

## **Thomas Alexander Aleinikoff**

### **CURRENT EMPLOYMENT**

Dean and Executive Vice President for Law Center Affairs, Georgetown University Law Center (July 2004 to present)

### **PAST EMPLOYMENT**

Associate Dean for Research, Georgetown University Law Center (July 2003 to June 2004)

Professor of Law, Georgetown University Law Center (June 1997 to present)  
--teaching courses in immigration and refugee law; citizenship law; constitutional law

Senior Associate, Migration Policy Institute (2001 to 2004)  
--Director, Comparative Citizenship Project

Senior Associate, Migration Policy Program, Carnegie Endowment for International Peace (1997-2001)

Executive Associate Commissioner for Programs, Immigration and Naturalization Service, U.S. Dep't of Justice (July 1995 to Jan. 1997)

General Counsel, Immigration and Naturalization Service, U.S. Dep't of Justice (March 1994 to June 1995)

University of Michigan Law School (July 1981 to June 1997; Professor of Law since July 1986)

Counselor to the Associate Attorney General, U.S. Dep't of Justice (Aug. 1980 to Jan. 1981)

Attorney Advisor, Office of Legal Counsel, U.S. Dep't of Justice (Oct. 1978 to August 1980)

Law clerk to the Hon. Edward Weinfeld, U.S. District Judge (S.D.N.Y.) (Aug. 1977 to Oct. 1978)

## **OTHER ACADEMIC ASSOCIATIONS**

Visiting Fellow, Graduate Institute for International Studies, Geneva, 2001-02

University of Tokyo (teaching course on American constitutional law)  
(June 1992)

Visiting Associate, Clare Hall, Cambridge, England (Jan. to July 1985)

## **UNIVERSITY ACTIVITIES**

Georgetown:

Member, Search Committee for Dean of the McDonough School of  
Business

Leader of Presidential Initiative on “Reflective Engagement,” 2005 to  
present

Member, University Committee on Athletics, 2006 to present

Member, University Steering Committee on Globalization, 2006 to present

Member, Medical Center Advisory Committee, 2005

Member, University Budget Committee, 2004-05

Member, Institutional Review Board, 2004-05

Faculty Advisory Board, Institute for the Study of International Migration

Faculty Advisor, Georgetown Immigration Law Journal, 1997-2005

Chair, Law Center Chief Financial Officer Search Committee

University of Michigan:

Program in Conflict Management (1992 to 1994)

Civil Liberties Board (1988 to 1994)

Immigration Law Clinic (Sept. 1987 to May 1988)

Board Member, Student Legal Services (1984)

## **EDUCATION**

Yale Law School J.D., 1977 (Note Editor, Yale Law Journal)

Swarthmore College, B.A. 1974, *summa cum laude*

## PROFESSIONAL ACTIVITIES

ABA, Chair, New Dean Conference, 2007

Member of the Independent Task Force on Immigration and America's Future (co-chaired by Lee Hamilton and Spencer Abraham), final report *Immigration and America's Future: A New Chapter* (2006).

LSAC Committee on Test Development, 2005 to present

AALS Committee on International Cooperation

Member, Board of Directors, Migration Policy Institute (2004 to present)

Co-chair, Committee on Immigrants Rights, ABA Section on Individual Rights and Responsibilities (2002 to 2004)

Member, AALS Committee on Professional Development (2002 to 2005)

Member of Erlenborn Commission, advising the Legal Service Corporation on the provision of legal services to immigrant agricultural workers (1999)

PricewaterhouseCoopers Advisory Board for the Immigration and Naturalization Service Restructuring Initiative (1999)

Editorial Board member, Journal of Legal Education (1998 to 2001)

Committee on International Migration, Social Science Research Council (1994 to 2004)

Rapporteur, Colloquium of the Fortieth Anniversary of the 1951 Convention relating to the Status of Refugees (Geneva 1991)

Chair, Immigration Section, American Association of Law Schools (1986-87)

Co-Chair, Committee on Law Schools, Professors and Students, American Immigration Lawyers Association (1984-86)

Reporter on U.S. Immigration, Nationality and Refugee Law to the Colloquium On the Legal Position of Aliens in National and International Law, Max Planck Institute (Heidelberg, Germany, Sept. 1985)

Admitted to the New York Bar

## **OTHER ACTIVITIES**

Alumni Council, Swarthmore College (2001 to 2004)

Coach, Unified Special Olympics basketball team (1999-2001)

Treasurer, Friends of Tanager Lodge (a small non-profit corporation  
sponsoring scholarships to a summer camp)

## PUBLICATIONS

### Books

*The Constitution and the Challenge of Transnational Law* (manuscript in preparation)

*Migration and International Legal Norms* (2003)(edited, with Vincent Chetail, and contributed chapter)

*Immigration and Citizenship: Process and Policy* (5th ed. 2003) (with David A. Martin & Hiroshi Motomura)

*Modern Constitutional Theory: A Reader* (5th ed. 2004) (with John H. Garvey and Daniel Farber)

*Semblances of Sovereignty: The Constitution, the State and Citizenship* (2002, Harvard University Press)

*Citizenship Policies for an Age of Migration* (with Douglas Klusmeyer) (Carnegie Endowment for Int'l Peace & Migration Policy Institute, 2002)

*Citizenship Today: Global Perspectives and Practices* (ed., with Douglas Klusmeyer)(Brookings, 2001)

*Between Migrant and Citizen: Comparative Citizenship Policy* (ed., with Douglas Klusmeyer)(Brookings, 2000)

*Citizenship Studies*, vol. 5, no. 1 (editor of special issue on U.S. citizenship)

### Articles/Book Chapters

Comment, Charles Black and Human Rights, *in* Symposium, Charles L. Black, Jr., 92 *Geo. L.J.* 773 (2004)

Thinking Outside the Sovereignty Box: Transnational Law and the U.S. Constitution, 82 *Texas Law Review* 1990 (2004)

International Law, Sovereignty, and American Constitutionalism: Reflections on the Customary International Law Debate, 98 *Am. J. of Int'l Law* 91 (2004)

Protected Characteristics And Social Perceptions: An Analysis of the Meaning of “Membership of a Particular Social Group,” in E.Feller, V. Turk, & F. Nicholson, eds., *Refugee Protection in International Law* (Cambridge, 2003)

Securing Tribal Sovereignty: A Theory for Overturning *Lone Wolf*,  
20 *Tulsa L. Rev.* 57 (2003)

Detaining Plenary Power: The Meaning and Impact of *Zadvydas v. Davis*,  
16 *Geo. Immig. L.J.* 365 (2002)

Policing Boundaries: Migration, Citizenship and the State, in G. Gerstle & J. Mollenkopf, *E Pluribus Unum? Contemporary and Historical Perspectives on Immigrant Political Incorporation* (2001)

Citizenship Talk: A Revisionist Narrative, 69 *Fordham L. Rev.* 1689 (2001).

American Citizenship: An Introduction, 5 *Citizenship Studies* 5 (2001).

Sovereignty Studies in Constitutional Law: A Comment, 17 *Const. Comm.* 197 (2000).

Religion and Immigration: A Model of Tolerance (a Keynote Address at a Conference on Immigration and Religious Life in the United States, Georgetown, May 2000)

“Illegal Employers,” *American Prospect* 15-17 (Dec. 4, 2000).

Citizenship (entry for Supplement to *Encyclopedia of the American Constitution*) (2001)

Immigration: The Basics (Century Foundation, 2000)

“The Green Card Solution,” *American Prospect* 32-37 (Dec. 20, 1999)

Skeptical Scrutiny of Plenary Power: Judicial and Executive Branch Decision Making in *Miller v. Albright* (with Cornelia T.L. Pillard), 1998 *Supreme Court Review* 1 (1999)

Between National and Post-National: Membership in the United States, 2 *Michigan Journal of Race and Law* 241 (1999), revised version in C.

Joppke & E. Morawska, *Toward Assimilation and Citizenship: Immigrants in Liberal Nation-States* (2003)

Terms of Belonging: Are Models of Membership Self-fulfilling Prophecies?, book chapter (with Rubén Rumbaut), 13 *Geo. Immig. LJ*.1 (1998)

Between Principles and Politics: The Direction of United States Citizenship Policy (Carnegie Endowment for Int'l Peace 1998)

“First Class,” a response to Fiss, The Immigrant as Pariah, *Boston Review*, vol. 23, at 9-10 (Oct.-Nov. 1998)

Deportation of Criminal Aliens: A Geopolitical Perspective (prepared for the Inter-American Dialogue 1998) (with Margaret H. Taylor)

Reorganizing the Immigration Function: Toward a New Framework for Accountability (Carnegie Endowment for International Peace 1998) (with Demetrios Papademetriou and Deborah Waller Meyers), edited version reprinted in 75 *Inter. Rel.* (Apr. 13, 1998)

Rethinking the U.S.-Mexican Border Relationship (conference paper, 1998) (with Demetrios Papademetriou)

A Multicultural Nationalism?, *American Prospect*, 80-86 (Jan.-Feb. 1998)

The Tightening Circle of Membership, 22 *Hastings Const'l L.Q.* 915 (1995), Reprinted in *Immigrants Out! The New Nativism and the Anti-Immigrant Impulse in the United States* (J. Perea, ed. 1997)

Puerto Rico and the Constitution: Conundrums and Prospects, 11 *Const. Comm.* 15 (1994)

Safe Haven: Pragmatics and Prospects, 35 *Va. J. Int'l L.* 71 (1994)

From “Refugee Law” to the “Law of Coerced Migration,” in *Immigration Law: United States and International Perspectives on Asylum and Refugee Status* 25 (*Am. U. J. Int'l L. & Pol'y and Loy. L.A. Int'l & Comp. L.J.*, eds. 1994)

Race and Redistricting: Drawing Constitutional Lines after Shaw v. Reno, 92 *Mich. L. Rev.* 588 (1993)(with Samuel Issacharoff)

Re-reading Justice Harlan's Dissent in *Plessy v. Ferguson*: Freedom, Citizenship, And Civil Rights, 1992 *Ill. L. Rev.* 961

State-Centered Refugee Law, 14 *Mich. J. Int'l L.* 120 (1992)

The Constitution in Context: The Continuing Significance of Racism, 63 *Col. L. Rev.* 325 (1992)

The Costs of Incoherence: Plain Meaning, West Va. Univ. Hospital, Inc. v. Casey, and Due Process of Statutory Interpretation, 45 *Vand. L. Rev.* 687 (1992) (with Theodore Shaw)

Multicultural and Anti-Racist Teaching in a Law School Class, in *Multicultural Teaching in the University* (D. Schoem, L. Frankel, X. Zuniga, and E. Lewis, Eds. 1992)

A Case for Race-Consciousness, 91 *Colum. L. Rev.* 1060 (1991)

The meaning of "Persecution" in U.S. Asylum Law, 3 *Int'l J. Ref. L.* 5 (1991)

The Refugee Convention at Forty: Reflections on the IJLR Colloquium, 3 *Int'l J. Ref. L.* 617 (1991)

Citizens, Aliens, Membership, and the Constitution, 7 *Const. Comm.* 9 (1990)

Federal Regulation of Aliens and the Constitution, 83 *Am. J. Int'l L.* 862 (1989)

The Census and Undocumented Aliens: A Constitutional Account, 33 *Law Quad Notes* 26 (Winter 1989)

Updating Statutory Interpretation, 87 *Mich. L. Rev.* 1471 (1986)

Constitutional Law in the Age of Balancing, 96 *Yale L.J.* 943 (1987)

Theories of Loss of Citizenship, 84 *Mich. L. Rev.* 1471 (1986)

Good Aliens, Bad Aliens, and the Supreme Court, in IX Defense of the Alien 46 (Proceedings of the 1986 Annual National Legal Conference on Immigration and Refugee Policy) (L. Tomasi ed.)

U.S. Immigration, Nationality, and Refugee Law, A Report to the Colloquium on the Legal Position of Aliens in National and International Law, Max Planck Institute, Heidelberg (Sept. 1985)

Political Asylum in the Federal Republic of Germany and the Republic of France: Lessons for the United States, 17 *Mich. J. Law Ref.* 183 (1984)

Aliens, Due Process and “Community Ties”: A Response to Professor Martin, 44 *U. Pitt. L. Rev.* 237 (1983)

The Limits of Litigation: Putting the Education Back into Brown v. Board of Education, 80 *Mich. L. Rev.* 896 (1982) (book review)

Dialectical Federalism: Habeas Corpus and the Court, 86 *Yale L.J.* 1035 (1977) (with Robert Cover)

Racial Steering: Title VIII and the Real Estate Broker, 85 *Yale L.J.* 808 (1976) (student note)