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National Security Law

Blank Rome, Kelley Drye Warren

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American University National Security Law Brief James Chou, Deborah Samuel Sills, Alan Wehbé, 2017-02-02 The National Security Law Brief is devoted to examining United States national security law and policy Through the hard work and dedication of our staff advisors and supporters the Brief continues to be a leader national security law analysis This issue of the seventh volume of the National Security Law Brief publishes incisive legal analysis and commentary concerning privacy rights the mental health of national security practitioners and cybersecurity It contains the following articles Strengthen Section 702 A Critical Intelligence Tool Vital to the Protection of our Country The United States possesses the most powerful intelligence collection capabilities in the world Recent disclosures about these capabilities have caused a growing interest in privacy rights and sparked fears of a surveillance state This article analyzes and makes recommendations about Section 702 which authorizes the collection of foreign intelligence information concerning non United States persons located outside of the United States The article argues against placing further constraints on the Government s capabilities to collect and view certain types of data The article further posits that in light of the increasing number of threats that face the United States is facing certain provisions of Section 702 should be amended to allow the collection of information on certain U S and non United States citizens without individualized judicial review The Mental Health of our National Security Protecting the Minds that Protect the Homeland Mental health is an often overlooked aspect of United States national security law This poignant article depicts the psychological pain borne by those who protect our country and concludes that the United States is failing both its national security law practitioners and citizens by refusing to seriously address mental health The article examines the legal framework for mental health support for our national security practitioners and argues for better resourcing screening and organizational cultures Cybersecurity Identity Theft and Standing Law A Framework for Data Breaches Using Substantial Risk in a post Clapper World High profile cyberattacks targeting personal and confidential information have become commonplace in the digital age This article posits that since *Clapper v Amnesty International USA* courts have disallowed standing for victims alleging heightened risk of injury due to identity theft The article argues that Clapper did not actually alter Article III standing requirements The article further argues that the courts should allow standing using a heightened risk of identity theft

Patriots Debate Harvey Rishikof, 2012 The newest book in the Patriots Debate series this book covers three general areas The War on Terrorism Data Technology and Privacy and Legal Frameworks for Projecting Force This book discusses some of today s hot issues in national security including Presidential war powers National security letters Targeted killing Law and cyber war The future of military detention

[National Security Law and the Constitution](#) Geoffrey S. Corn, Jimmy Gurule, Jeffrey D. Kahn, Gary Corn, 2020-09-03 National Security Law and the Constitution provides a comprehensive examination and analysis of the inherent tension between the Constitution and select national security policies and it explores the multiple dimensions of that conflict Specifically the Second Edition

comprehensively explores the constitutional foundation for the development of national security policy and the exercise of a wide array of national security powers Each chapter focuses on critically important precedents offering targeted questions following each case to assist students in identifying key concepts to draw from the primary sources Offering students a comprehensive yet focused treatment of key national security law concepts National Security Law and the Constitution is well suited for a course that is as much an advanced as applied constitutional law course as it is a national security law or international relations course New to the Second Edition New author Gary Corn is the program director for the Tech Law and Security Program at American University Washington College of Law and most recently served as the Staff Judge Advocate to U S Cyber Command the capstone to a distinguished career spanning over twenty seven years as a military lawyer Two new chapters Chapter 1 An Introduction to the National Security Constitution and Chapter 17 National Security in the Digital Age Professors and students will benefit from An organizational structure tailored to present these national powers as a coherent big picture with the aim of understanding their interrelationship with each other and the legal principles they share A comprehensive treatment of the relationship between constitutional statutory and international law and the creation and implementation of policies to regulate the primary tools in the government s national security arsenal Targeted case introductions and follow on questions enabling students to maximize understanding of the text Text boxes illustrating key principles with historical events and highlight important issues rules and principles closely related to the primary sources Chapters that focus on primary or key authorities with limited diversion into secondary sources A text structure generally aligned to fit a three hour one semester course offering

National Security Law and the Constitution Geoffrey S. Corn, Jimmy Gurulé, Jeffrey D. Kahn, Gary Corn, Amy Gaudion, 2025-02-21 Buy a new version of this textbook and receive access to the Connected eBook on Casebook Connect including lifetime access to the online ebook with highlight annotation and search capabilities Access also includes an outline tool and other helpful resources Connected eBooks provide what you need most to be successful in your law school classes This casebook provides a comprehensive examination and analysis of the inherent tension between the Constitution and select national security policies and explores the multiple dimensions of that conflict The third edition comprehensively explores the constitutional foundation for the development of national security policy and the exercise of a wide array of national security powers Each chapter focuses on critically important precedents offering targeted questions following each case to assist students in identifying key concepts to draw from the primary sources Offering students a comprehensive yet focused treatment of key national security law concepts National Security Law and the Constitution is well suited for a course that is as much an advanced as applied constitutional law course as it is a national security law course as well as for use in advanced international relations and national security policy courses New to the Third Edition New author Amy C Gaudion current co chair of the AALS Section on National Security Law New chapter The Role of Law Lawyers and Institutions in the National Security Decision Making

Process an excellent starting point for raising all students regardless of experience or prior knowledge to a basic understanding of core institutions and roles for lawyers in this space before introducing the doctrinal issues addressed in subsequent chapters Reorganization including two revised and updated chapters that focus on government responses to domestic emergencies and the domestic use of the military New cases including *Trump v United States* 603 U S ____ 2024 *Federal Bureau of Investigation v Fazaga* 595 U S ____ 2022 *United States v Zubaydah* 142 S Ct 959 2022 *Van Buren v United States* 593 U S 374 2021 *Trump v Hawaii* 138 S Ct 2392 2018 *Kleindienst v Mandel* 408 U S 753 1972 *Stanley v Georgia* 394 U S 557 1969 *Lamont v Postmaster General* 381 U S 301 1965 Streamlined chapters to enhance student accessibility the book has been shortened by 10% and chapters averaging 50 pages each are geared for challenging but manageable weekly reading assignments Carefully edited cases to emphasize key principles Revised and updated discussion questions Benefits for instructors and students An organizational structure tailored to present these national powers as a coherent big picture with the aim of understanding their interrelationship with each other and the legal principles they share A comprehensive treatment of the relationship between constitutional statutory and international law and the creation and implementation of policies to regulate the primary tools in the government s national security arsenal Targeted case introductions and follow on questions enabling students to maximize understanding of the text A text structure generally aligned to fit a three hour one semester course offering Text boxes illustrating key principles with historical events and highlight important issues rules and principles closely related to the primary sources Chapters that focus on primary or key authorities with limited diversion into secondary sources Practice experience from authors diverse institutions including the military cybercommand treasury and justice departments and research specialties reflecting their different perspectives on national security law Careers in National Security Law Lauren Bean,2008 *Recent Trends in National Security Law* ,2014 *Recent Trends in National Security Law* provides an authoritative insiders perspective on best practices for navigating clients through high stakes national security issues including government claims against whistleblowers challenges to the security clearance status of government employees and contractors and the congressional gridlock that threatens cybersecurity protections and other critical infrastructure Featuring partners from some of the nation s leading law firms this book guides the reader through the wide variety of federal legislation that impacts the practice of law in the national security space including the Freedom of Information Act FOIA the Whistleblower Protection Act and the Administrative Procedures Act and the First Amendment among many others From examining the thirteen evaluation criteria for granting national security clearance to the neverending debate between protecting both national security interests and each individuals rights and liberties these top lawyers examine the issues that comprise the national security landscape The different niches represented and the breadth of perspectives presented enable readers to get inside some of the great legal minds of today as these experienced lawyers offer up their thoughts on the keys to success within this rapidly evolving field National Security Law Eric

Merriam, Douglas B. McKechnie, 2020-11-13 A new textbook exploring selected national security law issues focusing on the choices between liberty and security and law's role as a tool or constraint on national security policy Written for students who may not have prior experience studying the various areas of law that comprise national security law such as constitutional international and criminal law This text is deliberately not a casebook with extended excerpts of judicial opinions followed by notes and questions often leaving the reader to wonder what is the law Instead the authors have clearly explained complicated legal issues inherent in national security while not ignoring the material's complexity The text explores a variety of topics within the context of national security including the constitutional separation of national security powers constitutionally guaranteed liberties international law counterterrorism law intelligence operations and homeland security An instructor manual is forthcoming

National Security Law and the Constitution Geoffrey S. Corn, Jimmy Gurulé, Jeffrey Kahn, 2016-09-01 This new casebook provides a comprehensive examination and analysis of the inherent tension between the Constitution and select national security policies and explores the multiple dimensions of that conflict Specifically this first edition explores key points where constitutional law directs or restricts the development of national security policy its implementation and oversight Each chapter focuses on critically important precedents offering targeted questions following each case to assist students in identifying key concepts to draw from the primary sources Offering students a comprehensive yet focused treatment of key national security law concepts National Security Law and the Constitution is well suited for a course that is as much an advanced as applied constitutional law course as it is a national security law course as well as for use in advanced international relations and national security policy courses

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National Security Robert Ward, David Blundell, Caroline Stone, Karl Laird, 2024-03-07 Written by expert contributors this book collates and explains the core elements of national security law both substantive and procedural and the practical issues which may arise in national security litigation

The Forum on National Security Law: A Publication of the American University National Security Law Brief Prescott Heighton, Ryan Johnston, Irving Vidal Terrazas, 2019-03-24 This issue is the inaugural issue of The Forum on National Security Law It was one of the goals of the past executive board to expand into the realm of electronic publications and we are very excited to finally bring it to fruition That said within these pages you will find a range of topics on national security law including a bibliographic overview of the Fourth Amendment as it relates to national security the issue of arming recreational drones

digital encryption and the tension between border security and international relations Eight years ago our founding counterparts set their intentions and academic convictions to paper in the enclosed blog post In establishing this Brief those who came before us threw down a gauntlet calling upon law students to come together to enhance and underline essential debates in the National Security realm anchoring them in legal analysis This is a gauntlet we the editorial board for Volume IX of the National Security Law Brief gladly pick up In the years since the Brief published its first issue the world has changed immeasurably Over the existence of the Brief our staffers have seen the rise of ISIL the fall of long standing regimes in Egypt Libya and Tunisia and the re solidification of old Cold War battle lines What the next nine nineteen or ninety years hold for the national security field is uncertain What is certain however is that learned debate and discussion on critical topics requires an outlet and that is what this publication strives to provide *National Security Law* Geoffrey S. Corn, Jimmy Gurulé, Eric Talbot Jensen, Peter Margulies, 2024-07-25 National Security Law Principles and Policy Third Edition provides a highly accessible but also comprehensive and timely supplement for students studying national security law This concise treatise is a guide to the legal foundations and architecture that frame the exercise of key national security powers diplomatic intelligence information military economic and criminal The authors explain essential legal and policy sources and principles that play an essential role in guiding the development implementation and review of national security policies Central to the text is explanation of constitutional text judicial opinions statutes treaties and other sources of international law and policies Written by a team of experts in the field this treatise serves as a useful supplement for the substantively rich but often overwhelming National Security Law texts currently on the market New to the Third Edition The January 6 2021 occupation of the U S Capitol New developments in executive power cybersecurity and artificial intelligence Benefits for instructors and students Comprehensive overview of both the general legal framework for national security decision making and commonly explored specific national security topics Narrative explanation of complex jurisprudential statutory treaty and regulatory sources of national security law Chapters suitable as stand alone sources for class assignments allowing professors to substitute treatise type treatment for primary sources where desired Incorporation of contemporary national security issues to provide comprehensive illustrations of key laws and concepts A solid foundation for students to facilitate focusing topical coverage on case studies and or current events An easily accessible resource to efficiently enhance understanding of complex national security law topics Extensive use of historic examples of the impact of national security law and policy on actual national security decisions Reinforcement of the understanding of core law competencies such as federalism separation of powers justiciability criminal procedures criminal law and statutory interpretation **In the Common Defense** James E. Baker, 2007-05-21 The United States faces the realistic and indefinite threat of terrorist attack with nuclear weapons Whether the United States is successful in preventing such an attack will depend on whether we effectively wield the instruments of security It will also depend on whether we effectively manage national security processes

and apply the law in a manner that both enhances security and upholds our core values As a result lawyers not just presidents generals and spies will decide the outcome of this conflict This book first published in 2007 is essential for anyone wanting an understanding of national security law and process The book includes chapters on constitutional law the use of force and homeland security presented in the context of today's threats and as applied to issues like rendition and electronic surveillance

National Security Law Stephen Dycus, 1990 National Security Law Journal - Vol. 1 Issue 1 National Security Law Journal Staff, 2013-04 The National Security Law Journal NSLJ is a student edited legal periodical at the George Mason University School of Law in Arlington Virginia published twice annually in hard copy and digital form Each issue contains original scholarly articles that appeal to both academia and the practicing legal community This is Volume 1 Issue 1 released Spring 2013 This issue contains three scholarly articles a comparative analysis of the U S military and the People's Liberation Army of China by Captain Paul Stempel a discussion on balancing the right to self defense with preventing civilian casualties in military combat by Christopher D Amore and commentary on the future of international port security law by L Stephen Cox This issue also contains student notes by Noah Oberlander who examines due process in the context of targeted drone strikes authorized by the President and Amy Shepard who examines the right to counsel for detainees at Guantanamo Bay

National Security Law in the News Paul Rosenzweig, Timothy J. McNulty, Ellen Shearer, 2014 Much in America changed on September 11 2001 One of those changes was the language of discourse in our public dialog about war and terrorism But few realize that a robust and detailed body of law and policy lies behind that dialog This new guide will demystify that law and policy by providing the necessary legal background and context for journalists and others who want to understand ongoing policy debates Written by seasoned experts each chapter contains a summary of legal and policy issues of significance and is accompanied by an annotated bibliography for further reading The book is divided into four parts Part I provides an overview of the basic issues of constitutional and international law including discussion of the scope of the president's authority the meaning and effect of the First Amendment and the role of international law in American courts Part II turns the focus to the military and explores questions about military organization and operations Part III looks at the world of domestic law enforcement and counterterrorism Part IV covers homeland security issues An added bonus a list of experts to contact for additional background information is included in chapter

American University National Security Law Brief Brian Mund, John Schifalacqua, Stephen Jackson, Clark Campbell, American University National Security Law Brief, 2019-04-14 Founded in April 2009 the American University National Security Law Brief is the nation's first student run law school publication to focus on the rapidly evolving field of national security law The publication is published twice a year with a complementary online component and is edited and published by students at American University Washington College of Law

National Security Law and the Power of the Purse William C. Banks, Peter Raven-Hansen, 1994 This power by necessity and preference has become the central congressional tool for participating in national security policy Inevitably

attacks on policy are transformed into attacks on the making and effects of appropriations *Homeland Security Law Handbook* Blank Rome, Kelley Drye Warren, 2003-10-01 The new Homeland Security Law Handbook provides a comprehensive reference book for business industry and government as well as those faced with the new legal and security issues raised by new public laws a new regulatory framework and a new Department of Homeland Security Written by legal experts from four law firms it covers the major issues involved with homeland security Part I covers broad concepts and cross cutting issues in this emerging field as well as the various legal mandates that now apply to homeland security An analysis summary and political context of homeland security statutes and their subsequent regulatory mandates are also discussed Part II includes detailed discussions of public safety issues including aviation and transportation security port security and chemical security the public health issues of bioterrorism and air food and water supply contamination border and immigration concerns cyber security appropriations grants and contracts insurance and workplace issues and information and disclosure issues in audits Part III covers the creation mandate and organization of the new cabinet department with its powers practices procedures and responsibilities Each of the four Directorates and their organization function major issues and transitional challenges are also analyzed *Global and National Security Law* Jeffrey F. Addicott, 2021-02 National Security Law, 2/e Craig Forcece, Leah West, 2020-11-26 National Security Law 2e is about the law governing the Canadian state s response to serious crises The book approaches national security law as a system organizing its discussion of law around five themes structure threats information response and accountability This edition is a comprehensive rewrite of the first edition

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