National Security and the First Amendment (Program)

Institute of Bill of Rights Law at The College of William & Mary School of Law

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“National Security and the First Amendment”

A Symposium Sponsored by the Institute of Bill of Rights Law in the College of William and Mary Marshall-Wythe School of Law Williamsburg, Virginia

March 29 and 30, 1985
"National Security and the First Amendment"

FRIDAY, MARCH 29

Registration and Coffee, Law School Lounge, 8:00 - 9:00 a.m.

Introductory Remarks, Room 119, Law School, 9:00 a.m.
William B. Spong, Jr.
Dean and Director of the Institute of Bill of Rights Law

Session I, Room 119, 9:30 a.m. - 11:45 a.m.

Principal Remarks: "Embargoes on Exports of Ideas and Information: First Amendment Issues"
Robert D. Kamenshine
Professor of Law
Vanderbilt University
Visiting Lee Professor
Institute of Bill of Rights Law

Panelists:
Allan Adler
Counsel for Center of National Security Studies
American Civil Liberties Union

Jerry J. Berman
Legislative Counsel
American Civil Liberties Union

Lynn Rankin Jordan
Assistant Counsel
Chicago Tribune

Martin Redish
Professor of Law
Northwestern University

Elizabeth Rindskopf
General Counsel
National Security Agency

Moderator: James W. Zirkle
Assistant Professor of Law and Deputy Director of the Institute of Bill of Rights Law
Luncheon, Campus Center Ballroom, 12:00 p.m.

Address:  
“National Security and the Exercise of Civil Liberties”
John Shenefield, Esquire
Milbank, Tweed, Hadley & McCloy
Washington, D.C.

Session II, Room 119, 2:00 p.m. - 5:00 p.m.

Principal Remarks:  
“Access to Classified Information: Constitutional and Statutory Dimensions”
Bruce E. Fein
Vice-President, Gray and Company, Washington, D.C.

PANELISTS

Kathleen Buck  
Assistant General Counsel  
Department of Defense

Gary Chase  
Chief Counsel  
Senate Select Committee on Intelligence

Thomas I. Emerson  
Lines Professor of Law, Emeritus  
Yale Law School

Mark Lynch  
Counsel for National Security Project  
American Civil Liberties Union

Melville Nimmer  
Professor of Law  
University of California at Los Angeles

W. Hays Parks  
Charles H. Stockton Chair of International Law  
U.S. Naval War College

John Severson  
Correspondent, NBC News

Susan Shaffer  
Counsel for National Security Project  
American Civil Liberties Union

Richard K. Willard  
Acting Assistant Attorney General, Civil Division  
Department of Justice

Moderator: Stanley Sporkin  
General Counsel  
Central Intelligence Agency
SATURDAY, MARCH 30

Coffee, Law School Lounge, 8:00 a.m. - 9:00 a.m.

Session II, Room 119, Law School, 9:00 a.m. - 12:00 p.m.

Burt Neuborne
Legal Director, The American Civil Liberties Union and Professor of Law, New York University

John Brock
General Counsel
Defense Intelligence Agency

Panelists: Tom A. Collins
Professor of Law
College of William and Mary

Morton H. Halperin
Director, Center for National Security Studies
American Civil Liberties Union

Michael P. McDonald
General Counsel
American Legal Foundation

Michael Perry
Professor of Law
Northwestern University

Frederick Schauer
Professor of Law
University of Michigan

Moderator: John M. Levy
Professor of Law
College of William and Mary

Bruce Fein
Vice-President, Gray and Company, Washington, D.C.

Mr. Fein received his B.A. from the University of California at Berkeley and his LL.B. from Harvard Law School. He has served in a number of senior positions with the government, most recently, 1983-84, as General Counsel, Federal Communications Commission. He is an Adjunct Constitutional Scholar to the American Enterprise Institute and an Adjunct Scholar to the Heritage Foundation and is the Supreme Court Editor for Benchmark Magazine.
Robert D. Kamenshine
Professor of Law, Vanderbilt University and Visiting Lee Professor, 1984-1985, Institute of Bill of Rights Law, College of William and Mary.

Professor Kamenshine received his B.A. from the College of the City of New York and his J.D. from Columbia Law School. He received his LL.M. from Harvard Law School with a Ford Foundation Fellowship in International Legal Studies. He was an Associate in the New York firm Botein, Hays & Sklar and is now of counsel to the Nashville firm King, Ballow & Little.

Burt Neuborne
Legal Director, The American Civil Liberties Union and Professor of Law, New York University.

Professor Neuborne received his A.B. from Cornell and his LL.B. from Harvard. He has practiced with Casey, Lane & Mittendorf and is of counsel to Schulte, Roth & Zabel. He is the author of Unquestioning Obedience to the President and co-author of Political and Civil Rights in the United States.

John H. Shenefield
Partner, Milbank, Tweed, Hadley & McCloy, Wash., D.C.

Mr. Shenefield received his A.B. and his LL.B. from Harvard. He has served in a number of senior positions with the government, most recently as Associate Attorney General of the United States during the Carter administration.

The Institute of Bill of Rights Law was established in 1982 at the Marshall-Wythe School of Law to support scholarly research in the constitutional principles contained in the Bill of Rights, particularly the First Amendment. The Institute also supports work in the history of the Bill of Rights, and sponsors programs to facilitate interaction between the professions of law and journalism.

A free press plays a unique role in our society. It is a bulwark of our political system, insuring that the people are informed of political decisions so that they may be more knowledgeable participants in the political process.

The Institute of Bill of Rights Law was established by a bequest of Laura Lee, who held a lifelong interest in a free press and its role in our society, in memory of her parents, Alfred Wilson Lee and Mary I.W. Lee.