

**NICHOLAS QUINN ROSENKRANZ**

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**ACADEMIC APPOINTMENTS**

**Georgetown University Law Center**

Professor of Law, 2011-present

Associate Professor of Law, 2005-2011

Visiting Researcher, 2004-2005

**Cato Institute**

Senior Fellow in Constitutional Studies, 2012-present

**American Enterprise Institute**

Visiting Scholar, 2012-present

**Stanford University**

National Fellow, Hoover Institution, Fall 2011

Visiting Associate Professor of Law, Stanford Law School, Fall 2010

**NYU School of Law**

Olin Fellow, 2000-2001

**EDUCATION**

**Yale University**

B.A. (English) 1992

J.D. 1999

Olin Fellow (Law and Economics), 1998-1999

All "Honors" grades at Yale Law School

## FEDERAL GOVERNMENT SERVICE

### Executive Branch

**Office of Legal Counsel**, U.S. Department of Justice  
Attorney-Advisor, 2002-2004

### Judicial Branch

**Hon. Anthony M. Kennedy**, Supreme Court of the United States  
Law Clerk, 2001-2002

**Hon. Frank H. Easterbrook**, U.S. Court of Appeals, Seventh Circuit  
Law Clerk, 1999-2000

## SCHOLARSHIP

*The Subjects of the Constitution*, Oxford University Press (forthcoming 2017).

*Bond v. United States: Concurring in the Judgment*, CATO SUP. CT. REV. 285 (2014).

*Intellectual Diversity in the Legal Academy*, 37 HARV. J.L. & PUB. POL'Y 137 (2014).

*Bond v. United States: Can the President Increase Congress's Legislative Power by Entering into a Treaty?*, 8 NYU J. L. & LIBERTY 228 (2013).

*The Objects of the Constitution*, 63 STAN. L. REV. 1005 (2011).

*The Subjects of the Constitution*, 62 STAN. L. REV. 1209 (2010) (most downloaded article about structural constitutional law or judicial review in the history of SSRN).

*An American Amendment*, 32 HARV. J.L. & PUB. POL'Y 475 (2009).

*Condorcet and the Constitution*, 59 STAN. L. REV. 1281 (2007).

*Executing the Treaty Power*, 118 HARV. L. REV. 1867 (2005) (cited in *Bond v. United States*, 134 S. Ct. 2077, 2099 (Scalia, J., concurring)).

*Federal Rules of Statutory Interpretation*, 115 HARV. L. REV. 2085 (2002).

## CONGRESSIONAL TESTIMONY

*The Nomination of Loretta Lynch to be Attorney General of the United States: Hearing Before the S. Comm. on the Judiciary, 114th Cong. (2015).*

*The President's Constitutional Duty to Faithfully Execute the Laws: Hearing Before the H. Comm. on the Judiciary, 113th Cong. 26–32 (2013).*

*The Nomination of Sonia Sotomayor to be an Associate Justice of the Supreme Court of the United States: Hearing Before the S. Comm. on the Judiciary, 111th Cong. 548–56 (2009).*

*The President's Signing Statement Upon Signing The National Defense Authorization Act for Fiscal Year 2008: Hearing Before the Subcomm. on Oversight and Investigations of the H. Comm. on Armed Services, 110th Cong. 12–38 (2008).*

*Presidential Signing Statements Under the Bush Administration: Hearing Before the H. Comm. on the Judiciary, 110th Cong. 43–61 (2007).*

*The Use of Presidential Signing Statements: Hearing Before the S. Comm. on the Judiciary, 109th Cong. 26–30 (2006).*

*House Resolution on the Appropriate Role of Foreign Judgments in the Interpretation of American Law: Hearing on H. Res. 97 Before the Subcomm. on the Constitution of the H. Comm. on the Judiciary, 109th Cong. 28–35 (2005).*

## UNITED STATES SUPREME COURT BRIEFS AND ARGUMENTS

Brief for Manhattan Institute as Amicus Curiae Supporting Petitioner, *Los Angeles v. Patel*, No. 13-1175 (filed Dec 22, 2014) (counsel of record).

Brief for Cato Institute et al. as Amici Curiae Supporting Petitioner, *Bond v. United States*, No. 12-158 (filed May 15, 2013) (counsel of record) (featured “Brief of the Week,” National Law Journal).

Brief for Cato Institute et al. as Amici Curiae Supporting Petitioner, *United States v. Bond*, No. 12-158 (U.S. brief filed August 31, 2012) (counsel of record).

Brief for Respondent, *Maples v. Thomas*, 132 S. Ct. 912 (2012) (co-authored brief as temporary Deputy Attorney General of Alabama) (NAAG Best Brief Award).

Brief for Cato Institute as Amicus Curiae Supporting Petitioners, *Golan v. Holder*, 132 S. Ct. 873 (2012) (counsel of record).

Brief for Respondent, *Hardt v. Reliance Std. Life Ins. Co.*, 560 U.S. 242 (2010) (co-authored brief; presented oral argument).

## PRESENTATIONS

Panelist, *The Executive Power Not to Enforce the Law*, Federalist Society Faculty Conference, Jan. 3, 2015.

Debate (with Garrett Epps), *Are There Limits to Executive Power?*, Oregon State Bar Annual Constitutional Law Section CLE, Dec. 5, 2014.

Debate (with Erwin Chemerinsky), *Is the Supreme Court Objective?*, National Constitution Center, Nov. 18, 2014.

*The Subjects of the Constitution: A New Theory of Judicial Review*, Alpheus T. Mason Lecture on Constitutional Law and Political Thought, James Madison Program in American Ideals and Institutions, Princeton University, Nov. 4, 2014.

*Subjects of the Constitution*, Case Western Reserve Law School, Faculty Workshop, Oct. 9, 2014.

Panelist, *Federalism and Separation of Powers*, Cato Institute Constitution Day Symposium, Sept. 17, 2014.

*Suspending the Law: The Obama Administration's Approach to Extending Executive Power and Evading Judicial Review*, Cato Institute Policy Forum, May 21, 2014.

*Suspension of Laws: What are the Limits of Executive Authority?*, Federalist Society Executive Branch Review Conference, May 7, 2014.

Panelist, *Constitutional Methodology*, New York University Journal of Law & Liberty Annual Symposium: "The Classical Liberal Constitution," Feb. 10, 2014.

Debate (with Victor Williams), *Recess Appointments*, Cato Institute, Jan. 10, 2014.

Panelist, *Textualism and the Bill of Rights*, Federalist Society National Lawyers Convention, Nov. 14, 2013.

*Does the Treaty Power Threaten Our System of Limited Government?*, The Heritage Foundation, Oct. 30, 2013.

Panelist, *Supreme Court Preview: What Is In Store for October Term 2013?*, Federalist Society D.C. Chapter (National Press Club), Oct. 4, 2013.

Panelist, *An Imperial Presidency: The Obama Administration and the Rule of Law*, The Heritage Foundation, Sept. 30, 2014.

Panelist, *Courts, the Constitution and Social Change*, American Constitution Society, Annual Convention, June 15, 2013.

*The Subjects of the Constitution*, George Mason Law, Faculty Workshop, Mar. 26, 2013.

Keynote Speaker, *Syntactic Textualism*, University of Pennsylvania Law School, U. Penn. Journal of Constitutional Law Symposium, Jan. 25, 2013.

Debate (with Rick Pildes), *Congress's Powers Cannot Be Increased By Treaty*, Federalist Society Faculty Conference, Jan. 5, 2013.

*Founders Betrayed? New Threats To Democracy and the Rule of Law*, American Enterprise Institute, Nov. 30, 2012.

Panelist, *Constitutional Law After ObamaCare*, Manhattan Institute, Nov. 29, 2012.

Panelist, *Supreme Court October Term 2012: What is in Store?*, Federalist Society D.C. Chapter (National Press Club), Sept. 27, 2012.

*The Subjects of the Constitution*, Brooklyn Law School, Constitutional Theory Colloquium, Jan. 25, 2012.

Panelist, *Legislation and the Law of the Political Process*, AALS Annual Meeting, Washington, DC, Jan. 7, 2012.

Panelist, *The Constitution and the World*, Stanford Law School, Stanford Constitutional Law Center, Oct. 27, 2011.

*The Objects of the Constitution*, Columbia Law School, Legal Theory Workshop, Mar. 22, 2011.

*The Objects of the Constitution*, Northwestern Law School, Constitutional Law Colloquium, Mar. 8, 2011.

*The Objects of the Constitution*, University of Pennsylvania Law School, Legal Studies Workshop, Jan. 26, 2011.

Panelist, *Balls and Strikes, Original Intent, and the Living Constitution: What Does the Supreme Court Actually Do?*, American Academy of Appellate Lawyers, 20<sup>th</sup> Anniversary Meeting, Washington, DC, Nov. 8, 2010.

*The Objects of the Constitution*, Stanford Law School, Faculty Workshop, Oct. 27, 2010.

*The Subjects of the Constitution*, Berkeley Law School, Faculty Workshop, Oct. 12, 2010.

Debate (with Pam Karlan), *Keeping Faith With The Constitution*, American Constitution Society, Washington, DC, Sept. 15, 2010.

*The Subjects of the Constitution*, Stanford Law School, Stanford Constitutional Law Center and the Stanford Law Review, May 10, 2010.

Panelist, *Supreme Court October Term 2009: What is in Store?*, Federalist Society D.C. Chapter (National Press Club), Oct. 1, 2009.

Panelist, *Looking Ahead: October Term 2009*, Cato Supreme Court Symposium, Sept. 17, 2009.

Debate (with David Golove), *Treaties and the Supremacy Clause*, Mid-Winter Workshop for Judges of the Ninth Circuit, Jan. 27, 2009.

*Non-Self-Execution and the Supreme Law of the Land*, Duke Foreign Relations Law Workshop, Sept. 26-27, 2008.

*Shakespeare's King Lear and the Authority of Kings, Presidents, and Judges*, Federalist Society Boston Lawyers Chapter, May 21, 2008.

Panelist, *Return to Missouri v. Holland: A Symposium on Federalism and International Law*, University of Missouri Law School, Feb. 15, 2008.

Panelist, *The Constitution & American Exceptionalism: Citation of Foreign Law*, Federalist Society National Lawyers Convention, Nov. 17, 2007.

Panelist, *Looking Forward: The October 2007 Term*, Cato Supreme Court Symposium, Sept. 17, 2007.

Panelist, *Global Influence on U.S. Jurisprudence*, Stanford Global Constitutionalism Symposium, Stanford Law School, Feb. 16, 2007.

Frequent Speaker at Federalist Society Student Chapters: Yale, Harvard, Stanford, Columbia, New York University, University of Chicago, University of Virginia, Georgetown, Vanderbilt, etc.

#### **TEACHING EXPERIENCE**

Constitutional Law  
Advanced Constitutional Law  
Constitutional Structure of Judicial Review  
Federal Courts

#### **LAW SCHOOL COMMITTEE SERVICE & STUDENT ORGANIZATION SUPERVISION**

Technology Committee, Spring 2011  
Clerkship Committee, 2005-2006, co-chair 2006-2007, chair 2009-2010  
Intellectual Community / Faculty Workshop Committee 2007-2008  
Library Committee 2007-2008  
Law and Governance Committee, 2006-2007  
Supreme Court Institute, "Justice" for several moots, 2005-present  
Federalist Society Chapter, faculty advisor, 2005-present

#### **OP-EDS AND OTHER POPULAR WRITING**

*Obama Suspends the Law. What Would Lincoln Say?*, WALL ST. J., Aug. 16, 2013.

The Volokh Conspiracy at the Washington Post (blog posts, 2011-present).

#### **MEDIA APPEARANCES**

CNBC  
Fox News  
Newsmax  
Radiolab  
NPR

#### **THEATRE PRODUCER**

Elevator Repair Service / William Faulkner, *The Sound and the Fury*, The Public Theater (2015).

Tom Stoppard, *Arcadia*, Broadway (2011).

David Mamet, *Race*, Broadway (2009-2010).

David Mamet, *Speed-the-Plow*, Broadway (2008-2009).

#### **PROFESSIONAL MEMBERSHIPS AND AFFILIATIONS**

New York Bar  
Member

U.S. Supreme Court Bar  
Member

Yale University  
Associate Fellow of Pierson College

National Constitution Center  
Member of the Scholars Advisory Panel  
Co-Chair of the Coalition of Freedom Advisory Board

The Center for Individual Rights  
Member of the Advisory Committee

The Foundation for Individual Rights in Education  
Member of the Board of Directors

The Federalist Society  
Member of the Board of Directors