25TH NATIONAL SECURITY LAW INSTITUTE

Sunday, June 4 — Friday, June 16, 2017

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.

We are grateful that the Daniel Morgan Graduate School is also serving as a sponsor of the 2017 NSLI

Sunday, June 4

11:15 AM  Bus Departs the Hyatt Place for the Law School

11:30 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

Professor Robert F. Turner
Associate Director, Center for National Security Law

Self-Introduction of Participants

1:45-3:15 PM  Class # 1: Theoretical Approaches to National Security and World Order

Professor Anthony Clark Arend
Professor of Government and Foreign Service
Director, Master of Science in Foreign Service
Georgetown University
3:15 - 3:30 PM Break
3:30-5:00 PM Class # 2: Understanding War

Professor John Norton Moore

5:15 PM Bus Departs (from Slaughter Hall) for Hyatt Place

Monday, June 5

8:15 AM Bus Departs Hyatt Place for the Law School
8:55 AM Welcoming Remarks

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

9:00-10:30 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 6

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 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 Graham

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

1:15 - 2:45 PM  Class # 9: Legal and Policy Aspects of Combatting Weapons of Mass Destruction (WMD) Proliferation
Col. Guy B. Roberts, (USMC, JAG Ret.)
Senior Fellow, Center for National Security Law;
former Deputy Assistant Secretary General of NATO for Weapons of Mass Destruction Policy; and Director, NATO Nuclear Policy Planning Directorate

2:45 – 3:00 PM  Break

Mr. David E. Graham
and Mr. Gary D. Solis
Senior Fellow, Center for National Security Law

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

Wednesday, June 7

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

9:00 – 10:30 AM  Class # 11: War Crimes – International Criminal Court
Professor Mike A. Newton
Vanderbilt University School of Law

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 in Law, University of Texas School of Law; Distinguished Scholar, Robert S. Strauss Center for International Security and Law; Non-Resident Senior Fellow, Brookings Institute

12:15 - 1:10 PM  Lunch (Caplin Pavilion)
1:10 – 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 8**

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: *War Power and the War Powers Resolution*

Professor Robert F. Turner

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

1:15 - 2:45 PM  Class # 17: Human Rights and National Security

Ms. Elisa Massimino

President and Chief Executive Officer, Human Rights First

2:45 - 3:00 PM  Break

3:15 – 4:30 PM  Class # 18: DEBATE: Need for a New AUMF?

Moderator: Mr. David Graham

Professor Robert F. Turner

vs.

Professor Stephen I. Vladeck

University of Texas School of Law

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

6:30 PM – until  Cocktails and Buffet: Professor John Norton Moore’s Residence
### Friday, June 9

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<th>Time</th>
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<tr>
<td>7:45 AM</td>
<td>Bus Departs Hyatt Place for the Law School</td>
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<tr>
<td>8:00 - 9:30 AM</td>
<td>Class # 19: <em>Beating Law Books into Swords: A Perspective</em> &lt;br&gt; <em>On the Law, Lawyers, and “Lawfare” in Modern Conflict</em> &lt;br&gt; 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</td>
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<td>9:30 - 9:45 AM</td>
<td>Break</td>
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<td>9:45 - 11:15 AM</td>
<td>Class # 20: <em>Civil-Military Relations: A U.S. Perspective</em></td>
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<td>11:15 - 11:30 AM</td>
<td>Break</td>
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<tr>
<td>11:30 AM – 12:45 PM</td>
<td>Class # 21: <em>The Use of Economic Sanctions-An Enforcement Tool to Fight Terrorism</em> &lt;br&gt; Mr. R. Richard Newcomb &lt;br&gt; Former Director, Office of Foreign Assets Control, U.S. Department of the Treasury</td>
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<td>12:45 - 1:40 PM</td>
<td>Lunch (Caplin Pavilion)</td>
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<td>3:15 - 3:30 PM</td>
<td>Break</td>
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<td>3:30 - 5:00 PM</td>
<td>Class # 23: <em>Transnational Organized Crime</em></td>
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<td>5:15 PM</td>
<td>Bus Departs (from Slaughter Hall) for Hyatt Place</td>
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### Saturday, June 10

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<tr>
<th>Time</th>
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<tr>
<td>8:30 AM</td>
<td>Bus Departs Hyatt Place for the Law School</td>
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<tr>
<td>9:00 - 10:30 AM</td>
<td>Class # 24: <em>Transnational Terrorism</em></td>
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<td>Professor M. E. “Spike” Bowman</td>
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10:30 - 10:45 AM  Break

10:45 AM - 12:15 PM  Class # 25: Technology, Privacy and National Security
Professor M. E. “Spike” Bowman

12:30 PM  Bus Departs (from Slaughter Hall) for Hyatt Place

Sunday, June 11  Morning and Afternoon Free

Monday, June 12

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

9:00 - 10:30 AM  Class # 26: The National Security Process
The Honorable James E. Baker
Visiting Professor, Georgetown Law; 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

10:30 - 10:45 AM  Break

10:45 AM - 12:15 PM  Class # 27: The Role of the NSC Legal Advisor
The Honorable James E. Baker

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

1:15 - 2:45 PM  Class # 28: The Role of the Legal Counsel for the Joint Chiefs of Staff
Colonel Tom Schiffer
Deputy Legal Counsel to the Chairman of the Joint Chiefs of Staff

2:45 - 3:00 PM  Break

3:00 - 4:30 PM  Class # 29: The Role of the Deputy Legal Counsel for International Affairs, the Department of Defense
Mr. Charles A. Allen
Deputy General Counsel, International Affairs; U.S. Department of Defense

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

4:45 -6:45 PM  CLE: Ethical Issues Facing Lawyers Practicing National Security Law: A Discussion

[This is a video of a live presentation made at the ABA Standing Committee on Law and National Security 24th Annual Review of the Field Conference in Washington, DC (Nov. 7, 2014). We are applying for 2 hours of Virginia CLE-Ethics credit for this class, but if you have already received credit from attending the original program, you will not be eligible for additional credit here.]
Discussants:

The Honorable James E. Baker  
Chief Judge, U.S. Court of Appeals for the Armed Forces;  
former Legal Advisor, National Security Council  
&  
Professor Harvey Rishikof Chair,  
ABA Standing Committee on Law and National Security

Tuesday, June 13

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

9:00 - 10:30 AM  
Class # 30: Intelligence Community Law  
Mr. Jonathan Fredman, Esq.  
Associate General Counsel  
Central Intelligence Agency

10:30 - 10:45 AM  
Break

10:45 AM - 12:00 PM  
Class # 31: The Foreign Intelligence Surveillance Act (FISA)  
Professor Molly Shadel  
Professor of Law, University of Virginia School of Law;  
Senior Fellow, Center for National Security Law;  
former Attorney with the Office of Intelligence, U. S. Department of Justice

12:00 - 12:50 PM  
Lunch (Caplin Pavilion)

1:00 - 2:15 PM  
Class # 32: Biological Threats and Response  
Professor Laura Donohue  
Director, Center for National Security and Law, Georgetown University Law Center

2:15 - 3:45 PM  
Break

3:45 - 5:15 PM  
Class # 33: DEBAT: Resolved: That Congress has exceeded its Proper Constitutional Authority in Enacting FISA and Constraining Foreign Intelligence Collection

Moderator: Professor Molly Shadel

Professor Laura Donohue  
vs.  
Professor Robert F. Turner

5:30 PM  
Bus Departs (from Slaughter Hall) for Hyatt Place

Wednesday, June 14

8:15 AM  
Bus Departs Hyatt Place for the Law School
9:00 - 10:30 AM  
**Class # 34: 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 # 35: 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 # 36: Taking Control of Our Cyber Future**  
**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 # 37: Contemporary Issues of Maritime National Security Law: South China Sea**  
**Professor James Kraska**
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**

6:30 PM – 9:00 PM  
**Dinner and Speaker - University of Virginia’s Historic Rotunda**  
**Speaker, ADM Gary Roughead**
Former Chief of Naval Operations

**Thursday, June 15**

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

9:00 - 10:30 AM  
**Class # 38: National Security Implications of Immigration Law and Policy**  
**Professor Margaret D. Stock**
Primary Attorney, Cascadia Cross-Border Law; authored the book “Immigration Law & the Military”

10:30 - 10:45 AM  
**Break**
10:45 AM - 12:15 PM  
**Class # 39: Environmental Law and National Security**  
Mr. John C. Cruden  
Former Assistant Attorney General, Environment and Natural Resources Division, U.S Department of Justice

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

1:15 - 2:30 PM  
**Class # 40: 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 and Program Evaluations**

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 16**

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

9:00 - 10:30 AM  
**Class # 41: The Ongoing Conflict with ISIS**  
Ms. Jennifer Cafarella  
Lead Intelligence Planner  
Institute for the Study of War

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

10:45 AM - 12:00 PM  
**Class # 42: Current U.S. Middle-East Policy**  
Ambassador James F. Jeffrey  
Philp Solondz Distinguished Fellow, The Washington Institute  
Served as ambassador in Ankara & Baghdad; and as an assistant to the President and Deputy National Security Advisor in the George W. Bush administration

12:15 - 2:00 PM  
**Lunch & Closing Keynote Address: Clear Thinking about Future War**  
Caplin Pavilion

**Lt. General H.R. McMaster**  
Deputy Commanding General, Futures/Director, Army Capabilities Integration Center, United States Army Training and Doctrine Command
FOR FURTHER INFORMATION:

Please do not hesitate to contact Mr. Bill Lacy by email at hwl7f@virginia.edu by 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 mh2v@virginia.edu