





CHANGING THE WORLD

STRETCHING NATIONAL SECURITY LAW'S REACH

National Security, Cybersecurity, and
Foreign Relations Law Program launches
new degrees, online offerings

BY MARY A. DEMPSEY

GW Law has carved out an exceptional reputation in national security and foreign relations law. It is now deepening that strength with its pioneering Master of Studies in Law (MSL) degrees that connect two of the Law School's signature programs with its expertise in cybersecurity law. Both degrees can be taken fully online.

LLM students are also seeing an expanded roster of national security-related courses they can take online, in class, or both.

Under the umbrella of its National Security, Cybersecurity, and Foreign Relations Law Program, the Law School offers an MSL in National Security and Cybersecurity Law and a joint MSL in Government Procurement and Cybersecurity Law.

PHOTOS BY ELLIOTT O'DONOVAN



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– LISA SCHENCK

“The expanded programming takes advantage of the expertise of faculty members who, as scholars in the field and practitioners at the vanguard, have helped shape national security law,” says Lisa Schenck, associate dean for national security, cybersecurity and foreign relations law and the program’s inaugural director. “Our students also learn from leading experts on cyber law issues, and we have professors from the National Security Agency and the CIA.”

Anchoring the curriculum are more than five dozen courses addressing the most cutting-edge issues in the field, among them: Artificial Intelligence; Blockchain Law and Policy; Domestic Terrorism; and International Money Laundering, Corruption, and Terrorism.

Laura Dickinson, the Oswald Symister Colclough Research Professor of Law, is drawing on her work as special counsel to the general counsel of the Department of Defense and senior policy adviser to the assistant secretary of state for democracy, human rights, and labor at the U.S. Department of State in developing an online section of National Security Law. Dan Solove, the John Marshall Harlan Research Professor of Law and a world-renowned expert in the privacy field, is developing an online section of Information Privacy Law.

Jessica Tillipman, assistant dean for government procurement law studies, describes another of the new courses—Other Transactions—as “a dynamic legal instrument that promotes the use of commercial and emerging technology.”

“Although federal spending on ‘other transactions’ has

skyrocketed in recent years, increasing by 712 percent since 2015, these complex agreements are often complicated to design and execute, and they may be administered by government officials who lack the training and experience necessary to successfully develop and implement them,” Tillipman explains. “Understanding this emerging area of the law will not only better prepare students for careers in government procurement law, but it will provide them with a competitive advantage among their peers.”

The course was created and will be taught by Hallie Tremaine Balkin, learning director for other transactions at the Defense Acquisition University and a former associate counsel for the Naval Information Warfare Systems Command.

The expanded programming offers an unusual level of flexibility, enabling individuals to take a single course or enroll in the full MSL or LLM program. Students from other GW schools also can take courses.

Dickinson and Edward Swaine, the Charles Kennedy Poe Research Professor and one of the co-authors of a leading casebook on U.S. foreign relations law, are faculty co-directors of the programs. Last year, The Strauss Center for International Security and Law awarded Dickinson the prestigious National Security Law Scholarship for her article “National Security Policymaking in the Shadow of International Law.”

Other full-time faculty members involved in the curriculum include F. Scott Kieff, whose work on international trade and

PROGRAM PIONEER

New Dual MSL Equips Government Acquisition Experts

ELIZABETH SULLIVAN, THE FIRST GRADUATE OF GW Law's new Master of Studies in Law (MSL) for Government Contracts and Cybersecurity, is an ideal example of how GW Law's Cybersecurity Program is a perfect fit for non-lawyers wishing to develop a deep understanding and expertise in cybersecurity law. Sullivan is president of D.C.-based Madison Services Group, a lobbying firm serving small and mid-sized government contractors. The MSL degree has deepened her expertise at the intersection of government procurement and cybersecurity, provided access to policymakers, and helped her streamline the bureaucratic challenges facing her clients.

"I don't need a JD. This degree is exactly what I was looking for," she says.

Sullivan's work requires an understanding of government contracts so that she can help her clients and effectively lobby on their behalf. Increasingly, she found businesses came to her about concerns over the Department of Defense's new cybersecurity certification. She enrolled at GW Law with the idea of getting an MSL in government procurement. Six months into the program, she knew she needed more.

"There were many, many issues with DoD's cyber certification that affected our companies, and I couldn't understand what 99 percent of it meant. I asked if there was a way to create a dual MSL with GovCon and cyber because they now go hand-in-hand in the federal government," Sullivan says.

The answer was "yes."

"I cannot speak more highly of this degree," says Sullivan, who completed the program in December. "While you have lectures and reading material, the real value comes from the discussions in the classes—the discussion of real-life experiences. I use what I learned from this degree literally every



day. I think every acquisition official in the government should be taking those classes," she adds.

Portions of a paper Sullivan wrote for one of her cyber classes even made its way into the National Defense Authorization Act for fiscal year 2022. The course focused on the Department of Defense

Cybersecurity Maturity Model Certification, which introduces a third-party certification process to validate contractors' cybersecurity compliance.

"Small businesses were telling me that this issue was problematic. For the paper, I dug into the history of cyber requirements for contractors and came up with a couple of solutions," she says. "I put together a hearing for the House Small Business Committee that allowed me to effectively lobby my existing relationships, educate, and advocate on that issue.

"My cyber degree gave me an incredible boost," she adds.

"Elizabeth Sullivan is a tremendous ambassador for the law school," says Jessica Tillipman, assistant dean for government procurement law studies. "She has an understanding of why cyber is so critical for government contractors. She was actually the person responsible for convincing us that we needed this degree."

Sullivan spoke with admiration about her professors. "Look at Chris Lukins [the Lynn David Research Professor in Government Procurement Law]. He's a leader in the foreign government contracting space. He travels around the world helping other countries set up their procurement systems," she says.

She notes that the MSL has also made her part of a valuable network.

"This is D.C., and people here care about networks. The GW alum network in the GovCon space is so helpful, so inclusive, and so full of ongoing opportunities," Sullivan says. "I run into GW alumni all the time in government."

innovation touches national security issues, and Steve Charnovitz, a prominent scholar of international trade law.

"In addition to full-time faculty, our adjunct faculty includes extraordinarily talented and experienced attorneys who served in senior positions within the U.S. government, international organizations, and the private sector," Schenck says. "Among them are the former general counsel of the Federal Emergency Management Agency, the former Army judge advocate general, and lead litigators from the Department of Justice in computer crime and domestic terrorism."

For example, the Federal Intelligence Surveillance Act course is taught by Sean Park, deputy unit chief in the Office of Intelligence at the U.S. Department of Justice National Security Division.

“I think every acquisition official in the government should be taking those classes.”

– ELIZABETH SULLIVAN

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Schenck herself is the chief judge of the United States Court of Military Commission Review. Before joining GW Law, she served 25 years in the U.S. Army’s Judge Advocate General’s (JAG) Corps. In September, she was named the honorary colonel of the Army JAG Corps Regiment.

The expanded curriculum and degree programs are tailored to meet fast-moving national security priorities within the government and private sector. The MSL that links cybersecurity law with the Law School’s signature Government Procurement Law Program responds to the rise in government investment in cybersecurity.

“We have the No. 1 government procurement law program in the country, if not the world,” says Tillipman. “Adding this cybersecurity capability demonstrates how our school remains cutting edge and gives our students competitive advantage.”

“We need cybersecurity specialists who understand government procurement. There’s a real demand for it,” she adds.

Stephen Schooner, the Nash & Cibinic Professor of Government Procurement Law and a retired Army JAG reserve officer, calls cybersecurity “one of the most vexing issues confronting government contracts practitioners over the last few years—and today.”

“Everything the government does, every citizen it serves and every service it provides depends upon information,” Schooner says. “Given the high degree of integration between contractors

and the federal government in our current outsourced model ... private sector cyber vulnerabilities mean that the government is vulnerable.”

The Law School is working with the National Contract Management Association, one of the largest associations of procurement professionals, as well as the U.S. Department of Defense’s Defense Acquisition University, to promote the MSL.

The MSLs are designed for both public and private sector professionals who want to add to their knowledge but do not seek to practice law. Neither a JD nor a technology background is required for enrollment.

“The program is drawing the attention of professionals from the intelligence community, government contractors who want to get special expertise in cybersecurity, Department of Defense employees working in security clearance,” says Schenck. “Some of these are people who already know something about cybersecurity, but now they want to learn about cybersecurity law.”

The new offerings follow last year’s addition of two concentrations for JD students in national security and cybersecurity law and in national security and U.S. foreign relations law.

Schenck says that after GW Law began offering an LLM in national security and cybersecurity in late 2017, she “watched all the jobs that students were getting in cybersecurity.” She says that success prompted the creation of the new MSLs.

“The MSL program is responding to genuine interest by

CENTER OF POWER

Cybersecurity and National Security Law Intersect in Public Service Careers

MELANIE HARRIS, JD '13, EPITOMIZES WHAT IT MEANS to be a successful lawyer at the center of power. She was recently named special counsel for compliance with the Office of the National Cyber Director at the White House. She will serve as a special advisor for compliance policies, including managing confidential records and Freedom of Information requests and ethics matters.

Harris was drawn to study at GW Law because she aspired to a career in public service. She also was interested in national security law, including cybersecurity. Her GW Law studies combined the two, leading her to a position at the Defense Intelligence Agency (DIA), where she served more than seven years in the Office of the General Counsel.

In the DIA, Harris provided legal support to the agency leadership, as well as the Pentagon's worldwide intelligence operations. Her work included a six-month deployment to Kabul, Afghanistan, which she called the pinnacle of her career.

"That was a very interesting experience for me as a civilian attorney. I advised on intelligence operations with that country. There's just no experience like that, being deployed to a war zone and providing legal advice to operators on the ground," she says.

In a separate assignment with the DIA, she advised on personnel matters.

When Harris was at GW Law, there was no cybersecurity program. She is a big fan of the decision to add MSL and LLM programs in cybersecurity, underscoring the stepped-up demand within government for expertise in that legal arena.

"The inclusion of cybersecurity into national security has introduced a level of complexity and nuance to intelligence operations and advising on those operations," Harris notes. "I would advise GW Law students to take as many classes as they can on cybersecurity because that's at the forefront of being a valuable attorney, whether students ultimately choose a career in government or the private sector.

"It's a domain that continues to be increasingly important," she says.

Harris studied political science and Spanish as an undergraduate, driven by an interest in international affairs. As she prepared to apply to the George Washington University, she was torn between getting a master's degree in international affairs or studying law.

"At the time, I remember the law school marketing itself as having the broadest available curriculum of any law school in the country," Harris says. "So, I really had the opportunity to pursue my interest in national security."

GW Law faculty was the other deciding factor. In

particular, she singled out Lisa Lisa Schenck, now the associate dean for national security, cybersecurity and foreign relations law.

"She is one of my greatest mentors and she introduced me to people who ended up having a profound impact on my career," Harris says. "I would not be where I am without her."

Harris says her GW Law experience brought together "academic scholarship, a well-connected faculty and exposure that comes from ... the proximity of the Law School to the seat of government."

“ There’s just no experience like that, being deployed to a war zone and providing legal advice to operators on the ground.”

– MELANIE HARRIS



CUTTING EDGE TECHNOLOGY

Emerging Technologies Specialist with Army Turns to GW Law to Build Skills

ELIZABETH CHIRICO'S WORK WITH THE U.S. ARMY—"stressful and exciting all at the same time"—focuses on new and emerging technologies that can be used to streamline government procurement.

"It's stressful because a lot of the things we want to try to do haven't been done before. There can be many hurdles or requirements in implementing these new technologies and many security considerations," she says. "And it is exciting because you are motivated every day to want to make people's lives better." To equip herself for this important work, Chirico, a civilian employee of the military for 13 years, enrolled at GW Law in 2020 to pursue a Master of Studies in Law (MSL) in government procurement and cybersecurity.

For the past three years, Chirico has led the Acquisition Innovation through Technology Team in the Future Operations Division, a new team under the Office of the Deputy Assistant Secretary of the Army for Procurement. Chirico's team identifies and deploys technology that can help the procurement workforce adhere to ever-changing government requirements.

"The government contracting workforce is well-educated. They have expertise in accounting, statistics, and economics—and they bring all these areas of study to the table to perform their jobs," Chirico says. "But a lot of time their time is taken up waiting for a report to download or trying to find the latest policy on something. This means they are often not getting the time to make a good business deal for the government or to perform really robust market research.

"I am part of a new team, a new approach to helping our contracting professionals in the field. How can we use new



and emerging technologies to increase compliance and save time?"

Jessica Tillipman, assistant dean for government procurement law studies, describes Chirico as a high-profile player in the procurement community who is working on the cutting edge of artificial intelligence issues.

Chirico has a master's degree in acquisition and contracting management from Florida Institute of Technology. She turned to GW Law's MSL program to expand her knowledge in cybersecurity law, an area of growing concern in her job.

"I took a reading group course on block chain technology. This semester I'm in a cybersecurity law and policy course," Chirico says. "This degree program has really opened my eyes. I've had great professors and great interactions with other students."

For an intelligence law course, her required research paper looked at the use of facial recognition technology. Her findings were later published in an article in *Army ALT Magazine*.

Chirico has held several leadership positions in the U.S. Army. These have included business operations branch manager at the U.S. Army Corps of Engineers in Germany and contract specialist at the Army Geospatial Center in Alexandria, Va.

She has been studying part-time while working and is on track to complete the MSL program in the fall. She describes the program as "exciting" and said it is stretching her knowledge in valuable ways.

"We have to understand the scope of existing laws, regulations, and policies and how they interact with new and emerging technologies, before knowing how they can shape and improve our day-to-day business processes and workflows," she says. "This program is helping me with that."

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members of the policymaking community to learn some of the law in the field without dedicating themselves to a full law degree," says Swaine, who joined the GW faculty in 2006 after serving as the counselor on international law at the U.S. Department of State.

Dickinson notes that new online study options for both LLM and MSL students open a pathway for people who work full time or live outside the D.C. area. Students have the option to combine online with in-person coursework if they prefer, she says. Swaine notes the unusual mix of students drawn to the national security curriculum.

"In some of my courses there are JD students, LLMs, MSLs, doctoral students, and students crossing over from the Elliott School. That kind of mix is more challenging to teach but it has bigger returns," Swaine says. "You may get a person presently in the military who says, 'That's not how the laws of war

Combining New Legal Disciplines and Rich with Opportunity

AS SOON AS RIVEN LYSANDER COMPLETED HER JD in May, she had a job waiting for her at Alston & Bird as a litigation associate specializing in cybersecurity and privacy. She is well-prepared for this practice because she graduated from GW Law with a concentration in national security and cybersecurity.

Lysander had been a standout at the Law School, serving as president of the National Security Law Association (NSLA), on the GW Moot Court Board, and as an associate on *The George Washington Law Review*. She spent her final term as an intern with the Criminal Division of the Department of Justice. She also interned for a magistrate judge on the D.C. District Court and in the Litigation and General Law Division at the Federal Aviation Administration's Office of the Chief Counsel.

For two years, she was a teaching assistant for Cynthia Lee, the Edward F. Howrey Professor of Law, who specializes in criminal law and procedure.

Even her position at Alston & Bird is familiar ground. She interned with the international firm's Privacy, Cyber, and Data Strategy Team last summer.

Lysander sees cybersecurity law and national security as frontlines of opportunity, including for minority women like her. While more work is needed to shore up diversity in the field, she says she is inspired by women already in the field. The NSLA, for example, recently organized a presentation that featured General Counsel of the Army Carrie Ricci, LL.M. '05, in a discussion with GW Law Dean Dayna Bowen Matthew.

"This conversation between two strong Black women in leadership roles in different sectors—Dean Matthew, of



course, as a leader in education and health law, and Ms. Ricci as one of the most powerful attorneys in the military—was amazing," Lysander says.

Lysander said that when people consider national security work, the military often comes to mind. But cybersecurity law, both as a subset of national secu-

urity and as a freestanding area, is also a specialization that straddles a spectrum of disciplines.

"It can cover aviation or public safety. It can even be part of Veterans Affairs. If someone wants to be in national security but their passions are elsewhere, they can pursue both," she says. "The increasing integration of technology into daily life for both the public and private sectors means that cyber is really the front line for keeping us safe in every facet of society."

Lysander traces her own career aspirations to a flashy television commercial she watched as a 4-year-old immigrant from South Korea. The recruitment ad for the U.S. Marine Corps stuck with her.

"For a long time, I thought I would be a marine. That didn't pan out, but the desire to serve this country remained," she says. The 9/11 terrorist attacks deepened that aspiration.

In the eight years between her undergraduate degree and law school, she taught and tutored. She worked with an independent software developer. She managed a small business. But her attention was increasingly drawn to huge scale cyberattacks in the news.

"I eventually realized that the desire to be in national security wasn't going away, and that cyber, as the new front line, was the best place for me to be," she says. "I figured maybe the law was the way to best position myself—and what better place to pursue the law and national security than in the heart of D.C.?"

work in my experience.' The students learn successfully from that environment.

"I tend to think, on average, that the more students pursuing more diverse programs that we can reach in our courses, the better off we're going to be," he says.

The MSL and LLM programs include public discussions, roundtables, and speaker presentations featuring national security experts. Tillipman says the government contract and cybersecurity program regularly hosts online events that draw up to 600 registrants from around the world. A recent series focused on the impact of artificial intelligence and emerging technologies on the federal procurement system.

Adding to the information-sharing are events by GW Law student organizations, including the National Security Law Association and the Military Law Society. The program is also linked to an academic journal, *International Law in Domestic Courts*.

“I see this program as a bridge for anybody coming from the Department of Defense who wants to understand how critical cybersecurity is to national security.”

— JOSE “ROBERTO” MACOTO



“We are taking advantage of pedagogical possibilities available in the online environment that go beyond what can be offered on campus.”

– PAUL BERMAN

The activities of the Government Contracts Student Association and Anti-Compliance and Corruption Association will also interlock with the expanded programming.

“Our students publish in the leading journal in our field, the *Public Contract Law Journal*. We have had MSLs publish their articles in the journal,” Tillipman says.

Swaine underscores student engagement as a hallmark of the school.

“GW Law is distinctive among leading law schools in terms of being student focused,” Swaine says. “There are specialized programs elsewhere with accomplished faculty members who have little to do on a daily basis with students. That’s antithetical to the culture here. We are deeply interested in the students, including in their job placement.”

Paul Schiff Berman, the Walter S. Cox Professor of Law and one of the country’s leading experts on online degree programs, says the Law School is building online courses that rival the excellence of its on-campus learning.

“We are aiming to create courses at the highest possible quality level, with a high degree of real-time interactivity, and we are taking advantage of pedagogical possibilities available in the online environment that go beyond what can be offered on campus,” he says.

CYBER CHANGE AGENT

Advancing Cybersecurity to the Forefront of National Security

FOR NEARLY 30 YEARS, JOSE “ROBERTO” MACOTO, MSL ‘21, has seen data security as the new face of national security. But he worried that government policies and applications enabled Department of Defense employees to cling to the old model that gave priority to physical security—and he didn’t always have the tools to explain the danger in that approach.

“Let’s put it this way, you don’t need to pull a moving truck up to the back of a facility to fill it with boxes containing reams of sensitive documents,” Macoto says. “Instead, you can compromise a truck’s worth of data by misusing peripherals. The magnitude of that is incredible.”

Being able to explain the urgency and applications of cybersecurity was essential to Macoto, who served in the Marine Corps, including as a security officer on Naval Base Guantanamo Bay, and now is a civilian security specialist at the Department of Defense. He creates cyber training and management standards for the department’s Sensitive Compartmented Information Facilities. He also is an influential figure in cybersecurity policy.

To help deepen his knowledge, Macoto turned to GW Law and completed his Master of Studies in Law (MSL) in national security and cybersecurity law last year. Not only was the course content “perfect” for what he does, but he was bowled over by the expertise of the faculty.

“I see this program as a bridge for anybody coming from the Department of Defense who wants to understand how critical cybersecurity is to national security,” Macoto says. “I’m in the business of assisting customers



in understanding what happens when their data gets away from them and how to protect it before it ever does.”

Since completing the MSL, Macoto has been designated as the cyber change agent in his area at the Department of Defense.

“I have become a recognized expert on policies that protect the data in physical facilities,” he says. “My job is to be a force that brings everyone together in protecting data and our national security.”

National Security, Cybersecurity, and Foreign Relations Law Program to Offer Courses at Fort Belvoir

BEGINNING THIS FALL, GW LAW will offer courses in the National Security, Cybersecurity, and Foreign Relations Law Program at the U.S. Army Advocacy Center, Fort Belvoir, Virginia. Under the leadership of Associate Dean Lisa M. Schenck, the Law School is undertaking this effort to strengthen the program’s ties to the military and intelligence communities and make it easier for their exceptionally qualified

attorneys to earn specialized Master of Laws (LLM) degrees. Fort Belvoir course offerings will range from Nuclear Nonproliferation Law and Policy to Crisis and Legal Controversy in the CIA; Counterterrorism; and Problems Trying Terrorists in Article III Courts, to name a few.

Only students who are authorized to access Fort Belvoir (e.g., Judge Advocates, Department of the Army

Civilians, their spouses, and holders of DoD identification cards) may enroll in courses on the base. Students must apply and be admitted to the GW Law LLM or Master of Studies in Law (MSL) program, with an application deadline of August 1 for fall 2022 and December 5 for spring 2023. Once admitted to the program, students may opt to take courses at Fort Belvoir, the main Law School campus, or online.