**DOCUMENT N: COURSE AND PROGRAM DEVELOPMENT COVER SHEET**

See Course and Program Development Policy and Procedures for Instructions

**SCHOOL:** LAW X MSB Y GCLA Contact Name: Laurie Schnitzer Phone: 4479

**DEPARTMENT / DIVISION:** Law School

**SHORT DESCRIPTION OF PROPOSAL** (state name of action item 1-20 and course name, code & number / program affected):

New Course: National Security Law

**PROPOSED SEMESTER OF IMPLEMENTATION:** Fall ☐ Spring ☐ Summer ☑ Year: 2009

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**Box 1: TYPE OF ACTION**

ADD(NEW) X DEACTIVATE ☐ MODIFY ☐ OTHER ☐

**Box 2: LEVEL OF ACTION**

Non-Credit ☐ Undergraduate ☑ Graduate ☐ OTHER ☐

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### Box 3: ACTION ITEM

<table>
<thead>
<tr>
<th>Document</th>
<th>Impact Reviews</th>
<th>Approval Sequence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Experimental Course 1</td>
<td>ac</td>
<td>AC</td>
</tr>
<tr>
<td>2. Course Title</td>
<td>NO</td>
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</tr>
<tr>
<td>3. Course Credits</td>
<td>NO</td>
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</tr>
<tr>
<td>4. Course Number</td>
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<tr>
<td>5. Course Level</td>
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<tr>
<td>6. Pre &amp; Co-Requisite</td>
<td>NO</td>
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</tr>
<tr>
<td>7. Course Description</td>
<td>NOP</td>
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**NEW COURSE**

<table>
<thead>
<tr>
<th>Document</th>
<th>Impact Reviews</th>
<th>Approval Sequence</th>
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</thead>
<tbody>
<tr>
<td>NO</td>
<td>ABCDEF</td>
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</table>

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### Box 4: DOCUMENTATION (check boxes of documents included)

<table>
<thead>
<tr>
<th>X</th>
<th>N. This Cover Sheet</th>
<th>Q. Full 5-page MHEC Proposal</th>
<th>T. Other</th>
</tr>
</thead>
<tbody>
<tr>
<td>X</td>
<td>O. Summary Proposal</td>
<td>R. Financial Tables (MHEC)</td>
<td></td>
</tr>
<tr>
<td>X</td>
<td>P. Course Definition Document</td>
<td>S. Contract</td>
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</tbody>
</table>

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1. Approval of experimental course automatically lapses after two offerings unless permanently approved as a new course.
2. Codes: a) Library Services (Langsdale or Law) b) Office of Technology Services c) University Relations d) Admissions
3. Letter of Intent is required by USM at least 30 days before a full proposal can be submitted. Letter of Intent requires only the approval of the dean and the provost and is forwarded to USM by the Office of the Provost.
4. One-page letter to include: Program title & degree/certificate to be awarded; resources requirements; need and demand; similar programs; method of instruction; and oversight and student services (MHEC requirement)
5. One-page letter with description and rational (MHEC requirement)
6. One or two-page document that describes: centrality to mission; market demand; curriculum design; adequacy of faculty resources; and assurance program will be supported with existing resources. (MHEC requirement)
7. Learning objectives, assessment strategies; fit with UB strategic plan
8. Joint Degree Program or Primary Degree Programs require submission of MOU w/ program proposal. (MHEC requirement)
9. Temporary suspension of program to examine future direction; time not to exceed two years. No new students admitted during suspension, but currently enrolled students must be given opportunity to satisfy degree requirements.
10. Provide:
   a. evidence that the action is consistent with UB mission and can be implemented within the existing program resources of the institution.
   b. proposed date after which no new students will be admitted into the program;
   c. accommodation of currently enrolled students in the realization of their degree objectives;
   d. treatment of all tenured and non-tenured faculty and other staff in the affected program;
   e. reallocation of funds from the budget of the affected program; and
   f. existence at other state public institutions of programs to which to redirect students who might have enrolled in the program proposed for abolition.

11. University Council review (for a recommendation to the President or back to the Provost) shall be limited to curricular or academic policy issues that may potentially affect the University's mission and strategic planning, or have a significant impact on the generation or allocation of its financial resources.

<table>
<thead>
<tr>
<th>Box 5: IMPACT REVIEW</th>
<th>SIGNATURES (see procedures for authorized signers)</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>a. Library</td>
<td>Director or designee:</td>
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<tr>
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<tr>
<td>Impact statement</td>
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<tr>
<td>attached</td>
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<td>b. OTS</td>
<td>CIO or designee:</td>
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<td>No impact</td>
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<td>c. University Relations</td>
<td>Director or designee:</td>
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<td>d. Admissions</td>
<td>Director or designee:</td>
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<tr>
<td>Impact statement</td>
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<tr>
<td>attached</td>
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<td>e. Records</td>
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<tr>
<th>Box 6: APPROVAL SEQUENCE</th>
<th>APPROVAL SIGNATURES</th>
<th>DATE</th>
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</thead>
<tbody>
<tr>
<td>A. Department / Division</td>
<td>Chair:</td>
<td></td>
</tr>
<tr>
<td>B. Final faculty review body within each School</td>
<td>Chair:</td>
<td>6/24/09</td>
</tr>
<tr>
<td>C. College Dean</td>
<td>Dean:</td>
<td>2/24/09</td>
</tr>
<tr>
<td>D. Provost and Senior Vice President for Academic Affairs</td>
<td>Provost:</td>
<td>3-3-09</td>
</tr>
<tr>
<td>E. Curriculum Review Committee (UFS subcommittee)</td>
<td>Chair:</td>
<td>3-11-09</td>
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<tr>
<td>F. University Faculty Senate (UFS option)</td>
<td>Chair:</td>
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<tr>
<td>G. University Council (see #11 above)</td>
<td>Chair:</td>
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<tr>
<td>H. President</td>
<td>President:</td>
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<tr>
<td>I. Board of Regents - notification only</td>
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<td>J. Board of Regents - approval</td>
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<td>K. MHEC - notification only</td>
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<tr>
<td>L. MHEC - approval</td>
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<tr>
<td>M. Middle States Association notification</td>
<td>Required only if the mission of the University is changed by the action</td>
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</tbody>
</table>
UNIVERSITY OF BALTIMORE

DOCUMENT O: SUMMARY PROPOSAL
See Course and Program Development Policy and Procedures for Instructions

| SCHOOL: |
| LAW X MSB ☐ YGCLA ☐ |
| DEPARTMENT / DIVISION: |
| Law |
| SHORT DESCRIPTION OF PROPOSAL (state action item 1-23 and course name & number or program affected): |
| New Course: National Security Law |
| PROPOSED SEMESTER OF IMPLEMENTATION: | Fall ☐ | Spring ☐ | Summer X | Year: 2009 |

O-1: Briefly describe what is being requested:

Addition of new course: National Security Law

O-2: Set forth the rationale for the proposal:

As always throughout our country's history, and especially in this decade, the law of national security has been a paramount concern. This decade has also been marked by numerous landmark developments in national security law, and the prospect for continuing legal changes in that area. The understanding this course will provide of national security law, and the means by which it is changed, will thus be of tremendous value for our students as future lawyers and future leaders.
1. Date Prepared: February 4, 2009
2. Prepared by: Prof Michael Hayes; Prof Patrick O'Malley
3. Department: School of Law
4. Course Number(s), including HEGIS code(s): LAW 773
5. Course Title: National Security Law
6. Credit Hours: 3
7. Catalog Description (Paragraph should reflect general aims and nature of the course): This course examines the legal framework for national security decision making illustrated by case law and the Constitution. The course will study extensively the powers of the President with regard to war, peace, the economy and civil liberties, and Congress's powers including oversight of the executive branch. Special focus will be made on preemptive war, and operations other than war including covert actions. Other topics will include the challenge of fighting non-state actors such as Al-Qaeda on the battlefield as well as the courtroom, interrogation operations, recent criminal counterterrorism statutes, preventive detention, CIP, FISA and the IRTPA.
8. Prerequisites: Constitutional Law
9. Faculty qualified to teach course: Prof Patrick O'Malley; other faculty with expertise in national security law.
10. Course Type (check appropriate): Open Enrollment
11. Suggested approximate class size: 40
12. Content Outline:
   Class 1 Constitutiona\l Framework & Separation of Powers
   Youngstown Sheet and Tube
   Dames & Moore v. Regan

   Class 2 Executive National Security powers
   US v. Curtiss-Wright Export Corp.
   The Prize Cases
   Little v. Barreme
   Cunningham v. Neagle

   Class 3 National Security powers of Congress and the Ct
Bas v. Tingy  
Lichter v. US

Massachusetts v. Laird  
Dellums v. Bush  
Campbell v. Clinton  
The War Powers Act

Class 4  International Law & Treaties
Goldwater v. Carter  
Nicaragua v. US  
Sosa v. Alvarez-Machain

Class 5  Use of Force Abroad; Self-Defense & Preemption

Class 6  Intelligence Operations & Treason
NSA  
IRTPA  
US v. Burr  
US. Rosenberg

Class 7  Covert Actions
The Neutrality Act  
US v. Lopez-Lima  
The Hughes-Ryan Act  
EO 12333  
Harbury v. Deutch

Class 8  Domestic Intel Collection; Posse Comitatus
Halkin v. Helms  
Bisonette v. Haig  
US v. Khan  
Laird v. Tatum  
The Posse Comitatus Act  
The Insurrection Act

Class 9  Defining Terrorism
US v. Yousef  
PMOI v. State Dept.  
US v. Rahman  
US v. Al-Arian  
US v. Rodriguez  
US v. Salameh

Class 10  National Security and the 4th Amendment
FISA
US v. US District Court
US v. Cavanagh,
US v. Ehrlichman
US v. Truong
Smith v. MD
US v. Duggan
In re: Sealed Case (2002)
Doe v. Ashcroft

Class 11 AG Guidelines and Surveillance Abroad
US v. Verdugo-Urquidez
US v. Bin Laden
Stonehill v. US
US v. Callaway

Classes 12&13 Civil & Military Detention; Trial by Commission
Ex Parte Milligan
Korematsu v. US
Ex Parte Quirin
Johnson v. Eisentrager
Hamdi
Hamdan
Padilla
Al-Marri

Class 14 Extraordinary Rendition & Interrogation Operations
Arar v. Ashcroft
US v. Yonis
US v. Noriega

Class 15 CIPA and Secret Evidence; Access to Info /Classification/FOIA
Access to NSI in Civil Lit; Unauthorized Disclosures; Publication

US v. Wen Ho Lee
US v. Moussaoui
US v. Fernandez
EO 13292
FOIA
Ray v. Turner
Bassiouni v. CIA
Nation v. US DoD
US. Marchetti
Snepp v. US
NY Times v. US
Haig v. Agee
Class 16  Emergency Preparedness/Response  
Jacobson v. Massachusetts  
Jew Ho v. Williamson  
MSEHPA

13. Learning Goals:  
For students to understand the impact of international law and treaties on American national security. In addition, for students to become conversant with the domestic legal authorities (e.g. the U.S. Constitution, federal statutes, case law) that govern the national security process and the intelligence community.

14. Assessment Strategies: Examination

15. Suggested Text(s) and Materials (example: textbooks, equipment, software, etc.):  
The course will use primary materials, including court decisions, statutes and executive orders

16. Concentrations (check appropriate): None  
   Business Law  ___  Criminal Practice  ___  Estate Planning  ___  
   Family Law  ___  Intellectual Property  ___  Int’l & Comp  ___  
   Litigation & Advocacy  ___  Public Service  ___  Real Estate Practice  ___