

## SAIKRISHNA BANGALORE PRAKASH

James Monroe Distinguished Professor of Law  
Paul G. Mahoney Research Professor of Law  
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## EMPLOYMENT

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UNIVERSITY OF VIRGINIA SCHOOL OF LAW, 2009 to present

UNIVERSITY OF CHICAGO LAW SCHOOL, Visiting Professor of Law, 2012

UNIVERSITY OF SAN DIEGO SCHOOL OF LAW, Herzog Research Professor of Law, 2004-2009;  
Professor of Law, 2002-2009; Associate Professor of Law, 1999-2002

PRINCETON UNIVERSITY, James Madison Fellow, James Madison Program, Fall 2008

UNIVERSITY OF VIRGINIA SCHOOL OF LAW, Visiting Professor of Law, Spring 2008

HOOVER INSTITUTION, Stanford University, Visiting Research Fellow, March 2007

NORTHWESTERN UNIVERSITY LAW SCHOOL, Visiting Professor of Law, Spring 2004

OFFICE OF MANAGEMENT AND BUDGET, Executive Office of the President, Associate General Counsel, 2001

BOSTON UNIVERSITY SCHOOL OF LAW, Associate Professor of Law, 1998-1999

UNIVERSITY OF ILLINOIS COLLEGE OF LAW, Visiting Assistant Professor, 1997-1998

SIMPSON THACHER & BARTLETT, Associate, 1995-1997

U.S. SUPREME COURT, Clerk to Justice Clarence Thomas, 1994-1995

COURT OF APPEALS FOR THE D.C. CIRCUIT, Clerk to Judge Laurence H. Silberman, 1993-1994

## EDUCATION

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YALE LAW SCHOOL, J.D. 1993

Awards: Finalist in Thurman Arnold Moot Court Competition  
John M. Olin Fellow in Law, Economics, and Public Policy

Activities: Research Assistant and Teaching Assistant for Professor Harold H. Koh,  
Senior Editor, YALE LAW JOURNAL

STANFORD UNIVERSITY, B.A. Economics and Political Science 1990

Honors: *Phi Beta Kappa*, departmental honors in Economics and Political Science

Activities: Research Assistant for Senior Fellows Alex Inkeles & John Cogan, Hoover Institution

## **AWARDS & HONORS**

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Honorable Mention for “best work of legal scholarship,” The American Society of Legal Writers—for  
IMPERIAL FROM THE BEGINNING: THE CONSTITUTION OF THE ORIGINAL EXECUTIVE, 2016

Stranahan Lecture, University of Toledo School of Law, 2018

Elected to American Law Institute, 2017

Walter F. Murphy Lecture on Constitutional Law, Princeton University, 2015

Roger Traynor Faculty Achievement Award, University of Virginia School of Law, 2015

James Gould Cutler Lecture on Constitutional Law, William & Mary School of Law, 2008

Paul M. Bator Award, awarded annually by the Federalist Society to a young scholar (under 40) for  
excellence in legal scholarship and teaching, 2008

## **BOOK and BOOK CONTRIBUTIONS**

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IMPERIAL FROM THE BEGINNING: THE CONSTITUTION OF THE ORIGINAL EXECUTIVE (Yale Press 2015)

*Resolved, The Unitary Executive is a Myth: Con*, in DEBATING THE PRESIDENCY: CONFLICTING  
PERSPECTIVES ON THE AMERICAN EXECUTIVE 26 (Richard J. Ellis & Michael Nelson, eds., 2017)

*Resolved, The Unitary Executive is a Myth: Con*, in DEBATING THE PRESIDENCY: CONFLICTING  
PERSPECTIVES ON THE AMERICAN EXECUTIVE 26 (Richard J. Ellis & Michael Nelson, eds., 2014)

“Note on the Separation of Powers”, “Executive Vesting Clause” & “Take Care Clause” in  
THE HERITAGE GUIDE TO THE CONSTITUTION (David Forte, ed., 2014)

“The Story of Myers and its Wayward Successors: Going Postal on the Removal Power” in  
PRESIDENTIAL POWER STORIES (Curtis Bradley & Christopher Schroeder, eds., 2008)

“Executive Vesting Clause” & “Take Care Clause” in  
THE HERITAGE GUIDE TO THE CONSTITUTION (David Forte, ed., 2005)

## **LAW REVIEW PUBLICATIONS**

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*Of Synchronicity and Supreme Law*, \_\_ HARV. L. REV. \_\_ (2019)

*The Constitutionality of the Military Trial of Soldiers, Civilians, and the Enemy*, \_\_ CALIF. L. REV. \_\_ (2019)

*Making the Justices of the Supreme Court Great Again*, \_\_ J. SUP. CT. HIST. \_\_ (2019)

*The Past, Present, and Future of Presidential Power*, 14 UNIV. ST. THOMAS L. J. 627 (2018) (symposium issue)

Book Review, *Waging War*, 112 AM. J. INT’L L. 523 (2018)

*Text over Intent and the Demise of Legislative History*, 43 DAYTON L. REV. 1 (2018) (panel remarks)

## LAW REVIEW PUBLICATIONS (cont.)

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*Congress as Elephant*, 104 VA. L. REV. 797 (2018)

*Military Force and Violence, but neither War nor Hostilities*, 64 Drake L. Rev. 995 (2016) (symposium on war powers during Obama Administration at Drake Law School)

*Congress & the Reconstruction of Foreign Affairs Federalism*, 115 MICH. L. REV. 47 (2016)  
(with Ryan Baasch)

*Zivotofsky & the Separation of Powers*, 2015 SUP. CT. REV. 1

*People ≠ Legislature*, 39 HARV. J. L. & PUB. POL. 341 (2016) (with John Yoo)

*50 States, 50 Attorneys General, and 50 Approaches to the Duty to Defend*, 124 YALE L. J. 2100 (2015)  
(with Neal Devins)

*The Sweeping Domestic War Powers of Congress*, 113 MICH. L. REV. 1337 (2015)

*The Boundless Treaty Power Within a Bounded Constitution*, 90 NOTRE DAME L. REV. 1499 (2015)  
(symposium on *Bond v. United States*)

*Book Review, The Wartime President: Executive Influence and the Nationalizing Politics of Threat*, 101 J. Am. Hist. 979 (2014)

*Reverse Advisory Opinions*, 80 U. CHI. L. REV. 859 (2013) (with Neal Devins)

*The Appointment and Removal of William J. Marbury and When an Office Vests*,  
89 NOTRE DAME L. REV. 199 (2013)

*The Imbecilic Executive*, 99 VA. L. REV. 1361 (2013)

*Guru Dakshina*, 2013 U. ILL. L. REV. 1787 (symposium on Akhil Amar's UNWRITTEN CONSTITUTION)

*Missing Links in the President's Evolution on Same-Sex Marriage*, 81 FORDHAM L. REV. 553 (2012)

*The Indefensible Duty to Defend*, 112 COLUM. L. REV. 507 (2012) (with Neal Devins)

*The Goldilocks Executive*, 90 TEX. L. REV. 973 (2012) (book review of EXECUTIVE UNBOUND by  
Eric Posner and Adrian Vermeule) (with Michael Ramsey)

*The Causes of Progressive Stagnation*, 72 OHIO ST. L. J. 1277 (2011)

*The Great Suspender's Unconstitutional Suspension of the Great Writ*, 3 ALB. GOVT. L. REV. 575 (2010)

*Why the Incompatibility Clause Applies to the Office of the President*,  
4 DUKE J. OF CONST. L. & PUB. POL. 107 (2009)

*Fragmented Features of the Constitution's Unitary Executive*, 45 WILLAMETTE L. REV. 701 (2009)

## **LAW REVIEW PUBLICATIONS (cont.)**

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- The Executive's Duty to Disregard Unconstitutional Laws*, 95 GEO. L. J. 1613 (2008)
- Imperial and Imperiled: The Curious State of the Executive*, 50 WM. & MARY L. REV. 1021 (2008)  
(James Gould Cutler Lecture on Constitutional Law at William and Mary School of Law)
- The Separation and Overlap of War and Military Powers*, 87 TEX. L. REV. 299 (2008)
- Exhuming the Seemingly Moribund Declaration of War*, 77 GEO. WASH. L. REV. 89 (2008)
- Tempest in an Empty Teapot: Why the Constitution Does Not Regulate Gerrymandering*, 50 WM. & MARY L. REV. 1 (2008) (with Larry Alexander)
- A Taxonomy of Presidential Powers*, 88 B.U. L. REV. 327 (2008) (symposium on presidential power)
- The Misunderstood Relationship between Originalism and Popular Sovereignty*,  
31 HARV. J. OF L. & PUB. POL. 485 (2008)
- Unleashing the Dogs of War: What the Constitution Means by "Declare War,"* 93 CORNELL L. REV. 45 (2007)
- A Two Front War*, 93 CORNELL L. REV. 197 (2007)  
(sur-reply to Robert Delahunty & John Yoo, *Making War* by 93 CORNELL L. REV. 123 (2007)  
and Michael Ramsey, *The President's Power to Respond to Attacks*, 93 CORNELL L. REV. 169 (2007))
- Why the President Must Veto Unconstitutional Bills*, 16 W. & M. Bill of Rights J. 81 (2007)
- Delegation Really Running Riot*, 93 VA. L. REV. 1035 (2007) (with Larry Alexander)
- More Democracy, Less Constitution*, 55 DRAKE L. REV. 899 (2007) (symposium on SANFORD LEVINSON, OUR UNDEMOCRATIC CONSTITUTION (2006))
- How to Remove a Federal Judge*, 116 YALE L. J. 72 (2006) (with Steve Smith)
- (Mis)Understanding "Good Behavior" Tenure*, 116 YALE L. J. 139 (2006) (with Steve Smith) (sur-reply to Professor Martin Redish, *Good Behavior, Judicial Independence, and the Foundations of American Constitutionalism*, 116 YALE L.J. 139 (2006))
- Radicals in Tweed Jackets: Why Extreme Left-Wing Law Professors are Wrong for America*,  
106 COLUM. L. REV. 2207 (2006) (book review of CASS SUNSTEIN, *RADICALS IN ROBES* (2005))
- Removal and Tenure in Office*, 92 VA. L. REV. 1779 (2006)
- How the Constitution Makes Subtraction Easy*, 92 VA. L. REV. 1871 (2006) (sur-reply to John Harrison, *Addition by Subtraction*, 92 VA. L. REV. 1853 (2006))
- New Light on the Decision of 1789*, 91 CORNELL L. REV. 1021 (2006)
- Regulating the Commander in Chief: Some Theories*, 81 IND. L.J. 1319 (2006)

## **LAW REVIEW PUBLICATIONS (cont.)**

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*The Constitutional Status of Customary International Law*, 30 HARV. J. OF L. & PUB. POL. 65 (2006)

*Against Interpretive Supremacy*, 103 MICH. L. REV. 1539 (2005) (with John Yoo) (review of Larry Kramer's *THE PEOPLE THEMSELVES: POPULAR CONSTITUTIONALISM AND JUDICIAL REVIEW*)

*The Chief Prosecutor*, 73 GEO. WASH. L. REV. 521 (2005)

*Regulating Presidential Power*, 91 CORNELL L. REV. 215 (2005)  
(review of HAROLD KRENT, *PRESIDENTIAL POWERS* (2005))

*Foreign Affairs and the Jeffersonian Executive: A Defense*, 89 MINN. L. REV. 1591 (2005)  
(with Michael D. Ramsey)

*"Is that English You're Speaking?" Why Intention-Free Interpretation is an Impossibility*,  
41 U.S.D. L. REV. 967 (2004) (with Larry Alexander) (50th anniversary issue)

*Against Tribal Fungibility*, 89 CORNELL L. REV. 1069 (2004)

*The Constitution as Suicide Pact*, 79 NOTRE DAME L. REV. 1299 (2004)

*Mother May I: Imposing Mandatory, Prospective Rules of Statutory Interpretation*, 20 CONST. COMM. 97  
(2004) (with Larry Alexander)

*Questions for the Critics of Judicial Review*, 72 GEO. WASH. L. REV. 354 (2003) (with John Yoo)

*Reports of the Nondelegation Doctrine's Death are Greatly Exaggerated*, 70 U. CHI. L. REV. 1297 (2003)  
(with Larry Alexander)

*Branches Behaving Badly: The Predictable and often Desirable Consequences of the Separation of Powers*,  
12 CORNELL J. L. & PUB. POL. 543 (2003)

*The Origins of Judicial Review*, 70 U. CHI. L. REV. 887 (2003) (with John Yoo)

*Overcoming the Constitution*, 91 GEO. L. J. 407 (2003) (review of RICHARD FALLON,  
*IMPLEMENTING THE CONSTITUTION* (2001))

*Our Three Commerce Clauses and the Presumption of Intrasentence Uniformity*,  
55 ARK. L. REV. 1149 (2003)

*The Essential Meaning of Executive Power*, 2003 U. ILL. L. REV. 701

*Are the Judicial Safeguards of Federalism the Ultimate Form of Conservative Judicial Activism?*  
55 U. COLO. L. REV. 1363 (2002)

*The Executive Power over Foreign Affairs*, 111 YALE L. J. 231 (2001) (with Michael Ramsey)

*The Puzzling Persistence of Process-Based Federalism Theories*, 79 TEX. L. REV. 1459 (2001)  
(with John Yoo)

## LAW REVIEW PUBLICATIONS (cont.)

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*America's Aristocracy*, 109 YALE L. J. 541 (1999)

(review of MARK TUSHNET, *TAKING THE CONSTITUTION AWAY FROM THE COURTS* (1999))

*Our Dysfunctional Insider Trading Regime*, 99 COLUM. L. REV. 1491 (1999)

*A Critical Comment on the Constitutionality of Executive Privilege*, 83 MINN. L. REV. 1143 (1999)

*Deviant Executive Lawmaking*, 67 GEO. WASH. L. REV. 1 (1998)

*A Comment on Congressional Enforcement*, 32 IND. L. REV. 193 (1998)

*Unoriginalism's Law Without Meaning*, 15 CONST. COMM. 329 (1998)

(review of JACK RAKOVE, *ORIGINAL MEANINGS* (1998))

*General United States Tax Considerations Pertaining to the Creation, Acquisition and Disposition of Trademarks in* ADVANCED SEMINAR ON TRADEMARK LAW 403 (1996) (with Peter Riley)

*The President's Power To Execute the Laws*, 104 YALE L.J. 541 (1994) (with Steven Calabresi)

*Field Office Federalism*, 79 VA. L. REV. 1957 (1993)

*Hail to the Chief Administrator: The Framers and the President's Administrative Powers*, 102 YALE L.J. 991 (1993) (Student Note)

## SELECT INTERNET PUBLICATIONS

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Article II, Section 1, National Constitution Center, found at

<http://constitutioncenter.org/interactive-constitution/articles/article-ii/the-vesting-clause-common-interpretation/clause/35> (with Christopher Schroeder)

Executive Power Clause, National Constitution Center, found at <https://constitutioncenter.org/interactive-constitution/articles/article-ii/executive-power-clause/clause/35>

"A Fool for the Original Constitution," 130 HARV. L. REV. F. 24 (2016)

Article II, Section 3, National Constitution Center, found at

<http://constitutioncenter.org/interactive-constitution/articles/article-ii/article-ii-section-3-by-bill-marshall-and-saikrishna-prakash/clause/38> (with William Marshall)

Presidential Duties, National Constitution Center, found at

<https://constitutioncenter.org/interactive-constitution/articles/article-ii/article-ii-section-3-by-saikrishna-prakash/clause/38>

Revolt of the Attorneys General, L.A. Times (April 18, 2016), found at:

<http://www.latimes.com/opinion/op-ed/la-oe-0418-devinsprakash-attorneys-general-refusal-to-defend-20160418-story.htm> (with Neal Devins)

## **SELECT INTERNET PUBLICATIONS (cont.)**

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Review of Untrodden Ground: How Presidents Interpret the Constitution (by Harold H. Bruff),  
found at <http://newramblerreview.com/book-reviews/law/executive-order>

Stop fighting it. America is a monarchy, and that's probably for the best, *found at*  
<https://www.washingtonpost.com/posteverything/wp/2015/06/23/stop-fighting-it-america-is-a-monarchy-and-thats-probably-for-the-best/>

*The Statutory Nonenforcement Power*, 91 TEXAS L. REV. SEE ALSO 115, *found at*  
[www.texaslrev.com/wp-content/uploads/Prakash.pdf](http://www.texaslrev.com/wp-content/uploads/Prakash.pdf)

*Obama's Executive Orders Will Annoy Friends and Foes*. NY Times, A Matter of Debate, *found at*  
<http://www.nytimes.com/roomfordebate/2014/01/29/presidential-power-vs-congressional-inertia/obamas-executive-orders-will-annoy-friends-and-foes>

*The President May Attack Enemies Overseas, Even Americans*. NY Times, A Matter of Debate, *found at*  
<http://www.nytimes.com/roomfordebate/2013/02/05/what-standards-must-be-met-for-the-us-to-kill-an-american-citizen/the-president-may-attack-enemies-overseas-even-americans?>

*Limit Use of Presidential Perks? Yeah Right*. NY Times, A Matter of Debate, *found at*  
<http://www.nytimes.com/roomfordebate/2012/09/20/when-the-white-house-speaks-on-the-campaign-trail/limit-use-of-presidential-perks-yeah-right>

*Removing Federal Judges Without Impeachment*, 116 YALE L.J. POCKET PART 95 (2006)  
(with Steve Smith), *found at* <http://thepocketpart.org/2006/10/18/prakashsmith.html>

The Domestic War, Yale L.J. (The Pocket Part), March 2006,  
<http://www.thepocketpart.org/2006/03/prakash.html>

Should the Attorney General be Independent?, Debate Club, Legal Affairs (2/13/06)  
*found at* [http://legalaffairs.org/webexclusive/debateclub\\_IndieAG0206.msp](http://legalaffairs.org/webexclusive/debateclub_IndieAG0206.msp)

When Can Congress Remove Judges, Debate Club, Legal Affairs (12/26/05)  
*found at* [http://legalaffairs.org/webexclusive/debateclub\\_goodbehavior1205.msp](http://legalaffairs.org/webexclusive/debateclub_goodbehavior1205.msp)

## **SELECT PRESENTATIONS and PANELS**

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Duke-Yale Foreign Affairs Conference, Paper on Congress as a Parchment Tiger, October 2018

Miller Center Panel on Kavanaugh Nomination, September 2018

American Enterprise Institute, Panelist on Independent Counsels, September 2018

Berkeley Law Review Symposium on Amanda Tyler's HABEAS IN WARTIME, May 2018

Originalism Boot Camp, Georgetown Law, May 2018

University of Illinois Constitutional Law Colloquium, Paper on Synchronicity and Supreme Law, April 2018

## **SELECT PRESENTATIONS and PANELS (cont.)**

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Supreme Court Historical Society, Lecture on John Jay and John Marshall, October 2017

Duke-Yale Foreign Affairs Conference, Paper on Treaty Termination, October 2017

Constitution Day Lecturer, Skidmore College, October 2017

American Enterprise Institute, Panelist on Filibuster Reform, September 2017

USD Faculty Workshop, Paper on Synchronicity and Supreme Law, July 2017

Originalist Boot Camp, Georgetown Law, May 2017

Stanford Constitutional Center Conference on Constitutional Amendments, Panelist, May 2017

Miller Center, Lecture on the President's Power to Amend the Constitution, April 2017

St. Thomas Law School's Conference on Executive Power, Keynote Speaker, April 2017

Article I, Initiative Conference, Paper on The Constitution of Congress, March 2017

Justice Thomas Conference at Yale Law School, Panelist on Separation of Powers, March 2017

USD Originalism Conference, Commentator on Michael McConnell's Paper, February 2017

American Enterprise Institute, Panelist on The Imperial Presidency in the Age of Trump, January 2017

Federalist Society Conference, Panelist on "Text Over Legislative Intent," November 2016

Emory Law School Faculty Workshop, Paper on Synchronicity and Supreme Law, Fall 2016

Georgia Law School Faculty Workshop, Paper on Synchronicity and Supreme Law, Fall 2016

ACS Conference, Panelist on the Obama Administration and the Imperial Presidency, June 2016

Originalism Boot Camp, Georgetown Law School, May 2016

Drake Law School Conference on War Powers, Paper on President Obama's wars, April 2016

Princeton University, Walter F. Murphy Lectureship, Lecture on Imperial from the Beginning, September 2015

Oxford Constitutional Law Workshop, Lecture on Imperial from the Beginning, June 2015

Stanford Constitutional Center Conference on the Administrative State. Panelist on Nondelegation, Complexity, and the Administrative State, April 2015

Yale Law School, Yale L. J. Enrichment Lecture Series, Paper on State Duties to Defend, November 2014

Notre Dame Law School Conference on U.S. v. Bond, Paper on Scope of Treaty Power, October 2014



## **SELECT PRESENTATIONS and PANELS (cont.)**

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Virginia Law Workshop, Paper on Time and the Perfection of Federal Law, June 2014

Berkeley Law School, Public Law Workshop, Paper on Legislative Power in Emergencies, March 2014

Stanford Constitutional Center Conference on The Role of History in Constitutional Law, Panelist on the Future of History in Constitutional Law, February 2014

Chicago Law School, Paper on Marbury and When an Office Vests, November 2012

UIUC Conference on Akhil Amar's Unwritten Constitution, Presented Book Review, October 2012

Northwestern University Con. Law Workshop, Paper on Legislative Power in Emergencies, October 2012

SEALS Conference, Panelist on Justice Thomas after 25 years, August 2012

Fordham Symposium on DOMA, Paper on Duty to Defend, April 2012

Duke Roundtable on Curtis Bradley's International Law in the US System, March 2012

Washington University Faculty Workshop. Paper on When an Appointment Vests, January 2011

University of Virginia, Miller Center Conference on Presidents and Foreign Affairs, October 2011

University of Illinois Constitutional Law Colloquium. Paper on When an Appointment Vests, September 2011

Harvard Law School, Bradley and Goldsmith Conference on War Powers and Practice, September 2011

Harvard Law School, Harvard Law Review, Panel on Duty to Defend, March 2011

Ohio State University School of Law, Conference on Progressive Constitutionalism, March 2011

University of San Diego, Conference on Originalism, Commented on Pardon Power Paper, January 2011

William and Mary School of Law, Lecture on Presidential Power, October 2010

Federalist Society Conference, University of Pennsylvania, Panel on Originalism, March 2010

Albany Law Conference on Lincoln's Legacy: Enduring Lessons of Executive Power, Paper on Lincoln's Habeas Suspensions, October 2009

Princeton University, James Madison Program, Paper on whether the President enjoys any immunities from suit or process and whether he enjoys any emergency powers, March 2009

## **SELECT PRESENTATIONS and PANELS (cont.)**

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University of Pennsylvania Law School, Penn. J. Const. L. Conference on Calabresi & Yoo's Unitary Executive. Gave talk on Presidential Control of Prosecutions, February 2009

Willamette Law Review Conference on Executive Authority in the 21st Century. Gave paper on Fragmented Features of the Constitution's Unitary Executive, September 2008

AALS Conference, Mid-Year Constitutional Law Meeting, Cleveland Ohio. Panelist on Executive Power under the Bush Administration, May 2008

Texas Law School Constitutional Colloquium, Paper on the Separation and Overlap of War and Military Powers, April 2008

James Gould Cutler Lecture on Constitutional Law at the William & Mary School of Law. Lecture on a "Tale of Two Executives," March 2008

Virginia Law School Faculty Workshop, Paper on the Separation of War and Military Powers, February 2008

AALS Conference, Workshop on the Federal Courts: Independence and Accountability, Panelist on topic "Federal Courts: Separation of Powers," January 2008

Boston University Conference on the Presidency in the 21<sup>st</sup> Century, Paper on the grants of "Executive Power" in the Revolutionary State Constitutions, October 2007

Federalist Society Conference, Lecture on the misunderstood relationship between Originalism and the Constitution, August 2007

University of San Diego Faculty Workshop, Paper on the Separation of War Powers, June 2007

Cardozo Law School on the Domestic Commander in Chief, Paper on the Commander in Chief, April 2007

Drake Law School Symposium on Sanford Levinson's OUR UNDEMOCRATIC CONSTITUTION. Paper on "More Democracy, Less Constitution," April 2007

Georgetown University Constitutional Law Colloquium. Paper entitled "The Executive's Duty to Disregard Unconstitutional Laws," April 2007

University of San Diego Faculty Workshop, Paper entitled "The Executive's Duty to Disregard Unconstitutional Laws," January 2007

Ohio State University, Moritz College of Law, Debate on Congressional and Presidential Powers in Foreign Affairs (with Peter Shane), October 2006

University of San Diego Faculty Workshop, Paper on meaning of "Declare War," July 2006

Yale Law Journal Symposium on Executive Power, Moderator for Panel on "Rewriting Article II for the Modern Presidency," May 2006

Cornell Law School Faculty Workshop, Paper on Good Behavior Tenure, October 2005

## **SELECT PRESENTATIONS and PANELS (cont.)**

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University of San Diego Faculty Workshop, Paper on meaning of Good Behavior Tenure, October 2005

University of Indiana Conference on Terrorism, Paper on Commander in Chief power, October 2005

Berkeley School of Law Faculty Workshop, Paper on Removal of Federal Officers, September 2005  
Appellate Judges Education Institute, Lecture on Intentionalism, September 2005

University of San Diego Faculty Workshop, Paper on Executive Control of Prosecution, July 2004

Northwestern University Faculty Workshop, Paper on Federal Power over Indian Tribes, March 2004

Notre Dame Law Review Conference on the "Changing Laws of War,"  
Paper on the Constitution as Suicide Pact, December 2003

Northwestern University Faculty Workshop, Paper on the Origins of Judicial Review, April 2003

George Washington University Conference, Paper on the Critics of Judicial Review, April 2003

AALS Conference, Administrative Law Section, Panelist on Congressional Delegation, January 2003

Cornell Journal of Law and Public Policy Conference on the "Intersection of Law and Politics,"  
Paper on Interbranch Checks, November 2002

University of Arkansas Commerce Clause Conference, Paper on "Our Three Commerce  
Clauses," March 2001

Byron White Center American Constitutional Law Conference on "Conservative Judicial Activism,"  
Paper on Judicial Review, October 2001

USD Faculty Workshop, Paper on President's Power Over Foreign Affairs, January 2001

ABA AdLaw Conference, Panelist on the Executive Power During the Clinton Years, October 2000

USD Annual Faculty Retreat, Paper on the Meaning of Executive Power, January 2000

Boston University Faculty Workshop Series, Paper on Executive Privilege, February 1999

USD Law School Faculty Workshop Series, Paper on "Deviant Executive Lawmaking," November 1998

University of Minnesota School of Law Symposium on "United States v Nixon,"  
Paper on Executive Privilege, October 1998

Rutgers Law School faculty workshop, Paper on "Deviant Executive Lawmaking," October 1998

Indiana University School of Law's Conference on "National Power and State Autonomy, Paper entitled,  
"A Comment on Congressional Enforcement," April 1998

## **SERVICE**

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Member of Ad Hoc Committee on Faculty, 2018-19

Member of Admissions Committee, 2017-19

Member of Dean Search Committee, University of Virginia. 2015-16

Member of Speakers and Lectureship Committee, University of Virginia. 2015-16

Member of Graduation Awards Committee, University of Virginia. 2015

Member of Faculty Appointments Committee, University of Virginia. 2013-14

Member of Tenure Subcommittee, University of Virginia. 2013-14

Member of Associate Deans Search Committee, University of Virginia. 2014

Member of Workshop and Faculty Retreat Committee, University of Virginia. 2012-13

Member of Student Disciplinary Committee, University of Virginia. 2011-2012

Chair of Entry Level Appointment Committee, University of Virginia. 2010-11

Member of Clerkship Placement Committee, University of Virginia. 2009-10, 2014-15, 2016-19

Member of Tenure Committee, University of San Diego. 2007

Member of Dean Search Committee, University of San Diego. 2006

Member of Student Disciplinary Committee, University of San Diego. 2006

Member of Tenure Committee, University of San Diego. 2005

## **BAR MEMBERSHIP**

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New York (1997-)