27th NATIONAL SECURITY LAW INSTITUTE

Sunday, June 2 — Friday, June 14, 2019

PROGRAM

[Unless otherwise noted, all classes, and breaks, will take place in Withers Brown 154]

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

Sunday, June 2

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
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
Vice Dean for Graduate and Faculty Affairs; Professor of Government Service, 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 3**

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

9:00-9:15 AM  Welcome Remarks
Dean Risa Goluboff
Dean, University of Virginia School of Law

9:15-10:30 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 4**

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
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)
1:15 - 2:15 PM  
**Class # 9:** *The 2015 DOD Law of War Manual: A U.S. Change of Course on Certain LOAC Issues*  
Mr. David E. Graham

2:15 - 2:30 PM  
**Break**

2:30 - 4:00 PM  
**Class # 10:** *Autonomous Weapons and the DOD Weapons Review Program*  
LTC Christopher Ford, U.S. Army  
Deputy Legal Counsel, Office of the Chairman, Joint Chiefs of Staff

4:15 PM  
**Bus Departs (from Slaughter Hall) for Hyatt Place**

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

6:00 PM – 8:30 PM  
Dinner and Speaker - University of Virginia’s Historic Rotunda  
Mr. Glenn Gerstell  
General Counsel, National Security Agency

8:30 PM  
**Bus Pick-Up at The Rotunda**

**Wednesday, June 5**

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

9:00 – 10:30 AM  
**Class # 11:** *Charging War Crimes: International Criminal Court*  
Mr. William K. Lietzau  
Former Deputy Assistant Secretary of Defense for Rule of Law & Detainee Policy;  
Former U.S. Delegation Lead for the Negotiation of the International Criminal Court Elements of Crimes

10:30 – 10:45 AM  
**Break**

10:45 AM - 12:15 PM  
**Class # 12:** *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 # 13:** *The Foreign Intelligence Surveillance Act (FISA)*  
Professor Laura Donohue

2:45– 3:00 PM  
**Break**

3:00 – 4:30 PM  
**Class # 14:** *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

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

Thursday, June 6

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: The Use of Cyber in Tactical Military Operations – Legal Issues
Capt. Todd Huntley, U.S. Navy
Professor, National Security Law Division
The Judge Advocate General’s Legal Center and School, U.S. Army

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

1:15 - 2:45 PM  Class # 17: The Role of U.S. Military Attorneys in the National Security Law Process
Brigadier General Pat Huston
Commander, The Judge Advocate General’s Legal Center and School, U.S. Army

2:45 - 3:00 PM  Break

3:00 – 4:30 PM  Class # 18: Legal Challenges in Space
Professor David Koplow
Georgetown University Law Center

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

Friday, June 7

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 - 12:40 PM                              Lunch (Caplin Pavilion)

12:45 – 2:00 PM                              Class # 21: China’s Use of Lawfare
Dr. Dean Cheng
Senior Research Fellow
Asian Studies Center, Davis Institute for National Security and Foreign Policy
The Heritage Foundation

2:00 – 2:15 PM                              Break

2:15 – 3:30 PM Class # 22: The International Committee of the Red Cross (ICRC): Its Role and Current Legal Issues
Nicole Hogg
Legal Advisor and Head of the Department
ICRC
Regional Delegation to the U.S. and Canada

3:30 – 3:45 PM                              Break

3:45 - 5:00 PM Class # 23: Human Rights First: Its Role and Current Legal Issues
Rita Siemion
International Legal Counsel
Human Rights First

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

Saturday, June 8                              Morning and Afternoon Free
Sunday, June 9                              Morning and Afternoon Free
Monday, June 10                              Morning and Afternoon Free

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

9:00 - 10:30 AM Class # 24: 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

10:30 - 10:45 AM                              Break

10:45 AM - 12:15 PM Class # 25: Law and Warfare in the Cyber Domain
Professor Paul Rosenzweig
Lecturer, George Washington University School of Law
Distinguished Visiting Fellow, Homeland Security Studies and Analysis
12:15 - 1:00 PM  Lunch (Caplin Pavilion)

1:15 - 2:45 PM  Class # 26: Role of the Legal Advisor, U.S. Department of State
Mr. Todd F. Buchwald
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

2:45 - 3:00 PM  Break

3:00 - 4:30 PM  Class # 27: Role of the Deputy General Counsel for International Affairs,
U.S. 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

Tuesday, June 11

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

9:00 - 10:30 AM  Class #28: The National Emergencies Act (NEA): Legal Issues
Professor Steve Vladeck
University of Texas School of Law

1:15 - 2:45 PM  Class #30: DEBATE: RESOLVED: There is a Need for A New Congressional
Authorization for the Use of Military Force (AUMF)
Moderator: Mr. David E. Graham

Professor Steve Vladeck, Affirmative

vs.

Professor Robert F. Turner, Negative

2:45 - 3:00 PM  Break

3:00 – 4:30 PM  Class # 31: Military Commissions: Past and Present
Mr. Frederic L. Borch
Regimental Historian
U.S. Army Judge Advocate General’s Corps
4:45 PM  Bus Departs (from Slaughter Hall) for Hyatt Place

Wednesday, June 12

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

9:00 - 10:30 AM  Class # 32: 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

10:30 – 10:45 AM  Break

10:45 AM- 12:15 PM  Class # 33: Detention Issues in the Struggle Against Terror (2)  
Professor Robert M. Chesney

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

1:15 - 2:45 PM  Class # 34: The State Secrets Privilege  
Professor Robert M. Chesney

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

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

6:30-9:00 PM  Cocktails and Buffet: Professor John Norton Moore’s Residence

9:30 PM  Bus Drop-off at the Hyatt Place

Thursday, June 13

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

9: 00 - 10:30 AM  Class # 36: The National Security Aspects of Climate Change

Professor Mark P. Nevitt  
Sharswood Fellow, Lecturer in Law, University of Pennsylvania Law School

10:30 - 10:45 AM  Break

10:45 AM- 12:15 PM  Class # 37: National Security Implications of Immigration and Refugee Policy

Elisa Massimino  
Senior Fellow, Carr Center for Human Rights Policy  
Kennedy School of Government, Harvard University
### Thursday, June 13

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>12:15-1:10 PM</td>
<td>Lunch (Caplin Pavilion)</td>
</tr>
</tbody>
</table>
| 1:15 - 2:45 PM| Class # 38: *The Use of Economic Sanctions – An Enforcement Tool in the Fight Against Terrorism*  
Mr. R. Richard Newcomb  
Former Director, Office of Foreign Assets Control, U.S. Department of the Treasury |
| 2:45 - 3:00 PM| Break                                                                |
| 3:00 - 3:30 PM| Class Photo                                                         |
| 3:30 – 4:15 PM| Presentation of Certificates                                        |
| 4:30 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 boarding the Friday morning bus. You may check your bags at the Front Desk.]**

### Friday, June 14

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:30 AM</td>
<td>Bus Departs Hyatt Place for the Law School</td>
</tr>
</tbody>
</table>
| 9:00 - 10:15 AM | Class # 39: *The Past and Ongoing Fight in Syria – International Legal Issues*  
Mr. David E. Graham |
| 10:15 - 10:30 AM| Break                                                                |
| 10:30 AM - 12:00 PM| Class # 40: *Syria – Myths and Realities*                           
Jennifer Cafarella  
Lead Intelligence Planner  
Institute for the Study of War |
| 12:15 – 1:00 PM| Closing Lunch & Participant Departure  
Caplin Pavilion |
| 1:15 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** 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 **mer@law.virginia.edu**