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Center for Terrorism Law: Monthly Activity Report, 2009-05

St. Mary's University School of Law Center for Terrorism Law

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Center for Terrorism Law

Monthly Activity Report

May 2009

1. Professor Addicott provided oral and written testimony before the Senate Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts hearing entitled: “*What Went Wrong Torture and the Office of the Legal Counsel in the Bush Administration,*” Washington, DC. Text can be viewed in entirety at: <http://jurist.law.pitt.edu/paperchase/2009/05/bush-era-interrogation-techniques.php>.

2. The Center for Terrorism Law conducted a national symposium from 30 April – 1 May 2009 in Houston, Texas, which provided information on how to develop appropriate security methods and procedures to mitigate a business’ potential legal liability in the event of acts of terrorism or crime. The symposium was entitled: *Terrorism, Crime & Business: Understanding the Fundamental Legal and Security Liability Issues for American Business*. The three keynote speakers were United States Congressman Mike McCaul, 10th District, Texas; Wade M. Battles, Interim Executive Director, Port of Houston; and distinguished attorney Martin D. Beirne. The topics covered included:

- An overview of the aims and objectives of the global terror threat posed by al-Qaeda-styled terror groups, sub-state terror groups, and “lone wolf” terrorists.
- An analysis of the specific threats to American business sectors that are deemed part of the nation’s “critical infrastructure,” i.e. energy, petro-chemical, electric utilities, communication, transportation, health, etc.
- An understanding of the varied legal issues associated with terrorism and criminal negligence claims against businesses that have suffered a terror attack or serious criminal act in cyberspace or the physical world.
- A comprehensive review of how to develop appropriate security methods and procedures to mitigate business’ potential legal liability.

3. The Center for Terrorism Law hosted Keith Stansell and Marc Gonsalves at a Distinguished Speaker Series event at St. Mary's University School of Law. The two Americans spoke on their horrific experiences after being held as hostages for more than five years in the Colombia jungles by the Marxist FARC. As a consequence of this event, the Center for Terrorism Law is planning to host a two-day conference in September regarding Narcoterrorism.

4. The Center for Terrorism Law continues to coordinate with the American Embassy Kuwait regarding the development of a university level (for academic credit) course at the American University Kuwait on legal and policy matters related to terrorism. The tentative date for the Kuwait based event is 2009. Dr. Rawda Awwad, a professor at the American University of Kuwait, visited the Center for Terrorism Law on 12-13 December 2008 and met with Center for Terrorism Law research fellows and the Director to develop materials on the legal issues for the course.

5. The Center for Terrorism Law continues to coordinate cyber training initiatives with the Center for Infrastructure Assurance and Security (CIAS) at the University of Texas San Antonio.

6. Professor Addicott conducted the following media events and public speeches for the month of May:

Media:

1. 30 May 2009, **San Antonio, Express-News**, San Antonio, TX newspaper article (topic: *Ex-Hostages Share Tale of Jungle Survival*). The article can be read in its entirety at: http://www.mysanantonio.com/news/local_news/Ex-hostages_share_harrowing_tale_of_jungle_survival.html.
2. 30 May 2009, **Daily Kos**, online article (topic: *On Torture and War Crimes, Part Two, Or, Dr. Addicott and I Find Common Ground*). The article can be read in its entirety at: <http://www.dailykos.com/storyonly/2009/5/30/736867/-On-Torture-And-War-Crimes,-Part-Two,-Or,-Dr.-Addicott-And-I-Find-Common-Ground>.
3. 29 May 2009, **Daily Kos**, online article (topic: *On Torture and War Crimes, Part One, Or, I Interview Dr. Addicott*). The article can be read in its entirety at: <http://www.dailykos.com/story/2009/5/29/736531/-On-Torture-And-War-Crimes,-Part-One,-Or,-I-Interview-Dr.-Addicott>.

4. 29 May 2009, **FOX 29 -KABB**, San Antonio, TX TV broadcast (topic: *Former Hostages Speak Out*).
5. 29 May 2009, **KSAT 12 -ABC**, San Antonio, TX TV broadcast (topic: *Ex-Hostages Talk about Ordeal*). The video can be seen at: <http://www.ksat.com/newsarchive/19605277/detail.html#video>.
6. 29 May 2009, **KTSA AM 550**, San Antonio, TX radio interview (topic: *Americans Held Hostage by Terrorists in Colombia*).
7. 28 May 2009, **San Antonio, Express-News**, San Antonio, TX newspaper article (topic: *CNN Analyst Says to Show Terrorists "No Mercy"*). The article can be read in its entirety at: http://www.mysanantonio.com/community/northwest/CNN_analyst_says_to_show_terrorists_no_mercy.html.
8. 27 May 2009, **El Manaña**, Laredo, TX online article (topic: *Informan Sobre Terrorismo*). The article can be read in its entirety at: http://www.elmanana.com.mx/includes/pop/nota_imprimir.asp?id=123316.
9. 26 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Nuclear Test by North Korea and the US Response*).
10. 22 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Analysis of President Obama's National Security Speech*).
11. 21 May 2009, **Fox News**, online article (topic: *Patriot Act Likely Helped Thwart NYC Terror Plot, Experts Say*). The article can be read in its entirety at: <http://www.foxnews.com/politics/2009/05/21/security-experts-say-patriot-act-likely-helped-thwart-nyc-terror-plot/>.
12. 21 May 2009, **KTSA AM 550**, San Antonio, TX radio interview (topic: *Evaluation of President Obama's National Security Speech in D.C.*).
13. 21 May 2009, **Fox News**, online article (topic: *NYC Terror Case Will Be 'Prosecutor's Dream,' Legal Analyst Says*). The article can be read in its entirety at: <http://www.foxnews.com/story/0,2933,521059,00.html>.
14. 20 May 2009, **The Boerne Star**, Boerne, TX newspaper article (topic: *SAR to Hear from St. Mary's Terrorism Expert*). The article can be read in its entirety at: <http://www.boernestar.com/articles/2009/05/20/community/doc4a11c48734cf4569743756.txt>.
15. 20 May 2009, **KLIF AM 570**, Dallas, TX radio interview (topic: *The Re-Start of Military Commissions and Obama's National Security Plan*).
16. 19 May 2009, **KTSA AM 550**, San Antonio, TX radio interview (topic: *Future of Military Commissions and Supreme Court Ruling on Discrimination Against Illegal Aliens Detained in New York Post-9/11*).

17. 19 May 2009, **KOGO AM 600**, San Diego, CA radio interview (topic: *Supreme Court Remands Case Involving Illegal Alien's Contention that Detainee's in Brooklyn, NY Were Held on Basis of Race, Religion or National Origin*).
18. 19 May 2009, **WOAI AM 1200**, San Antonio, TX radio interview (topic: *Challenge to Bush-era Detention of Illegal Alien Suspected Terrorists Rejected by 5/4 Decision in Ashcroft v Iqbal*).
19. 19 May 2009, **KFAB AM 1110**, Omaha, NE radio interview (topic: *Discussion of the US Supreme Court Ruling in Ashcroft v Iqbal for Civil Damages for Detainee*).
20. 19 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Ashcroft v Iqbal Supreme Court Decision Regarding Lawsuit by Illegal Alien Detained in New York in Wake of 9/11*).
21. 19 May 2009, **OpEd News**, online article (topic: *Too Slow Zelikow: UVA Backs Torture*). The article can be read in its entirety at: <http://www.opednews.com/articles/Too-Slow-Zelikow-UVA-Back-by-David-Swanson-090519-122.html>.
22. 19 May 2009, **Washington Times**, Washington, DC online article (topic: *High Court Spurns Detainee's Bid to Sue*). The article can be read in its entirety at: <http://washingtontimes.com/news/2009/may/19/court-spurns-detainees-bid-to-sue/>.
23. 15 May 2009, **The Bulletin**, Philadelphia, PA online article (topic: *Democrats' Interrogation Hearing Backfires*). The article can be read in its entirety at: http://thebulletin.us/articles/2009/05/15/top_stories/doc4a0d50c77ab25804345330.txt.
24. 14 May 2009, **The Washington Independent**, Washington, DC online article (topic: *Hearing Lays Groundwork for Torture Prosecutions*). The article can be read in its entirety at: <http://washingtonindependent.com/42873/hearing-lays-groundwork-for-torture-prosecutions>.
25. 14 May 2009, **Irish Times**, Dublin, Ireland online article (topic: *Obama Seeks to Block Prisoner Photographs*). The article can be read in its entirety at: <http://www.irishtimes.com/newspaper/world/2009/0514/1224246462531.html>.
26. 14 May 2009, **The Providence Journal**, Providence, RI online article (topic: *Whitehouse Conducts Senate Hearing on Torture*). The article can be read in its entirety at:

- http://www.projo.com/news/johnmulligan/white_house_torture_hearings_05-14-09_5QECD0V_v11.3c2b2a1.html.
27. 13 May 2009, **Politics Daily**, AOL News online article (topic: *Witness: Bush Torture Memos “Ethical Train Wreck”*). The article can be read in its entirety at: <http://www.politicsdaily.com/2009/05/13/witness-bush-torture-memos-ethical-train-wreck>.
 28. 13 May 2009, **NPR**, Washington, DC online article (topic: *Ex-FBI Interrogator Calls Harsh Tactics ‘Ineffective’*). The article can be read in its entirety at: <http://www.npr.org/templates/story/story.php?storyId=104092457>.
 29. 13 May 2009, **Time**, Washington, DC online article (topic: *Partisan Passions Dominate Interrogation Hearings*). The article can be read in its entirety at: <http://www.time.com/time/nation/article/0,8599,1898125,00.html>.
 30. 13 May 2009, **The Jurist**, Pittsburgh, PA online publication (topic: *Bush-era Interrogation Techniques Discussed at Senate Panel Hearing*). Text can be viewed in entirety at: <http://jurist.law.pitt.edu/paperchase/2009/05/bush-era-interrogation-techniques.php>.
 31. 13 May 2009, **Homeland 1**, online publication (topic: *Center for Terrorism Law hosts Terrorist Attack Preparation Symposium for Businesses*). Text can be viewed in entirety at: <http://www.homeland1.com/homeland-security-education-training/articles/493603-Center-for-Terrorism-Law-Hosts-Symposium-to-Educate-Businesses-on-Preparing-for-Terrorist-Attacks>.
 32. 13 May 2009, **WGST AM 640**, Atlanta, GA radio interview (topic: *New Military Commander and New Strategy in Afghanistan*).
 33. 13 May 2009, **CSPAN, National Press Conference at the National Press Club, Washington D.C.**, video appearance (topic: *Coverage of the Senate Committee Administrative Oversight and the Courts Hearing on Detainee Treatment and Interrogation Policy*). The video can be viewed at: http://www.c-spanarchives.org/library/index.php?main_page=product_video_info&products_id=286307-1.
 34. 13 May 2009, **KTSA AM 550**, San Antonio, TX radio interview (topic: *Discussing the Senate Hearings on Torture*).
 35. 12 May 2009, Balkin Blogspot, online article (topic: *News Flash: Taliban Waterboards Captured*). <http://balkin.blogspot.com/2009/05/news-flash-taliban-waterboards-captured.html>.

36. 12 May 2009, **KTSA AM 550**, San Antonio, TX radio interview (topic: *Did the U.S. Engage in Torture on al-Qa'eda?*).
37. 12 May 2009, **FOX News Channel**, national TV interview (topic: *Debate Over Torture Before the Senate Subcommittee*).
38. 12 May 2009, **KOGO AM 600**, San Diego, CA radio interview (topic: *Pakistan and Afghanistan – Central Fronts in the War on Terror*).
39. 12 May 2009, **KPAY AM 1290**, Chico, CA radio interview (topic: *Winning the War in Afghanistan – Can Obama Make it Work*).
40. 12 May 2009, **KVI AM 570**, Seattle, WA radio interview (topic: *Parallels with the Vietnam War – the War in Afghanistan*).
41. 12 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Obama's Challenge in Afghanistan to Stabilize the Conflict*).
42. 12 May 2009, **WTKS AM 1290**, Savannah, GA radio interview (topic: *Change in Commanders in Afghanistan and CIA Torture Memos*).
43. 12 May 2009, **KFAB AM 1110**, Omaha, NE radio interview (topic: *Understanding the War on Terror – Afghanistan, Pakistan and Iraq*).
44. 12 May 2009, **WSYR AM 570**, Syracuse, NY radio interview (topic: *Lieutenant General McCrystal's New Plan to Combat the Taliban*).
45. 12 May 2009, **WILM AM 1450**, Wilmington, DE radio interview (topic: *Obama's New Strategy to Stabilize Afghanistan*).
46. 12 May 2009, **KFBK AM 1530**, Sacramento, CA radio interview (topic: *Winning Afghanistan on the Cheap – Special Operations Warfare*).
47. 12 May 2009, **WRVA AM 1140**, Richmond, VA radio interview (topic: *Unconventional Warfare in Afghanistan – Can it Really Work?*).
48. 12 May 2009, **KCMO AM 710**, Kansas City, MO radio interview (topic: *Former Commander of the Joint Special Operations Command Takes Charge in Afghanistan*).
49. 12 May 2009, **KFAQ AM 1170**, Tulsa, OK radio interview (topic: *Obama Administration's Strategy in Afghanistan*).
50. 8 May 2009, **The Jurist**, Pittsburgh, PA online publication. Op-ed written by Professor Addicott (topic: *No Torture, No Prosecution*). Text can be viewed in entirety at <http://jurist.law.pitt.edu/forumy/2009/05/no-torture-no-prosecution.php>.
51. 8 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Pros and Cons of the National Terror Watch List*).
52. 6 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Criticism of Department of Homeland Security's Right Wing Extremist Memo*).
53. 4 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Left Wing Extremism in the United States*).

54. 1 May 2009, **KTRH AM 740**, Houston, TX radio interview (topic: *Threat of “Home Grown” Terrorism in the United States*).
55. 1 May 2009, **Texas Lawyer**, Austin, TX online article (topic: *Houston Port Shutdown? Losses of \$400 Million Per Day*). The article can be read in its entirety at:
http://texaslawyer.typepad.com/texas_lawyer_blog/2009/05/limiting-client-liability-for-antiterrorism-products.html.

Speeches:

1. 28 May 2009, Addicott spoke on *Interrogation and Torture*, at Texas A&M International University, **Laredo, TX**.
2. 27 May 2009, Addicott spoke on *Defining Terrorism*, at Texas A&M International University, **Laredo, TX**.
3. 26 May 2009, Addicott spoke on *War on Terror or Contingency Operations?*, at the Kenedy Rotary Club, **Kenedy, TX**.
4. 23 May 2009, Addicott spoke on *Obama Administration’s Approach to the War on Terrorism* at the Sons of the American Revolution, Boerne Chapter, **Fair Oaks Ranch, TX**.
5. 19 May 2009, Addicott spoke on *Interrogation and Islamic Terrorism* at the FBI National Academy, **Quantico, VA**.
6. 15 May 2009, Addicott spoke on *Liability for Disaster Responders*, at the San Antonio Health Professionals Disaster Conference: Recovery and Beyond, **San Antonio, TX**.
7. 14 May 2009, Addicott spoke on *Terrorism Law and the Obama Administration*, at the Round Rock Rotary Club, **Round Rock, TX**.
8. 13 May 2009, Addicott testified before the Senate Committee on the Judiciary, Subcommittee on Administrative Oversight and the Courts hearing entitled: “*What Went Wrong Torture and the Office of the Legal Counsel in the Bush Administration*,” **Washington, DC**.
9. 8 May 2009, Addicott spoke on *Obama’s First 100 Days – Terrorism and National Security*, at the Rotary Club of Stone Oak, **San Antonio, TX**.
10. 6 May 2009, Addicott spoke on *Terrorism Challenges for the Obama Administration*, at the Austin Northeast Rotary Club, **Austin, TX**.
11. 2 May 2009, Addicott spoke on *Obama Administration’s Handling of the “War on Terror”* at the Military Order of the World Wars Region VIII Conference, **San Antonio, TX**.

12. 1 May 2009, Addicott spoke on *How to Develop Appropriate Security Methods to Mitigate Business Legal Liability* at the Center for Terrorism Law's symposium entitled: "Terrorism, Crime and Business, Understanding the Fundamental Legal & Security Liability Issues for American Business," **Houston, TX.**

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Director, Center for Terrorism Law