



**American Bar Association
Section of Administrative Law and Regulatory
Practice**

**4th Annual Homeland Security Law Institute
L'Enfant Plaza Hotel, Washington, DC
February 26-27, 2009**

**Program Chair: The Honorable Joe D. Whitley
Program Vice Chairs: George A. Koenig, Elizabeth ("Lisa") L. Branch
Administrative Law Section Chair: The Honorable H. Russell Frisby, Jr.**



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Thursday February 26, 2009

7:30 am – 8:45 am Foyer ABC	Continental Breakfast & Registration	Meeting Registration - Pick up materials and nametags
8:45 am – 9:00 am Ballroom ABC	Welcome and Introductions	<p>Hon. H. Russell Frisby, Jr., Fleischman and Harding, LLP, Washington, DC; Chair, ABA Section of Administrative Law and Regulatory Practice</p> <p>Hon. Joe D. Whitley, Greenberg Traurig, LLP, Atlanta, GA and Washington, DC; <i>Former General Counsel, U.S. Department of Homeland Security; Chair, ABA Homeland Security Law Institute</i></p> <p>George A. Koenig, Senior Counsel, Kemp Partners, Washington, DC; <i>Former Counsel to the General Counsel, U.S. Department of Homeland Security</i></p> <p>Elizabeth ("Lisa") L. Branch, Smith, Gambrell & Russell, LLP, Atlanta, GA; <i>Former Associate General Counsel for Rules and Legislation, U.S. Department of Homeland Security and Former Counselor to the Administrator of the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget</i></p> <p>Jason Klitenic, Principal, Klitenic Robertson PLLC, Washington, DC; <i>Former Deputy General Counsel, U.S. Department of Homeland Security</i></p>
9:00 am – 9:45 am Ballroom ABC	Keynote Address	Hon. Kenneth L. Wainstein, <i>Former Assistant to the President (43rd) for Homeland Security Counterterrorism, Washington, DC</i>
9:50 am – 10:15 am Ballroom ABC	Homeland Security: Looking Back on DHS Accomplishments	<p>Gus Coldebella, <i>Former Acting General Counsel, U.S. Department of Homeland Security, Washington, DC</i></p> <p>Hon. Philip J. Perry, Latham & Watkins, LLP, Washington, DC; <i>Former General Counsel, U.S. Department of Homeland Security</i></p>
10:15 am – 10:30 am	Break – Foyer ABC	
10:30 am – 11:45 am Ballroom ABC	Regulatory Developments for 2009	<p>Moderator: Elizabeth ("Lisa") L. Branch, Smith, Gambrell & Russell, LLP, Atlanta, GA; <i>Former Associate General Counsel for Rules and Legislation, U.S. Department of Homeland Security and Former Counselor to the Administrator of the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget</i></p> <p>Panelists: Hon. Susan E. Dudley, <i>Former Administrator of the Office of Information and Regulatory Affairs, U.S. Office of Management and Budget, Washington, DC</i></p> <p>Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, U.S. Department of Transportation, Washington, DC</p> <p>Jessica Fantinato, Director, Office of Homeland Security, U.S. Department of Agriculture, Washington, DC</p>

		Mary Kate Whalen, Associate General Counsel for Regulatory Affairs, U.S. Department of Homeland Security, Washington, DC
12:00 pm – 1:30 pm Monet 123 2 nd Floor	Luncheon Keynote Address	Senator Joseph I. Lieberman, Connecticut, Chairman, Senate Committee on Homeland Security and Governmental Affairs, Washington, DC
1:45 pm – 3:00 pm Ballroom AB	Breakout Session A: Chemical and Hazardous Materials Security	Moderator: Hon. Philip J. Perry, Latham & Watkins, LLP, Washington, DC Panelists: Chad N. Boudreaux, Special Counsel, Baker Botts LLP, Washington, DC James W. Conrad, Jr., Conrad Law & Policy Counsel, Washington, DC Joseph B. Maher, Deputy General Counsel, U.S. Department of Homeland Security, Washington, DC Judah Prero, Assistant General Counsel, American Chemistry Council, Arlington, VA
1:45 pm – 3:00 pm Solarium	Breakout Session B: Financial Transactions & Trade Issues & Terrorism	Moderator: J. Patrick Rowan, <i>Former Assistant Attorney General, National Security Division, U.S. Department of Justice</i> , Washington, DC Panelists: Thomas E. Crocker, Partner, Alston & Bird LLP, Washington, DC Patrick M. O'Brien, <i>Former Assistant Secretary for Terrorist Financing, U.S. Department of the Treasury</i> , Washington, DC Jonathan M. Winer, Senior Vice President, APCO Worldwide, Washington, DC; <i>Former U.S. Deputy Assistant Secretary of State International Law Enforcement U.S. Senate Committee on Governmental Affairs</i> Michael F. Zeldin, Principal, Forensic & Dispute Services, Deloitte Financial Advisory Services LLP, Washington, DC
1:45 pm – 3:00 pm Caucus	Breakout Session C: The Private Sector and Security: Roles & Responsibilities	Moderator: Brian Finch, Dickstein Shapiro, LLP, Washington, DC Panelists: Brigham A. McCown, Partner, Hunton & Williams, LLP, Washington, DC John M. Mitnick, Vice President and General Counsel, Raytheon Technical Services Company LLC, Reston, VA Joel A. Webber, Couri and Couri, Winnetka, IL Hon. Albert R. Wynn, <i>Former Member for Maryland, U.S. House of Representatives (1993-2008)</i> , Dickstein Shapiro LLP, Washington, DC
3:00 pm – 3:15 pm	Break – Foyer ABC	
3:15 pm– 4:30 pm	Breakout Session A:	Moderator: Jonathan K. Waldron, Blank Rome, Washington, DC

<p>Ballroom AB</p>	<p>Maritime & Transportation Security - Transportation Workers Identification Credential (TWIC)</p>	<p>Panelists: Christine Beyer, Assistant Chief Counsel, Regulations, Office of the Chief Counsel, Transportation Security Administration, U.S. Department of Homeland Security, Washington, DC Denise Krepp, House Committee on Homeland Security, Washington, DC Kristyn Noeth, Senior Counsel, American Petroleum Institute, Washington, DC Rear Admiral James Watson, Director of Prevention Policy for Marine Safety, Security and Stewardship, U.S. Coast Guard, Washington, DC</p>
<p>3:15 pm – 4:30 pm Solarium</p>	<p>Breakout Session B: Homeland Security - The Law Enforcement Agenda for 2009</p>	<p>Moderator: Baruch Weiss, Arent Fox, PLLC, Washington, DC; <i>Former Acting Deputy General Counsel and Associate General Counsel, U.S. Department of Homeland Security</i></p> <p>Panelists: Rear Admiral William Baumgartner, Judge Advocate General, U.S. Coast Guard, Washington, DC Michael H. Neifach, <i>Former Principal Legal Advisor, U.S. Immigration and Customs Enforcement, Washington, DC</i> J. Patrick Rowan, <i>Former Assistant Attorney General, National Security Division, U.S. Department of Justice, Washington, DC</i> Steven N. Siegel, Acting Deputy General Counsel, National Security Law Branch, Federal Bureau of Investigations, Washington, DC</p>
<p>3:15 pm – 4:30 pm Caucus</p>	<p>Breakout Session C: Homeland Security & Information Sharing: State, Local & Private Sector Perspective</p>	<p>Moderator: James W. Conrad, Jr., Conrad Law & Policy Counsel, Washington, DC</p> <p>Panelists: Ava A. Harter, EH&S and Emergency Services and Security Counsel, The Dow Chemical Company, Midland, MI Steve Kral, Senior Policy Advisor, Homeland Security & Emergency Management Agency, Washington, DC Grace L. Mastalli, President, Ethos International, Inc., Bethesda, MD Evan D. Wolff, Director, Homeland Security Practice, Hunton & Williams LLP, Washington, DC Representative, Critical Infrastructure Protection Bureau, New Jersey Office of Homeland Security & Preparedness, Hamilton, NJ</p>
<p>4:45 pm – 5:15 pm Ballroom AB</p>	<p>Address</p>	<p>Paul McHale, McKenna Long & Aldridge LLC; <i>Former Assistant Secretary of Defense for the Homeland Defense; Domestic Crisis Manager for the Department of Defense; Former Congressman of Pennsylvania's 15th Congressional District</i></p>
<p>5:30 pm-7:00 pm</p>	<p>Cocktail Reception in the Monet 123</p>	

Friday February 27, 2009

<p>7:30 am – 8:45 am</p> <p>Foyer ABC</p>	<p>Continental Breakfast & Registration</p>	<p>Meeting Registration - Pick up materials and nametags</p>
<p>8:45 am – 9:15 am</p> <p>Ballroom ABC</p>	<p>Keynote Address</p>	<p>David A. Martin, Principal Deputy General Counsel, U.S. Department of Homeland Security</p>
<p>9:20 am – 10:40 am</p> <p>Ballroom ABC</p>	<p>Breakout Session A: Business of Homeland Security: A Public & Private Sector Perspective on Procurement and Development of Homeland Security Technology & Services</p>	<p>Moderator: Mark J. Robertson, Klitenic Robertson PLLC, Washington, DC; <i>Former Associate General Counsel for the Science & Technology Directorate and Chief of Staff to the General Counsel, U.S. Department of Homeland Security</i></p> <p>Panelists: Dr. Thomas A. Cellucci, PhD, MBA, Chief Commercialization Officer, Science and Technology Directorate, U.S. Department of Homeland Security, Washington, DC</p> <p>Elaine David, Senior Director, Government & Regulatory Affairs, Lockheed Martin Washington Operations, Manassas, VA</p> <p>Bruce B. Davidson, Deputy Director, Office of SAFETY Act Implementation, U.S. Department of Homeland Security, Washington, DC</p> <p>Christopher J. Furlow, Principal, Ridge Global LLC, Washington, DC</p> <p>John M. Mitnick, Vice President and General Counsel, Raytheon Technical Services Company, LLC, Washington, DC</p>
<p>9:20 am – 10:40 am</p> <p>Solarium</p>	<p>Breakout Session B: Airports, Airlines & Aviation: Profile of an Industry</p>	<p>Moderator: Hon. James H. Burnley, Venable LLP, Washington, DC; <i>Former Secretary, U.S. Department of Transportation</i></p> <p>Panelists: Francine J. Kerner, Chief Counsel, Transportation Security Administration, Arlington, VA</p> <p>Carter Morris, Senior Vice President, American Association of Airport Executives, Alexandria, VA</p> <p>Yvette A. Rose, Senior Vice President, Cargo Airline Association, Washington, DC</p> <p>Peggy E. Sterling, Vice President, Safety, Security and Environmental, American Airlines, Dallas, TX</p>
<p>9:20 am – 10:40 am</p> <p>Caucus</p>	<p>Breakout Session C: Developments in Foreign Investment in the United States</p>	<p>Moderator: Mark Plotkin, Partner, Covington & Burling, Washington, DC</p> <p>Panelists: Stephen R. Heifetz, Deputy Assistant Secretary for Policy Development, U.S. Department of Homeland Security</p>

		<p>J. Welby Leaman, Senior Advisor, U.S. Department of Treasury, Washington, DC</p> <p>Scott A. Morris, Senior Professional Staff, Committee on Financial Services, U.S. House of Representatives, Washington, DC</p> <p>Theodore W. Kassinger, Partner, O'Melveny & Myers LLP; <i>Former Deputy Secretary of Commerce, U.S. Department of Commerce, Washington, DC</i></p>
10:40 am – 10:50 am	Break – Foyer ABC	
10:50 am – 12:00 pm Ballroom ABC	Priorities in the 111 th Congress	<p>Moderator: Hon. Jim Turner, Arnold & Porter LLP, Partner, Washington, DC; <i>Former Ranking Member, House Homeland Security Committee</i></p> <p>Panelists: Michael L. Alexander, Staff Director, Senate Homeland Security and Governmental Affairs Committee, Washington, DC</p> <p>Michael D. Bopp, Partner, Gibson, Dunn & Crutcher LLP, Washington, DC; <i>Former Staff Director, Senate Homeland Security and Governmental Affairs Committee</i></p> <p>Philip J. Crowley, Director of Homeland Security, Center for American Progress, Washington, DC</p> <p>Jessica Herrera-Flanigan, Partner, Monument Policy Group, Washington, DC; <i>Former Staff Director, House Homeland Security Committee</i></p> <p>Pamela J. Turner, Managing Director, BKSH & Associates Worldwide, Washington, DC</p>
12:00 pm – 1:30 pm Monet 123	<p>Luncheon</p> <p><i>Making Policy in a time of Transition at DHS</i></p>	<p>Moderator: Hon. Stewart Baker, Assistant Secretary for Policy, U.S. Department of Homeland Security, Washington, DC</p> <p>Panelists: Clark Kent Ervin, Director, Homeland Security Initiative, The Aspen Institute, Washington, DC</p> <p>Juliette N. Kayyem, Massachusetts First Undersecretary for Homeland Security, Cambridge, MA</p>
1:45 pm – 3:00 pm Ballroom ABC	<p>Breakout Session A:</p> <p>Security & Immigration 2009 Policy and Legal Issues – “Hot Topics”</p>	<p>Moderator: Hon. C. Stewart Verdery, Monument Policy Group, LLC, Washington, DC; <i>Former Assistant Secretary for Policy and Planning, Border and Transportation Security Directorate, U.S. Department of Homeland Security</i></p> <p>Panelists: Lynden Melmed, <i>Chief Counsel, U.S. Citizenship and Immigration Services, U.S. Department of Homeland Security, Washington, DC</i></p> <p>Hon. Julie Myers Wood, President, Immigration & Customs Solutions (ICS), Washington, DC; <i>Former Assistant Secretary, U.S. Immigration and Customs</i></p>

		<i>Enforcement, U.S. Department of Homeland Security</i> <i>Senior immigration official in the Obama Administration - TBD</i>
1:45 pm – 3:00 pm Solarium	Breakout Session B: Privacy & Civil Liberties	Moderator: Hugo Teufel, <i>Former Chief Privacy Officer, U.S. Department of Homeland Security, Washington, DC</i> Panelists: Daniel W. Caprio, Jr., President & CEO of DC Strategies, LLC; <i>former Chief Privacy Officer for the Department of Commerce, Deputy Assistant Secretary for Technology Policy, and Acting Assistant Secretary for Technology Policy</i> Juliette N. Kayyem, Massachusetts First Undersecretary for Homeland Security and Advisor to Governor Deval Patrick, Cambridge, MA Daniel W. Sutherland, Officer for Civil Rights and Civil Liberties, U.S. Department of Homeland Security, Washington, DC Prof. Peter P. Swire, Moritz College of Law, The Ohio State University and Senior Fellow, Center for American Progress
1:45 pm – 3:00 pm Caucus	Breakout Session C: Public Health & Safety Issues	Moderator: Hon. Nancy Bryson, Holland & Hart LLP, Washington, DC; <i>Former General Counsel, U.S. Department of Agriculture</i> Panelists: Dr. David Acheson, Associate Commissioner for Foods, Food & Drug Administration, Washington, DC Dr. Joseph F. Anelli, Chief of Emergency Programs Staff, USDA Veterinary Services, Washington, DC Hon. Daniel Meron, Global Co-Chair, Healthcare & Life Sciences Practice Group, Latham & Watkins
3:00 pm – 3:15 pm	Break – Foyer ABC	
3:15 pm – 4:30 pm Ballroom ABC	The Private Sector and Homeland Security 2009 – General Counsels and Chief Security Officers	Moderator: Hon. Joe D. Whitley, Shareholder, Greenberg Traurig LLP, Atlanta, GA and Washington, DC Panelists: Angeline G. Chen, Associate General Counsel, Lockheed Martin Corporation, Bethesda, MD Leslie A. Glick, Partner, Porter, Wright, Morris & Arthur, Washington, DC Nate Harrison, Vice President Director of Security, United Parcel Service, Atlanta, GA Thomas Jenks, Vice President Managing Director, Kroll Security Group, Bastrop, TX