal Deputy Legal Adviser for the State Department. In this capacity, he provides legal advice to the Under Secretary for Management and other Department principals on management and other administrative issues, including legislation, diplomatic security and personnel. He supervises attorneys who work on management issues as well as those who advise on consular affairs and political military and public diplomacy matters. He also serves as the Designated Ethics Official for the Department of State. Before joining the State Department in 1982, Mr. Thessin had worked as an antitrust attorney at the Federal Trade Commission, as a counsel to the Senate Foreign Relations Committee, and as a senior litigation attorney at the Nuclear Regulatory Commission. Mr. Thessin graduated *summa cum laude* from Catholic University and *cum laude*, from Harvard Law School.

**Kenneth L. Wainstein** was sworn in as the first Assistant Attorney General for the National Security Division of the U.S. Department of Justice on September 28, 2006. Prior to that, Mr. Wainstein served as the United States Attorney for the District of Columbia. He has also served as Chief of Staff to the Director of the FBI and as the FBI's General Counsel. From August 2001 to July 2002, he served as Director of the Executive Office for U.S. Attorneys of the U.S. Department of Justice. He clerked for Judge Thomas Penfield Jackson of the U.S. District Court for the District of Columbia before beginning his Justice Department career as an Assistant U.S. Attorney in the Southern District of New York two months later. Mr. Wainstein is a 1984 graduate of the University of Virginia, and a 1988 graduate of the Boalt Hall School of Law at the University of California at Berkeley.

**Ron Weich** serves as Chief Counsel to the incoming Senate Majority Leader, Harry Reid. He advises Senator Reid on a wide range of legal and policy matters including civil and criminal justice legislation, anti-terror legislation, proposed constitutional amendments and judicial nominations. Prior to joining Senator Reid's staff in January 2005, Mr. Weich spent eight years as a partner in the law firm of Zuckerman Spaeder LLP. He began his legal career as an Assistant District Attorney in New York City and subsequently served as Special Counsel to the U.S. Sentencing Commission and as Chief Counsel to Senator Edward M. Kennedy on the Judiciary Committee. He is a graduate of Columbia College and Yale Law School.