26TH NATIONAL SECURITY LAW INSTITUTE

Sunday, June 3 — Friday, June 15, 2018

PROGRAM

[Unless otherwise noted, all classes will take place in Slaughter Hall – SL278; all breaks – SL276]

The NSLI will honor Chatham House Rules to encourage participants and speakers to openly exchange ideas.

Sunday, June 3

11:30 AM  Bus Departs the Hyatt Place for the Law School

11:45 AM  Registration
Pick up materials and information at Caplin Pavilion
University of Virginia School of Law
580 Massie Road, Charlottesville, VA 22903

12:00 PM  Lunch (Caplin Pavilion)

12:30 PM  Welcome

Professor John Norton Moore
Director, Center for National Security Law;
Walter L. Brown Professor of Law, UVA School of Law

Mr. David E. Graham
Associate Director for Programs,
Center for National Security Law

Self-Introduction of Participants
1:30-3:00 PM  
Class # 1: *Theoretical Approaches to National Security and World Order*

Professor Anthony Clark Arend  
Senior Associate Dean and Professor  
Walsh School of Foreign Service, Georgetown University

3:00- 3:15 PM  
**Break**

3:15-4:45 PM  
Class # 2: *Understanding War*

Professor John Norton Moore

5:00 PM  
Bus Departs (from Slaughter Hall) for Hyatt Place

Monday, June 4

8:30 AM  
Bus Departs Hyatt Place for the Law School

9:00 AM  
Welcoming Remarks

Dean Risa Goluboff  
Dean, University of Virginia School of Law  
Arnold H. Leon Professor of Law and Professor of History

9:10-10:30 AM  
Class # 3: *Historical Development of the Law of Conflict Management*

Professor John Norton Moore

10:30 - 10:45 AM  
**Break**

10:45 AM - 12:15 PM  
Class # 4: *Institutional Modes of Conflict Management*

Professor Anthony Clark Arend

12:15 - 1:10 PM  
**Lunch** (Caplin Pavilion)

1:15 - 2:45 PM  
Class # 5: *The Use of Force in International Relations (1)*

Professor John Norton Moore

2:45 - 3:00 PM  
**Break**

3:00 - 4:30 PM  
Class # 6: *The Use of Force in International Relations (2)*

Professor John Norton Moore

4:45 PM  
Bus Departs (from Slaughter Hall) for Hyatt Place
Tuesday, June 5

8:30 AM  Bus Departs Hyatt Place for the Law School

9:00 - 10:30 AM  Class # 7: The Law of Armed Conflict (1)

Mr. David E. Graham
CNSL, Associate Director for Programs
Former Executive Director, U.S. Army Judge Advocate General’s Legal Center and School; former Chief, International and Operational Law, Office of The Judge Advocate General, U.S. Army

10:30 - 10:45 AM  Break

10:45 AM - 12:15 PM  Class # 8: The Law of Armed Conflict (2)

Mr. David E. Graham

12:15 - 1:10 PM  Lunch (Caplin Pavilion)


Mr. David E. Graham

2:30 – 2:45 PM  Break

2:45 – 4:15 PM  Class # 10: U.S. Nuclear Policy/ Modernization
The Honorable Guy B. Roberts
Senior Fellow, Center for National Security Law;
Assistant Secretary of Defense for Nuclear, Chemical, and Biological Programs;
former Deputy Assistant Secretary General of NATO for Weapons of Mass Destruction Policy; and Director, NATO Nuclear Policy Planning Directorate

4:30 PM  Bus Departs (from Slaughter Hall) for Hyatt Place

Wednesday, June 6

8:30 AM  Bus Departs Hyatt Place for the Law School

9:00 – 10:30 AM  Class # 11: War Crimes – International Criminal Court
Professor Michael A. Newton
Vanderbilt University School of Law
Former Senior Advisor to U.S. Ambassador for War Crimes,
U.S. Department of State

10:30 – 10:45 AM  Break
10:45 AM - 12:15 PM

Class # 12: *Detention Issues in the Struggle Against Terror (1)*
Dean and Professor Robert M. Chesney
Associate Dean for Academic Affairs; Charles I. Francis Professor of Law, University of Texas School of Law; Distinguished Scholar of the Robert S. Strauss Center for International Security and Law; and a Non-Resident Senior Fellow, Brookings Institute

12:15 - 1:10 PM

Lunch (Caplin Pavilion)

1:15 – 2:45 PM

Class # 13: *Detention Issues in the Struggle Against Terror (2)*
Professor Robert M. Chesney

2:45– 3:00 PM

Break

3:00 – 4:30 PM

Class # 14: *The State Secrets Privilege*
Professor Robert M. Chesney

4:30 PM

Bus Departs (from Slaughter Hall) for Hyatt Place

**Thursday, June 7**

8:30 AM

Bus Departs Hyatt Place for the Law School

9:00 - 10:30 AM

Class # 15: *The Foreign Affairs Power: Presidential and Congressional Authority*
Professor John Norton Moore

10:30 - 10:45 AM

Break

10:45 AM - 12:15 PM

Class # 16: *Biological Threats and Response*
Professor Laura Donohue
Director, Center for National Security and Law, Georgetown University Law Center

12:15 - 1:10 PM

Lunch (Caplin Pavilion)

1:15 - 2:45 PM

Class # 17: *The Foreign Intelligence Surveillance Act (FISA)*
Professor Laura Donohue

2:45 - 3:00 PM

Break

3:00 – 4:30 PM

Class # 18: DEBATE – RESOLVED: *That Congress Has Exceeded its Proper Constitutional Authority in Enacting FISA and Constraining Foreign Intelligence Collection*
Moderator: Mr. David E. Graham

Professor Robert F. Turner; Affirmative
Associate Director, Center for National Security Law; University of Virginia School of Law; First President, U.S. Institute of Peace; Former Stockton Chair of International Law, U.S. Naval War College

vs.

Professor Laura Donohue; Negative
Georgetown Law Center

4:45 PM Bus Departs (from Slaughter Hall) for Hyatt Place

6:00 PM Bus Pick-up (from Hyatt Place) for Professor Moore’s Residence

6:30 PM – until Cocktails and Buffet: Professor John Norton Moore's Residence

9:15 PM Bus Drop-off at the Hyatt Place

Friday, June 8

8:00 AM Bus Departs Hyatt Place for the Law School

8:30 - 10:00 AM Class # 19: Beating Law Books into Swords: A Perspective On the Law, Lawyers, and “Lawfare” in Modern Conflict
Professor Charles J. Dunlap Jr., (Maj. Gen., USAF Ret.)
Executive Director, Center on Law, Ethics and National Security, Duke University School of Law; former Deputy Judge Advocate General of the Air Force

10:00 – 10:15 AM Break

10:15 - 11:45 AM Class # 20: Civil-Military Relations: A U.S. Perspective
Professor Charles J. Dunlap Jr.

11:45AM - 12:40PM Lunch (Caplin Pavilion)

12:45 – 2:15 PM Class # 21: The Use of Economic Sanctions-An Enforcement Tool to Fight Terrorism
Mr. R. Richard Newcomb
Former Director, Office of Foreign Assets Control, U.S. Department of the Treasury

2:15 – 2:30 PM Break

2:30 – 4:00 PM Class # 22: Transnational Terrorism
Professor M. E. “Spike” Bowman (Capt., U.S. Navy JAG, Ret.)
Distinguished Fellow, Center for National Security Law; former Senior Counsel for National Security Law, Federal Bureau of Investigation
<table>
<thead>
<tr>
<th>Time</th>
<th>Activity</th>
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<tbody>
<tr>
<td>4:00 - 4:15 PM</td>
<td>Break</td>
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<td>4:15 - 5:45 PM</td>
<td>Class # 23: <em>Technology, Privacy and National Security</em></td>
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<td>Professor M. E. “Spike” Bowman</td>
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<td>6:00 PM</td>
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<td>Saturday, June 9</td>
<td><em>Morning and Afternoon Free</em></td>
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<td>Sunday, June 10</td>
<td><em>Morning and Afternoon Free</em></td>
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<td>Monday, June 11</td>
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<td>8:30 AM</td>
<td>Bus Departs Hyatt Place for the Law School</td>
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<td>9:00 - 10:30 AM</td>
<td>Class # 24: <em>The National Security Process</em></td>
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<td>The Honorable James E. Baker</td>
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<td>Chair, American Bar Association Standing Committee on Law and National Security; former Chief Judge, U.S. Court of Appeals for the Armed Forces; former Legal Advisor, National Security Council</td>
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<td>10:30 - 10:45 AM</td>
<td>Break</td>
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<td>10:45 AM - 12:15 PM</td>
<td>Class # 25: <em>The Role of the NSC Legal Advisor</em></td>
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<td>The Honorable James E. Baker</td>
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<td>12:15 - 1:00 PM</td>
<td>Lunch (Caplin Pavilion)</td>
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<td>1:15 - 2:45 PM</td>
<td>Class # 26: <em>Role of the Legal Advisor, U.S. Department of State</em></td>
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<td>Mr. Todd F. Buchwald</td>
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<td>Former Special Coordinator, Office of Global Criminal Justice; Former Assistant Legal Advisor for Political-Military Affairs, Department of State; Former Assistant Legal Advisor for United Nations Affairs, Department of State</td>
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<td>2:45 - 3:00 PM</td>
<td>Break</td>
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<td>3:00 - 4:30 PM</td>
<td>Class # 27: <em>Role of the General Counsel for International Affairs,</em></td>
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<td>U.S. Department of Defense</td>
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<td>Mr. Charles A. Allen</td>
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<td>Deputy General Counsel, International Affairs, U.S. Department of Defense</td>
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<td>4:45 PM</td>
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Tuesday, June 12

8:30 AM  Bus Departs Hyatt Place for the Law School

9:00 - 10:30 AM  Class # 28: *The Role of the Office of General Counsel, Central Intelligence Agency*
Mr. Jonathan Fredman
Associate General Counsel, Central Intelligence Agency

10:30 - 10:45 AM  Break

10:45 AM - 12:15 PM  Class # 29: *War Power and the War Powers Resolution*
Professor Robert F. Turner
University of Virginia School of Law

12:15 - 1:10 PM  Lunch (Caplin Pavilion)

1:15 - 2:45 PM  Class # 30: *Military Commissions – Is there a Viable Way Forward?*
Professor Harvey Rishikof
Chair of the Advisory Committee to the ABA Standing Committee on Law and National Security; former Convening Authority, Military Commissions

2:45 - 3:00 PM  Break

3:00 – 4:15 PM  Class # 31: *DEBATE: RESOLVED: There is a Need for A New Congressional Authorization for the Use of Military Force (AUMF)*

Moderator: Mr. David E. Graham

Professor Steven L. Vladeck; Affirmative
University of Texas School of Law

vs.

Professor Robert F. Turner; Negative
University of Virginia School of Law

4:30 PM  Bus Departs (from Slaughter Hall) for Hyatt Place

Discussants:

The Honorable James E. Baker

&

Professor Harvey Rishikof

Wednesday, June 13

8:15 AM  Bus Departs Hyatt Place for the Law School

9:00 - 10:30 AM  Class # 32: Law and Warfare in the Cyber Domain
Professor Paul Rosenzweig
Professional Lecturer, George Washington University School of Law; Distinguished Visiting Fellow, Homeland Security Studies and Analysis

10:30 - 10:45 AM  Break

10:45 AM - 12:15 PM  Class # 33: International Law and Cyber War
Professor Sean Watts
Professor of Law, Creighton University School of Law; Senior Fellow with the NATO Cooperative Cyber Defense Center of Excellence in Tallinn, Estonia

12:15 - 1:10 PM  Lunch (Caplin Pavilion)

1:15 - 2:45 PM  Class # 34: Magnitude of Cybersecurity Problems: Global Implications and Concerns
Ms. Melissa Hathaway
Senior Advisor, Cyber Security Project, Harvard Kennedy School’s Belfer Center for Science and International Affairs; former Acting Senior Director for Cyberspace, National Security Council

2:45 - 3:00 PM  Break

3:00 - 4:30 PM  Class # 35: Contemporary Issues of Maritime National Security Law: South China Sea
Professor James Kraska
Director, Stockton Center for the Study of International Law, U.S. Naval War College; Senior Fellow, Center for National Security Law
4:45 PM  Bus Departs (from Slaughter Hall) for the Hyatt Place

5:45 PM  Bus Departs (from Hyatt Place) for The Rotunda

6:15 PM – 8:45 PM  Dinner and Speaker - University of Virginia’s Historic Rotunda
Title: Nuclear Deterrence in the 21st Century
Ambassador Robert Gallucci
Chairman, U.S.-Korea Institute- John Hopkins School of Advanced International Studies; Distinguished Professor of the Practice of Diplomacy, Georgetown University; Former Assistant Secretary of State for Political Affairs

8:45 PM  Bus Pick-Up at The Rotunda

Thursday, June 14

8:30 AM  Bus Departs Hyatt Place for the Law School

9:00 - 10:30 AM  Class # 36: National Security Implications of Immigration Law and Policy
Ms. Elisa Massimino
President and Chief Executive Officer, Human Rights First

10:30 - 10:45 AM  Break

10:45 AM- 12:15 PM  Class # 37: The National Security Aspects of Climate Change
Speaker TBD

12:15-1:10 PM  Lunch (Caplin Pavilion)

1:15 - 2:30 PM  Class # 38: The Ongoing Conflict in Syria - International Legal Issues
Mr. David E. Graham

2:30 - 2:45 PM  Break

2:45 - 3:15 PM  Class Photo

3:15 – 4:00 PM  Presentation of Certificates

4:15 PM  Bus Departs (from Slaughter Hall) for the Hyatt Place
[NOTE: To avoid being billed for Friday night, if you are not planning to stay longer at your own expense, be sure to check out of your room before getting on the Friday morning bus. You may check your bags at the Front Desk.]

Friday, June 15

8:30 AM     Bus Departs Hyatt Place for the Law School

9:00 - 10:15AM
Class # 39: *The Vietnam Conflict Revisited: Lessons Learned for Contemporary Military Operations?*
Professor Robert F. Turner

10:15 - 10:30 AM  Break

10:30 AM - 12:00 PM
Class # 40: *Syria – The Ongoing Struggle*
Ms. Jennifer Cafarella
Lead Intelligence Planner
Institute for the Study of War

12:15 – 1:15 PM  Closing Lunch & Participant Departure
Caplin Pavilion

1:30 PM     Bus Departs (from Slaughter Hall) for Hyatt Place

FOR FURTHER INFORMATION:

Please do not hesitate to contact Mr. Bill Lacy by email at blacy@law.virginia.edu or phone at 434 924-3590, if you have questions about the application process. For other questions contact Ms. Mer McLernon at 434-924-7441 or her email at mer@law.virginia.edu