



SPRING 2026 COURSE SYLLABUS

Course Number: 426-001

Course Title: Homeland Security & Law Seminar

Credit Hours: 2

Grading Mode: Seminar Paper

Meeting Time(s): THUR-8:10pm-10:10pm

Meeting Mode: In Person

Exam Time(s): Monday, May 4th Paper Deadline

Exam Mode: Final Paper

Prerequisite(s): N/A

Corequisite(s): N/A

Instructor(s):

James W. McCament

Contact Information and Office Hours:

While I do not have set office hours, I am happy to meet either in the hour before class meets or after class. My contact information is jmccamen@gmu.edu.

Reading(s) & Supplement(s):

See below.

Course Overview:

The 21st Century risk environment facing our nation is a complex mix of manmade and naturally occurring threats and hazards including terrorism, hurricanes, earthquakes, floods, power outages, hazardous materials spills, industrial accidents, pandemic influenza, cyber intrusions, among various others. In addition, our nation continues to be engaged in a series of critical policy discussions-some related to these threats and hazards and others to long-running debates regarding immigration, law enforcement and intelligence and information sharing.

At the beginning of the 21st century, the terrorist attacks of September 11th, 2001, served as a catalyst for exploring new mechanisms of coordinated decision-making and response to this complex mix of what are now referred to as homeland security issues.

One such critical mechanism was the establishment of the Department of Homeland Security (DHS) in 2002 as the first new Cabinet-level Department created in over 30 years. The broad policy, decision-making and execution authority of the now well-established DHS covers many areas of homeland and national security. Yet, even with the centralization of issues formerly controlled by multiple federal agencies, since its operational inception in 2003 DHS has continued to work with a multitude of Federal, state, local, tribal and private sector organizations. Together, DHS works in constructing responses to the critical homeland security issues we face. Although surrounded by robust policy discussion, these responses are ultimately statutory and regulatory in nature and are based upon legal issues of both first impression and long-standing precedent.

Course Learning Outcomes:

This course introduces the policy, strategy and operational application of Homeland Security through the lens of its nearly 24-year history by utilizing DHS principal source documents and related laws, regulations, and polices. The course also includes a practical examination of stakeholder interaction and key subject matter areas through an interactive tabletop exercise and a research paper assignment as well as other interactive opportunities throughout the course.

This is a multi-faceted course designed to expose GMU JD students to complex inter-governmental and public-private sector policymaking, operational planning and crisis management. The course is designed to promote subject matter understanding, critical analysis of issues and insight into senior governmental leader decision making.

Grading Policies:

Class Participation 15%:

Class Exercises 15 %:

1. DHS Stand-up Exercise: At the conclusion of Class One, you will be assigned to serve in a senior official position within the Department of Homeland Security, a role which you will hold for the remainder of our semester together. That position is one specifically named in the Homeland Security Act and I hope will help frame your participation and your perspective on the issues discussed through the semester. In addition to your readiness to discuss the general concepts found in the assigned weekly reading, you will also be asked to provide questions and input based upon your position within the Department of Homeland Security. In the section covering the DHS regulatory agenda, you will be asked to present on a recent regulatory action relevant to your assigned position.

2. SAFETY Act Exercise: Based on an understanding of the SAFETY Act application process, students will be presented with some basic information on a hypothetical technology company (“Get Them Before They Get You”) and will have to prepare and defend responses to these questions in front of officials from the SAFETY Act Office (Professor McCament) and meet the demands of your clients (Guest Lecturer).

3. Incident Management Exercise: Students will participate in an interactive tabletop exercise simulating a complex, well-coordinated terrorist attack on critical infrastructures and population centers within the United States. Each student will be assigned a role as a key public or private sector official with attendant concerns and responsibilities. The exercise will include an emerging threat phase, operational response phase and post-incident recovery phase. Students are expected to play a dynamic and informed role playing during the class exercise.

Research Paper 70%:

Each JD student will write a 20-25 page research paper, not including citations, on a current homeland security issue of their choice (National, regional, state, local, sector or international focus). The paper should be completed using the following organizational format: problem statement, background (include key players, authorities, resources, etc.), discussion (presentation of alternatives with the identification of pros and cons for each alternative) and recommendations (including rationale behind their selection). Your research paper is expected to reflect thorough legal research and analysis while understanding many of the topics may be policy oriented. Citations may be entered as footnotes or endnotes, but there must be a consistent format. The paper should focus on the benefits, drawbacks and obstacles, including practical, policy and legal, to the application of proposed policy alternatives. The recommendations section should clearly describe the rationale for the option selected.

Prior approval of the topic for the research paper is required. Students should submit a one paragraph written description of their proposed topic via email for approval **by the beginning of the 6th class session.** Students may also subsequently submit an outline of their paper to Professor McCament for review no later than 2 weeks prior to final paper submission deadline.

Classroom Policies:

Attendance: Per AR 3-1.4, “maintenance of matriculation requires regular class preparation, participation and attendance, registration in the course of study required for the student’s program (full-time or part-time), successive registration for each fall and spring term of each academic year until study is completed, and compliance with all other relevant requirements.”

Absences: Per AR 4-1.1, “if a student is absent for any reason for more than 20 percent of the sessions of a course, the student is not eligible for credit in that course. A student who is not present for at least 75 percent of a session of the course is absent from that session.”

Participation & Preparation:

Students are expected to come to class prepared to meaningfully participate during lecture discussions. This includes reading all assigned readings for that class. ome

sections contain reference readings that, while not required, may be helpful in understanding that section's topic.

Use of Technology & AI:

Generative AI tools may be used in this course for the following purposes, and with the following guidelines. Students may use AI in this course to brainstorm, outline, draft or edit, but may not use AI as the primary source for text of written assignments. Students must use AI tools responsibly, verify facts presented by AI, disclose when AI tools are used to create course work product, properly cite any AI tools utilized, and should be prepared to produce the transcript of prompts and responses upon request. Misuse will be treated as a violation of academic standards.

Use of Electronic Text Books During Exams:

Students are permitted one laptop computer for exam taking purposes. Additional laptop computers or any other electronic data storage devices are not allowed in an exam room, unless permitted by the course instructor's *written* exam instructions. Electronic text books (e-books) may be used during exams that are designated as open book by the instructor, and the instructor allows text books to be used during the exam and allows access to a student's computer files during the exam (open exam). E -books may not be used in exams where the instructor does not allow students to access their computer files during the exam (secure exam) even if the instructor permits access to text books. If the instructor has blocked access to the internet or computer files, you must bring a hard copy of the allowed text book(s) you wish to consult. Students will need to borrow or otherwise locate a hard copy of the e -book or print resources needed from the e-book to take into the exam room. The instructor determines the length of the examination and whether or not it is secure or open and what, if any, study materials are permitted during the exam. Students are responsible for adhering to the instructor's standards for all examinations, which are included in the examination materials.

Course Schedule & Assignments

Week 1:

Date: January 15, 2026

Topic I: Homeland Security Guiding Principles

Assignment:

Whitman v. American Trucking Associations, Inc., 531 U.S. 457 (2001)

Topic 2: September 11, 2001: Future Threat Attacking the Future of our Homeland's Security:

Assignment: **9/11: The 9/11 Commission Report. Chapter 8**

Assignment: **Pre-DHS Homeland Security Environment:**

White House Office of Homeland Security. National Strategy for Homeland Security. July 2002 (pp. 1-14, 63-69).

Reference Only: The FBI's Handling of the Phoenix Electronic Communication and Investigation of Zacarias Moussaoui Prior to September 11, 2001: Statement of Eleanor Hill: September 24, 2002 (fas.org)

Week 2:

Date: January 22, 2026

Topic I: Department of Homeland Security Leadership Roles and Responsibilities:

Assignment:

For class two please research your assigned position within DHS, as explained in the below background.

Come prepared to present to our class a no more than 5 minute brief overview of your position to include: (1) where the duties and functions of your position may have existed before DHS; (2) where this position existed within the DHS framework circa 2003; (3) how your position has evolved in the years following the initial creation of DHS; and (4) potential challenges or benefits resulting from your position's inclusion in DHS.

As noted in the class overview, your assigned position also determines those assigned readings for which you are responsible to help present throughout the semester. In addition to your readiness to discuss the general concepts found in the assigned weekly reading, you will also be

asked to provide questions and input based upon your position within the Department of Homeland Security.

Position Selection Process: At the end of our first class you will be assigned one of the following positions as a member of the 2003 DHS Leadership Team:

1. Secretary of Homeland Security;
2. Deputy Secretary of Homeland Security;
3. Chief of Staff to the Secretary of Homeland Security;
4. Under Secretary of Management;
5. Under Secretary of Border & Transportation Security;
6. Under Secretary of Intelligence Analysis & Infrastructure Protection;
7. Under Secretary for Emergency Preparedness & Response;
8. Under Secretary for Science & Technology;
9. General Counsel;
10. Director, United States Secret Service;
11. Commandant, United States Coast Guard;
12. Director, Bureau of Citizenship & Immigration Services;
13. Assistant Secretary, Bureau of Border Security;
14. Commissioner, Bureau of Customs & Border Protection;
15. Assistant Secretary, Transportation Security Administration;
16. Assistant Secretary, Intelligence & Analysis;
17. Assistant Secretary for Infrastructure Protection;
18. Assistant Secretary, International Affairs;
19. Assistant Secretary, Private Sector;
20. Assistant Secretary, Legislative Affairs;
21. Policy Advisor to the Secretary;
22. Homeland Security Advisor to the President;
23. Deputy Homeland Security Advisor to the President;
24. Special Assistant(s) to the President (as assigned).

Date: January 22, 2026

Topic:

Homeland Security: Strategic and Threat Environment Then and Today

Assignment(s):

Understanding The Office of Homeland Security: [Federal Register: Establishing the Office of Homeland Security and the Homeland Security Council](#)

Today's DHS Strategic Environment:

[DHS Strategic Plan: Fiscal Years 2023-2027](#)

Today's DHS Threat Environment: [Homeland Threat Assessment 2025](#)

Reference Only: [Presidential Proposal](#) for the Department of Homeland Security: (June 2002)

NO CLASS: January 29, 2026

Week 3:

Date: February 5, 2026

Topic I: **Congressional Oversight of DHS: Control or Quagmire?**

Assignment(s):

[The 9/11 Commission Report](#). Chapter 13.

[The Congressional Lens: Turf Wars: How a Jurisdictional Quagmire in Congress Compromises Homeland Security](#)

[Changing the Oversight Landscape: The Future of DHS Project: Key Findings and Recommendations: Congressional Oversight - Atlantic Council](#)

Date: February 5, 2026

Topic II: **DHS Regulatory Implementation:**

Assignment(s):

[Overview of Federal Regulations and the Rulemaking Process:](#)

The Role of the Office of Information and Regulatory Affairs:

<https://fas.org/sgp/crs/misc/RL32397.pdf>

Week 4:

Date: February 12, 2026

Topic: Counteracting Threats: The Homeland Security Intelligence Enterprise:

Assignment(s):

DHS View: [The Office of Intelligence and Analysis FY 2020-2024 Strategic Plan | Homeland Security \(dhs.gov\)](#) (Current)

Congressional View: [GAO-25-107540, HOMELAND SECURITY: Office of Intelligence and Analysis Should Improve Strategic Oversight of Intelligence Enterprise](#)

Counteracting Threats to the Homeland:

[DHS Strategic Framework for Counteracting Terrorism and Targeted Violence | Homeland Security](#) (Current)

Week 5:

Date: February 19, 2026

Topic I: DHS Role in Protecting Our Nation's Cybersecurity

Assignment(s):

DHS 2025: [DHS Cybersecurity Strategy | Homeland Security](#)

Date: February 19, 2026

Topic II: DHS and Artificial Intelligence

Assignment(s):

[Department of Homeland Security Artificial Intelligence \(AI\) Strategy](#)

[Accelerating Federal Use of Artificial Intelligence through Innovation, Governance, and Public Trust at the Department of Homeland Security - September 2025](#)

Week 6:

Date: February 26, 2026

Topic: **2003 to 2026 – Views of DHS From March 2003 to Today**

Assignments:

[DHS 2.0: Rethinking the Department of Homeland Security | The Heritage Foundation](#) (2004)

[Department of Homeland Security Reorganization: The 2SR Initiative - EveryCRSReport.com](#) (2006)

[The Two Faces of DHS: Balancing the Department's Responsibilities \(hsaj.org\)](#) (2013)

[Under President Trump and Secretary Noem, the Department of Homeland Security Has Historic Year | Homeland Security](#)

Week 7:

Date: March 6, 2026

Topic: **Terrorist Screening and Watch Listing: The Terrorist Screening Database and Preventing Terrorist Travel**

Assignment(s):

[GAO-25-108349, Terrorist Watchlist: Nomination and Redress Processes for U.S. Persons](#) <https://fas.org/sqp/crs/terror/R44678.pdf>

[The Terrorist Watchlist | Congress.gov | Library of Congress](#)

[Legal Challenges to the Terrorist Screening Database | Congress.gov | Library of Congress](#)

Presidential Decision-Making Regarding Terrorist Screening and Travel:
2021: [Proclamation on Ending Discriminatory Bans on Entry to The United States | The White House](#)

2025: [Restricting and Limiting the Entry of Foreign Nationals to Protect the Security of the United States – The White House](#)

Reference: [Donald J. Trump, President of the United States, et al., Petitioners v. Hawaii, et al](#)

Week 8: March 12, 2026- SPRING BREAK – No Class-Enjoy!

Week 9:

Date: March 19, 2026

Topic: **Federal Emergency Management Agency (FEMA) Background and Reform**

Assignment(s):

Founding of FEMA: **Federal Emergency Management Background and Reform**
[**Executive Order 12127 \(fas.org\) \(1979\)**](#)

[**The Federal Response to Hurricane Katrina: Lessons Learned**](#)

(Chapters 1, 5 (sub sections 1-3,15).

DHS [**National Response Framework | FEMA.gov**](#) October 2019: (Review
Introduction, Operational Coordination, Operational Planning)

Reference: **The Robert T. Stafford Disaster Relief and Emergency Assistance Act, Selected Readings**

Week 10:

Date: March 26, 2026

Topic: **Overview of Federal Immigration Development and Reform (Subject to Change)**

Assignment(s):

U.S. Immigration Law and Policy Across the 19th, 20th & 21st Centuries:
[**Historical Overview of Immigration Policy \(cis.org\)**](#)

[**A Brief History of U.S. Immigration Policy from the Colonial Era to the Present Day \(cato.org\)**](#)

Reform of the Legal Immigration System:

[**Research: Rethinking the U.S. Legal Immigration Sy.. | migrationpolicy.org**](#)

Border Security: [**Migration at the U.S.-Mexico Border: A Challenge Decades in the Making \(migrationpolicy.org\)**](#)

Reference Only: [**Immigration Reform and Control Act of 1986, Pub.L. 99-603**](#)

[**Pub. L. 101-649 Immigration Act of 1990**](#)

[**Illegal Immigration Reform and Immigrant Responsibility Act of 1996, Pub.L. 104-208**](#)

Week 11:

Date: April 2, 2026

Topic: **Federal Immigration Through Executive Action and Litigation: (Subject to Change)**

Comparing and Contrasting Border and Immigration Policies:

Assignment(s):

[Donald Trump's executive orders on immigration, 2025-2026 - Ballotpedia](#)

[**DEPARTMENT OF HOMELAND SECURITY ET AL. v. REGENTS OF THE**](#)

UNIVERSITY OF CALIFORNIA ET AL

Wolf v. Innovation Labs: <https://www.supremecourt.gov/DocketPDF/19/19-1212>

[**U.S. Reports: Arizona v. United States, 567 U.S. 387 \(2012\).**](#)

[\(loc.gov\)](#)

Week 12:

Date: April 9, 2026

Topic: **Protecting Against Catastrophic Liability: The Meaning and Application of the SAFETY Act (Subject to Change)**

Assignment(s):

[**In re: September 11th Litigation.** 280 F.Supp.2d 279 \(S.D.N.Y. 2003\)](#)

[**DHS SAFETY Act \(Home\)**](#)

SAFETY Act In Class Exercise: Directions will be provided at the beginning of the exercise.

Week 13:

Date: April 16, 2026

Topic: Final Class-Table Top Exercise

Assignment(s): **Table-Top Exercise: Details to be provided during Class Twelve**

Student Resources

[Antonin Scalia Law School Academic Regulations](#)

[GMU Common Course Policies Addendum](#)

[Mason Square Services](#)

[Mason Square Police](#)

Van Metre Hall, Room 110

Emergency - Dial 911

Escort Services - 703-993-8070

Dispatch – 703-993-2810

[Student Support and Advocacy Center \(SSAC\)](#)

Mason Square Sexual Assault Services:

Van Metre Hall, Room 222D

703-993-8186

Notice of Mandatory Reporting of Sexual Assault, Sexual Harassment, Interpersonal Violence, and Stalking:

As a faculty member, I am designated as a “Non-Confidential Employee,” and must report all disclosures of sexual assault, sexual harassment, interpersonal violence, and stalking to Mason’s Title IX Coordinator per University Policy 1202. If a student wishes to speak with someone confidentially, please contact one of Mason’s confidential resources, such as Student Support and Advocacy Center (SSAC) at 703-380-1434 or Counseling and Psychological Services (CAPS) at 703-993-2380. Students may also seek assistance or support measures from Mason’s Title IX Coordinator by calling 703-993-8730, or emailing titleix@gmu.edu.

[Mason Square Clinic](#)

Van Metre Hall, Room B102

703-991-2831

[Counseling and Psychological Services](#)

[Student Health Services](#)

[Student Disability Services](#)

[Student Conduct](#)

[University Life](#)