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Employment:

1979 - present Yale Law School: Simeon E. Baldwin Professor Emeritus of Law, 2009 to date; Simeon E. Baldwin Professor, 1986-2009; Professor of Law, 1981-86; Associate Professor of Law, 1979-81. Deputy Dean, 1993-94

Visiting professorships at Georgetown University Law Center, 1986-87; New York University Law School (spring 1994); New York Law School (springs 1997-99); Fordham Law School (2006, 2012); Jindal Global Law School (spring 2010); University of California at Berkeley (Law School and Goldman School of Public Policy) (spring semesters 2014-20); University of California at Hastings Law School (springs of 2019, 2020)

1977 - 1979 Principal Deputy Assistant Secretary for Planning and Evaluation, U.S. Department of Health, Education and Welfare, 1977-79; Visiting Scholar, American Enterprise Institute for Public Policy Research

1971 – 1977 "Public interest" law practice in Washington, D.C. with Consumers Union and the

Center for Study of Responsive Law

- 1968 – 1970 Harvard Graduate Prize Fellow in Government; Teaching Fellow in Government
- 1965 – 1968 Private law practice in New York City: Wachtell, Lipton, Rosen, Katz, & Kern; Cahill, Gordon, Reindel, & Ohl

Education:

- 1968 – 1970 Harvard University, M.A. in Government (1969), completed requirements for Ph.D. except dissertation
- 1965 – 1966 New York University Law School, LL.M. in International Law (1966)
- 1962 – 1965 Harvard Law School, J.D. (1965)
- 1958 – 1962 Cornell University, B.A. (1962)

Awards and Fellowships:

- Elected to American Academy of Arts and Sciences, 2016
- Fulbright Senior Fellowship, India, 2004
- Rockefeller Foundation, Residency Fellowship at Bellagio, July-August 2001
- Guggenheim Fellowship, 1984-85
- Harvard Graduate Prize Fellowship, 1968-70
- Various awards for books

Publications:

Work in Progress

Project on lobbying of regulatory agencies before and during notice-and-comment (with Brian Libgober)

Published Books

More Meditations of a Militant Moderate (Anthem Press, 2023)

One Nation Undecided: Clear Thinking about Five Hard Issues That Divide Us (Princeton U. Press, 2017, paperback 2019)

Why Government Fails So Often, and How It Can Do Better (Princeton U. Press, cloth 2014, paperback 2015)

Understanding America: The Anatomy of an Exceptional Nation (co-editor with James Q. Wilson) (Public Affairs/Perseus, cloth 2008, paperback 2009)

Targeting in Social Programs: Avoiding Bad Bets, Removing Bad Apples (Brookings Institution Press, 2006 cloth, 2010 paperback) (with Richard J. Zeckhauser). Received honorable mention for Charles Levine Prize for best book in Comparative Policy and Administration

Meditations of a Militant Moderate: Cool Views on Hot Topics (Rowman & Littlefield, 2006, cloth and paperback)

Immigration Stories (co-editor, with David A. Martin (Foundation Press, 2005))

Foundations of Administrative Law (editor) (2<sup>nd</sup> ed., Foundation Press, 2004, paperback; 1<sup>st</sup> ed., Oxford University Press, 1994, cloth and paperback). Chinese translation: China Law Press (2009)

Diversity in America: Keeping Government at a Safe Distance (Harvard University Press, 2003, cloth and paperback)

The Limits of Law: Essays on Democratic Governance (Westview Press, 2000, cloth and paperback)

Citizens, Strangers, and In-Betweens: Essays on Immigration and Citizenship (Westview Press, cloth 1998, paperback 2000)

Paths to Inclusion: The Integration of Migrants in the United States and Germany (with Rainer Munz, co-editor) (Berghahn Books, 1998, cloth and paperback)

Tort Law and the Public Interest: Competition, Innovation, and Consumer Welfare (W.W. Norton & Co. 1991, cloth and paperback) (editor)

Agent Orange on Trial: Mass Toxic Disasters in the Courts (Belknap/Harvard University Press, 1986 cloth, 1987 enlarged edition in paperback). Awarded the 1987 Silver Gavel from the American Bar Association for outstanding book on law

Citizenship Without Consent: Illegal Aliens in the American Polity (Yale University Press, 1985, cloth and paperback) (with Rogers Smith)

Suing Government: Citizen Remedies for Official Wrongs (Yale University Press, cloth 1983, paperback 1984)

The Judiciary Committees: A Study of the House and Senate Judiciary Committees (Viking Press, 1975 cloth and paperback)

Published Articles, Chapters, Review Essays, Poems, and Longer Commentary

Review of Philip Howard, Not Accountable: Rethinking the Constitutionality of Public Employee Unions, *Harvard Journal of Law & Public Policy* (Summer 2023), pp. 1-4

“The Absence of Police Unions and Over-Deterrence in Joanna Schwartz’s Shielded, <https://balkin.blogspot.com/2023/03/the-absence-of-police-unions-and-over.html>

“Who Regulates the Regulators,” review of Paul Sabin, *Public Citizens*, *American Purpose*, Oct. 18, 2022, <https://www.americanpurpose.com/articles/who-regulates-the-regulators/>

“Drawing the Line on Diversity, Equity, and Inclusion,” *American Purpose*, Sept. 7, 2022, <https://www.americanpurpose.com/articles/drawing-the-line-on-diversity-equity-and-inclusion/>

“Time to Stop Digging” (on Democrats and immigration policy), *American Purpose*, June 30, 2022, <https://www.americanpurpose.com/articles/time-to-stop-digging/>

“What Systemic Racism Systematically Disregards,” *National Affairs*, Spring 2022, <https://www.nationalaffairs.com/publications/detail/what-systemic-racism-systematically-downplays>

“Militant Moderation,” *American Purpose*, March 16, 2022  
<https://www.americanpurpose.com/articles/militant-moderation/>

Cancel Culture Has a Lot to Answer For,” *Quillette*, Oct. 21, 2021,  
<https://quillette.com/2021/10/21/cancel-culture-has-a-lot-to-answer-for/>

“Professor Sugarman’s Contribution to Public Health Scholarship, 109 *Calif. L. Rev.* 381-91 (2021)

“Some Sources of Our Political Discontent,” *National Affairs* (Winter 2020), pp. 119-32

“Affirmative Action and Diversity in American Universities,” 62 *Justice* 30-37 (Winter 2018-19)

“Campaign-Finance Reform Revisited,” *National Affairs* (Winter 2019), pp. 76-93

“The Question of Birthright Citizenship,” *National Affairs*, Summer 2018, (with Rogers M. Smith), <https://nationalaffairs.com/publications/detail/the-question-of-birthright-citizenship>

“Trump’s America: A Limerick,” July 5, 2017, [http://www.huffingtonpost.com/entry/trumps-america-limerick\\_us\\_595d2b18e4b05c37bb81b507?nwl](http://www.huffingtonpost.com/entry/trumps-america-limerick_us_595d2b18e4b05c37bb81b507?nwl)

Review of Reuel Schiller, *Forging Rivals*, *New Rambler*, <http://newramblerreview.com/book-reviews/history/toward-a-more-perfect-union>

“Immigration Reform: Hard, But Not Impossible,” *The American Interest*, May/June 2017, pp. 56-65, <https://www.the-american-interest.com/2017/04/18/immigration-reform-hard-but-not-impossible/>

Review of Adrian Vermeule, *Law’s Abnegation: From Law’s Empire to the Administrative State*, *New Rambler*, <http://newramblerreview.com/book-reviews/law/law-s-province>

Review of Peter J. Spiro, *At Home in Two Countries: The Past and Future of Dual Citizenship*, in 53 *Journal of Social History* (2017), <http://jsh.oxfordjournals.org/cgi/content/full/shw134?>

“Comment on Blocher & Gulati, “Competing for Refugees,” 1 Human Rights Law Review 15 (2017), <http://hrlr.law.columbia.edu/comment-on-blocher-gulati-competing-for-refugees-a-market-based-solution-to-a-humanitarian-crisis/>

“James Q. Wilson and American Exceptionalism,” National Affairs, Winter 2016, pp. 135-53

“What the President of Yale Should Have Said,” <http://www.mindingthecampus.org/2015/11/what-the-president-of-yale-should-have-said/>

“Poor Performance by Government: A Functional Explanation of Public Disaffection, 13 The Forum 395-415 (2015), file:///C:/Users/schuckp/Downloads/for-2015-0031.pdf

“Should Those Who Attack the State Have an Absolute Right to Remain Its Citizens?” <http://eudo-citizenship.eu/commentaries/citizenship-forum/citizenship-forum-cat/1268-the-return-of-banishment-do-the-new-denationalisation-policies-weaken-citizenship?showall=&start=2>

“Refugee Burden-Sharing: A Modest Proposal, Fifteen Years Later,” in Contemporary Challenges to the Nation State: Global and Israeli Perspectives, vol. III: The Nation State and Immigration: The Age of Multiculturalism, edited by A. Shapira, Y.Z. Stern, A. Jakobson, & L. Orgad (2014), pp. 67-116

“Assessing Affirmative Action,” National Affairs, Summer 2014, pp. 76-96

“Reg Neg Redux: the Career of a Procedural Reform” (with Steven Kochevar), 15 *Theoretical Inquiries in Law* 417-46 (2014)

“Immigrant Criminals in Overcrowded Prisons: Rethinking an Anachronistic Policy,” 27 *Georgetown Immigration Law Journal* (Summer 2013), pp. 597-748

“Citizen Terrorists and the Challenges of Plural Citizenship,” in Varieties of Sovereignty and Citizenship (Sigal R. Ben-Porath & Rogers M. Smith, U. Pennsylvania Press, 2013, pp. 97-110

“What Happens to the ‘Bad Apples’: An Empirical Study of Suspensions in New York City Schools,” 87 Notre Dame Law Review 2063-2086 (2012) (with Matthew Matera & David I. Noah)

“The Paradoxical Relation between Religion and Liberal Democracy in the United States,” in El Constitucionalismo en transición (SELA, 2012), pp. 309-334

“Professor Rabin and the Administrative State,” 61 DePaul Law Review 595-614 (2012)

“Immigration Policy: Myths, Realities, and Reforms,” 51 Washburn Law Review 189- 200 (2012)

“Deportation Before Incarceration,” Policy Review, Feb.-March 2012, pp. 73-83

“Reflections on Improving Immigration Journalism,” in M. Suarez-Orozco, V. Louie, & R. Suro, eds., Writing Immigration: Scholars and Journalists in Dialogue (University of California Press, 2011), pp.

“Policymakers in the Dock,” Policy Review, Oct.-Nov. 2011, pp. 63-77

“Suing Government Lawyers for Giving Dubious Legal Advice in a National Security Crisis: Notes on How (Not) to Become a Banana Republic,” 8 University of St. Thomas Law Journal 496-512 (2011)

“Lawyers Behaving Badly,” The American Lawyer, Fall 2011, pp. 81-2 (review of Lester Brickman, Lawyer Barons, and Walter Olson, Schools for Misrule)

“Tort as a Litigation Lottery: A Misconceived Metaphor,” (with Timothy Lytton and Robert Rabin), 52 Boston College Law Review 267-88 (2011)

“Making the Case for Changing U.S. Policy Regarding Highly Skilled Immigrants,” 38 Fordham Urban L.J. 327-62 (2010). Shorter versions are “U.S. Policy Regarding Highly-Skilled Immigrants: Change Whose Time Has Come,” in Rules for Growth (R. Litan, ed., Kauffman Foundation, 2011) (with John E. Tyler); and *Wall St. Journal* op-ed, May 13, 2011

“Fixer-Upper,” The American Lawyer, Dec. 2010

“Citizen Terrorist,” Policy Review 61-73 (December 2010-January 2011)

“The Golden Age of Aging, and Its Discontents,” 18 Elder Law Journal 25-70 (2010)

“Crisis and Catastrophe in Science Law, and Politics: Mapping the Terrain,” in Catastrophe: Law, Politics, and the Humanitarian Impulse (Austin Sarat & Javier Lezaun, eds., U. of Massachusetts Press, 2009), pp. 19-59

“Immunity, Not Impunity,” The American Lawyer, Nov. 2009

“Healing Power,” The American Lawyer, Oct. 2009 (review of Amy Wax, Race, Wrongs, and Remedies)

“Three Models of Citizenship,” in Citizenship in America and Europe: Beyond the Nation-State? Michael Greve and Michael Zoller, eds., AEI Press, 2009), pp. 151-84

“Courts in a Democracy,” 1 Jindal Global Law Review 7-21 (2009)

“Is a Competent Civil Service Becoming Oxymoronic?” (review of Light, A Government Ill-Executed: The Decline of the Federal Service and How to Reverse It, and Alan Gerber & Eric Patashnik, eds., Promoting the General Welfare: New Perspectives on Government Performance, in 77 George Washington University Law Review 973-91 (2009)

"Immigrants' Political and Legal Incorporation in the United States after 9/11: Two Steps Forward, One Step Back", in Bringing Outsiders In: Immigrant Political Incorporation in the

United States and Europe (J. Hochschild and J. Mollenkopf, eds., Cornell University Press, 2009), pp. 158-75

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“Tort Reform, Kiwi-Style,” 27 Yale Law & Policy Review 187-203 (2008). Also published in Graduate Law Review of China University of Political Science and Law (June 2011)

“Immigration Law’s Organizing Principles: A Response,” <http://www.pennumbra.com>

“Preemption Games,” The New Republic Online, [http://blogs.tnr.com/tnr/blogs/the\\_treatment/archive/2009/03/05/preemption-games.aspx](http://blogs.tnr.com/tnr/blogs/the_treatment/archive/2009/03/05/preemption-games.aspx)

“The Morality of Immigration Policy, 45 San Diego Law Review 865-97 (2008)

“Trimming Litigation,” The American Lawyer (December 2008), pp. 79-80

“FDA Preemption of State Tort Law in Drug Regulation: Finding the Sweet Spot,” 13 Roger Williams Law Review 73-114 (2008)

Review of Daniel Kanstroom, Deportation Nation: Outsiders in American History, 9 Journal of International Migration and Integration, 225-6 (2008)

“Demography, Human Rights, and Diversity Management, American-Style,” 2 Journal of Law & Ethics of Human Rights 87-127 (2008)

“The American Creed,” September 2007, [http://www.transatlanticforum.de/pdf/schuck\\_final.pdf](http://www.transatlanticforum.de/pdf/schuck_final.pdf)

“Understanding America,” The American Lawyer (May 2008), pp. 73-77

Review of Motomura, Americans in Waiting, 122 Political Science Quarterly 674-76 (2007-08)

“In Diversity We (Sorta) Trust,” The American Lawyer (December 2007), pp. 83-84. A shorter version is published at [http://www.atlantic-community.org/index/Open\\_Think\\_Tank\\_Article/In\\_Diversity\\_We\\_%28Sorta%29\\_Trust](http://www.atlantic-community.org/index/Open_Think_Tank_Article/In_Diversity_We_%28Sorta%29_Trust)

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“Bordering on Folly,” The American Lawyer (October 2007), pp. 83-86

“Law and the Study of Migration,” Migration Theory: Talking Across Disciplines (C. Brettell & J. Hollifield, eds., Routledge, 2<sup>nd</sup> ed., 2007), pp. 239-257

“Safe Harbors,” The American Lawyer (July 2007), pp. 63-66

- “Speaking of Tongues,” Democracy: A Journal of Ideas (Summer 2007)  
<http://www.democracyjournal.org/article.php?ID=6541>
- “Some Reflections on the Future of Mass Torts,” 12 Connecticut Insurance Law Journal 505-15 (2005-06)
- “The Meaning of Citizenship in a Post-9/11 World,” 75 Fordham Law Review 2531-40 (2007)
- Essay on affirmative action for Encyclopedia of Law and Society: American and Global Perspectives (D. Clark, ed., Sage Publications, 2007)
- “Concluding Thoughts: How the Whole Is Greater than the Sum of Its Parts,” in Creating Competitive Markets: The Politics of Regulatory Reform (M. Landy, M. Levin, and M. Shapiro, ed., Brookings Institution Press, 2007), pp. 343-52
- “The Disconnect Between Public Attitudes and Policy Outcomes in Immigration,” in Debating Immigration (C. Swain, ed., Cambridge University Press, 2007), pp. 17-31
- Essay on “Citizenship,” in Encyclopedia of Legal History: American and Global Perspectives (S. Katz, ed., Oxford University Press, 2007)
- “Citizenship and Nationality Policy,” in The New Americans: A Guide to Immigration Since 1965 (M. Waters & R. Ueda, eds., Harvard University Press, 2007), pp. 43-55
- “Toward A Better Future for the Democratic Party,” [www.openingargument.com](http://www.openingargument.com), November 2006
- “Banish the Bad Apples,” The American Lawyer, October 2006, pp. 73-6
- “Good Cop, Bad Cop,” The American Lawyer, August 2006, pp. 69-71
- “Federalism: A View from the United States,” in Global Law v. Local Law (C. Amato & G. Ponzanelli, eds., Giapichelli, 2006)
- “Federalism,” 38 Case Western Reserve Journal of International Law 5-12 (2006)
- “Kim Barry’s Fruitful Provocation,” 81 New York University Law Review 3-10 (2006)
- “Rebels No More,” The American Lawyer, April 2006, pp. 79-82 (review of Laura Kalman, Yale Law School and the Sixties)
- "Lottery Program (US)" and "U.S. Immigration Legislation: Post-1945," in M. J. Gibney and R. Hansen, eds., Immigration and Asylum: from 1900 to the Present (2005), pp. 385 and 645-49.
- Review of Gertrude Himmelfarb, The New History and the Old, 17 Journal of Interdisciplinary Studies 196-97 (2005)



“Diversity, Community, and Government Action,” in Uniting America: Restoring The Vital Center to American Democracy (N. Garfinkle & D. Yankelovich, eds., Yale University Press, 2005)

[http://legallaffairs.org/webexclusive/debateclub\\_diversity0106.msp](http://legallaffairs.org/webexclusive/debateclub_diversity0106.msp) (online debate in Legal Affairs about viewpoint diversity on elite law faculties)

“Leftward Leaning,” The American Lawyer, December 2005, pp. 77-79

“The Story of *Kleindienst v. Mandel: Plenary Power and the Professors*,” in Immigration Stories (D. Martin & P. Schuck, eds., 2005), chap. 7

“El poder judicial en una democracia,” in Los Limites de la Democracia (Roberto Saba, ed., 2005), pp. 327-38 (English version also available)

“Incivility’s Virtues,” The American Lawyer (June 2005), pp.

“Why Regulating Guns through Litigation Won’t Work,” in Suing the Gun Industry: A Battle at the Crossroads of Gun Control and Mass Torts (Timothy D. Lytton, ed., U. of Michigan Press, 2005)

Author’s response to comments on Diversity in America, 23 Yale Law & Policy Review 75-91 (2005)

“Vital Centrism,” The American Lawyer (January 2005), pp. 61-5

“Diversity and Candor,” <http://www.scu.edu/ethics/publications/submitted/schuck/diversity-and-candor.html>

“No Stranger to Rights,” The American Lawyer (November 2004), pp. 59-63. Reprinted in Legal Times, Nov. 22, 2004, p. 60

“Passage to India,” The American Lawyer (November 2004), pp. 100-05

Remarks in “Symposium: *Brown v. Board of Education* at Fifty: Have We Achieved Its Goals?,” 78 St. John’s Law Review 311-320 (2004)

“Special Dispensation,” The American Lawyer (June 2004), pp. 69-71 (on 9/11 Compensation Fund)

“Equal Opportunity Recruiting,” The American Lawyer, January 2004, pp. 57-59. A shorter version is published as “Why Yale should open its interview program to the military,” Yale Alumni Magazine (January/February 2004), pp. 23-4.

“Reflections on *Grutter*,” The Jurist, <http://jurist.law.pitt.edu/forum/symposium-aa/index.php> (Sept. 9, 2003)

“Free to Lie,” The American Lawyer (August 2003), pp. 59-61

“Some Thoughts on Victim Compensation,” <http://www.nevc.org>

“*Tarasoff v. Regents of the University of California: The Therapist’s Dilemma*” in Tort Stories, R. Rabin & S. Sugarman, eds., Foundation Press, 2003), pp. 99-128 with Daniel J. Givelber)

“Defensible Discrimination,” The American Lawyer (July 2003), pp. Also published in Legal Times, June 9, 2003, p. 60

“Affirmative Action Is Poor Public Policy,” Chronicle of Higher Education, May 2, 2003, pp.

“Chartering a New Course,” The American Lawyer (Jan. 2003), pp.

“Remembering Gary Schwartz,” 50 UCLA Law Review 275-78 (2002)

“Some Federal-State Developments in Immigration Law,” 58 NYU Annual Survey of American Law 387-90 (2002)

“Slavery Reparations: A Misguided Movement,” Jurist (Dec. 9, 2002).  
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Review of Aleinikoff, Semblances of Sovereignty, in 117 Political Science Quarterly 536-538 (2002).

“China’s Legal Tea Leaves,” The American Lawyer (November 2002), pp. 73-75.

“The Pledge on the Edge,” The American Lawyer (September 2002), pp. 65-69.

“Liberal Citizenship,” in Handbook of Citizenship Studies (E. Isin & B. Turner, eds., Sage Publishing Co., 2002), chap. 8, pp. 131-144.

“Groups in a Diverse, Dynamic, Competitive, and Liberal Society: A Comment on Owen Fiss’s ‘Groups and the Equal Protection Clause’” online at: <http://www.bepress.com/ils/iss2/art15>

“Judging Remedies: Judicial Approaches to Housing Segregation,” 37 Harvard Civil Rights-Civil Liberties Law Review 289-368 (2002). A shorter version is published in Diversity in America, chap. 6

“Diversity Dodge,” The American Lawyer, July 2002, pp. 75-76

“Affirmative Action: Past, Present, and Future,” 20 Yale Law & Policy Review 1-97 (2002). A shorter version is published in Diversity in America, chap. 5. A very short version appears as “Affirmative Action: Don’t End It or Mend It -Bend It,” Brookings Review, Winter 2002, pp. 24-27, reprinted in Current Controversies: Racism (Gale Publications, 2003) and in Perspectives on American Politics (W. Lasser, ed., Houghton Mifflin, 2004).

“Tort Liability,” in The Tools of Government: A Guide to the New Governance (L. Salamon, ed., Oxford U. Press, 2002), chap. 15, together with workbook on tobacco litigation.

“A Case for Profiling,” The American Lawyer, January 2002, pp. 59-61. It is reprinted in At Issue: Racial Profiling (K. Hirschmann, ed., Greenhaven Press, 2006). A shorter version is published in the Los Angeles Times, Jan. 26, 2002.

“Legal Liability,” entry in International Encyclopedia of the Social and Behavioral Sciences (N. J. Smelser & Paul B. Baltes, eds., Pergamon, Oxford, 2001), pp. 8774-79. Also in an online version (2002).

“Immigration Reform Redux,” in Seeking the Center: Politics and Policymaking at the New Century (M. Levin, M. Landy, & M. Shapiro, eds., Georgetown U. Press, 2001), chap. 5.

“Smoking Gun Lawsuits,” The American Lawyer, September 2001, pp. 81-5.

“The Perceived Values of Diversity, Then and Now,” 22 Cardozo Law Review 1915-60 (2001). A shorter version is published in Diversity in America, chap. 3

“Immigration at the Turn of the New Century,” 33 Case Western Reserve Journal of International Law 1-11 (2001).

“The Classroom Clash,” The American Lawyer, February 2001, pp. 63-4.

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"Law and Post-Privatization Regulatory Reform: Perspectives from the U.S. Experience," in Post-Privatization Regulation in Latin America: Post-Privatization Realities (L. Manzetti, ed., 2000), pp. 25-48

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"A Response to the Critics," 12 Harvard Human Rights Journal 385-88 (1999)

"Removing Criminal Aliens: The Pitfalls and Promises of Federalism," 22 Harvard Journal of Law & Public Policy 367-463 (1999) (with John Williams)

Poem: "Deficit Reduction Made Easy: Change Tax Day," 1 Green Bag 2d 345-348 (1998). Also published in Wall St. J. and at [www.wallstreetpoet.com/New%20Pages/pages/pg2x.html](http://www.wallstreetpoet.com/New%20Pages/pages/pg2x.html)

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"Delegation and Democracy: Comments on David Schoenbrod," 20 Cardozo Law Review 775-793 (1999)

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"Introduction" and "The Treatment of Aliens in the U.S." in Paths to Inclusion: The Integration of Migrants in the United States and Germany (P. Schuck & R. Munz, eds., Berghahn Books, 1998), pp. vii-xxii and 203-246

"Reflections on the Effects of Immigrants on African Americans -- and Vice-Versa," in Help or Hindrance? The Economic Implications of Immigration for African-Americans (D.S. Hamermesh & F.D. Bean, eds., Russell Sage Foundation, 1998), pp. 361-375

"No Fault, No Foul," The New Republic, May 4, 1998, pp. 15-16

"The Open Society," The New Republic, April 13, 1998, pp. 16-18

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"INS Detention and Removal: A White Paper," 11 Georgetown Immigration Law Journal 667-708 (1997)

"Refugee Burden-Sharing: A Modest Proposal," 22 Yale Journal of International Law 243-297 (1997)

"Against (And For) Madison: An Essay in Praise of Factions," 15 Yale Law & Policy Review 553-597 (1997)

"Perpetual Motion," 95 Michigan Law Review 1738-1760 (1997) (review essay on Thomas Sowell, Migration and Culture: An International Perspective)

"Introduction: Some Reflections on the Federalism Debate," in Yale Law & Policy Review and Yale Journal on Regulation, Symposium issue, March 1996, pp. 1-22

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Senate Banking, Housing and Urban Affairs Committee, Subcommittee on Financial Institutions, June 11, 1975, in "Financial Institutions Act of 1975"

Federal Energy Administration Procedures

Senate Judiciary Committee, Subcommittee on Separation of Powers, June 3, 1975

Federal Energy Administration

Senate Interior and Insular Affairs Committee, April 28, 1975, in "Federal Energy Administration Oversight"

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House Banking and Currency Committee, Subcommittee on Domestic Monetary Policy, April 23, 1975, in "Audit of the Federal Reserve"

Consumer Product Safety Act

House Commerce Committee, Subcommittee on Consumer Protection and Finance, April 22, 1975, in "Consumer Product Safety Commission Improvements Act"

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Senate Banking, Housing and Urban Affairs Committee, Subcommittee on Financial Institutions, March 14, 1975, in "Electronic Funds Transfer Moratorium Act of 1975," pp. 87-89

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challenge to congressional press rules excluding Consumers Reports.

Consumers Union v. Federal Power Commission, 510 F.2d 656, rehearing denied, 510 F.2d 661  
(D.C. Cir. 1975). Successful challenge to FPC's costing method in optional procedure cases.  
Consumers Union v. Sawhill, 512 F.2d 1112 (TECA 1975), reversed en banc (4-3 decision), 525  
F.2d 1068 (1975). Challenge to FEA's pricing regulations on "new" and "released" crude oil.

Consumers Union v. Zarb, 523 F.2d 1401 (TECA 1975), affirming, 383 F. Supp. 639 (D.D.C. 1975). Successful challenge to FEA pricing regulations on unleaded gasoline.

Consumers Union v. Cost of Living Council, 491 F.2d 1396 (TECA 1974), cert. denied sub nom. Business Roundtable v. Consumers Union, 416 U.S. 984 (1974). Successful challenge to Council's public disclosure regulations governing corporate data during Phases 2 and 3 of the price control programs.

Consumers Union v. Consumer Product Safety Commission, 491 F.2d 810 (2d Cir. 1974). Unsuccessful challenge to regulations on electrical hazards in toys.

Consumers Union v. Federal Reserve Board, 410 F. Supp. 63 (D.D.C. 1976), appeal pending in D.C. Circuit. Successful suit under Freedom of Information Act to obtain comparative interest rates on consumer loans changed by board-regulated banks. The District Court granted the first award of attorney's fees under the FOIA, and the Government has appealed.

Consumers Union v. American Bar Association, 427 F. Supp. 506 (E.D. Va. 1976) (three-judge court), vacated and remanded, 433 U.S. 917 (1977). This suit was the first to challenge the legal profession's ethical restrictions on advertising and solicitation.

Consumers Union v. Richardson, \_\_\_ F. Supp. \_\_\_ (D.D.C. 1974). Successful suit under the Freedom of Information Act to compel public disclosure of Antitrust Division's "business review procedure" correspondence.

Consumers Union v. Albright, Superintendent of Banks, 427 F. Supp. 840, vacated and remanded sub nom. Consumers Union v. Heiman. Challenge on constitutional grounds to the statutory restrictions on the availability to consumers of low-cost savings bank life insurance.

Jordan v. Goodwin, \_\_\_ F. Supp. \_\_\_ (E.D. Va. 1978) (three-judge court), appeal dismissed for want of jurisdiction, \_\_\_ U.S. \_\_\_ (1977). This suit challenged the constitutionality of state laws which requires that all members of the state occupational licensing boards must be from regulated occupation.

Consumers Union v. Weinberger. Successful challenge to administration of the Hill-Burton Act program to support outpatient facilities in poverty areas.

Consumers Union v. Consumer Product Safety Commission. Suit under Freedom of Information Act to compel disclosure of certain data that industry had suppressed through so-called "reverse FOIA" action.

Consumers Union v. Schmidt, 409 F. Supp. 473 (D.D.C. 1976). Unsuccessful suit testing applicability of Federal Advisory Committee Act to meetings between FDA and the cosmetic industry.

Consumers Union v. Butz. Challenge to USDA's food stamp regulations issued early in 1975. Suit was mooted by congressional action, but only after a temporary restraining order forced USDA to rescind the regulations.

Consumers Union v. Comptroller of the Currency, 589 F.2d 531 (D.C. Cir. 1978). Unsuccessful suit under the Freedom of Information Act to compel disclosure of reports on national banks'

complying with truth-in-lending law; the first suit to test the scope of the FOIA exemption for bank examination reports.

Miscellaneous:

“Ruminations and Rhymes” blog: [peterschuck.blogspot.com](http://peterschuck.blogspot.com), 2018-

Contributing Editor: The American Lawyer, 1998- . Received National Gold Award for Regular Columnist, American Society of Business Publication Editors, 2006

Speeches and lectures to numerous professional, academic, business, university, government and citizen groups in U.S., Japan, France, Germany, Italy, Israel, Sweden, Canada, U.K., U.S.S.R., Chile, Argentina, Peru, and elsewhere

Short-term visiting appointments: Jean Monnet Scholar-in-Residence, European University Institute (Florence, Italy; January 1996); Scuola Superiore Di Studi Universitari E Di Perfezionamento S. Anna in Pisa, Italy, May 1989, May 1991, January 1996, May 2005; Visiting Scholar, American Enterprise Institute for Public Policy Research, 1979

Study Commissions: National Academy of Sciences, Committee on Estimating Costs to the Department of Justice of Increased Border Security Enforcement by the Department of Homeland Security, 2010-11; National Academy of Sciences, Committee on Risk and Decision-Making, 1979-81; Task Force on Group Status in America, American Jewish Committee, 1980-81

Non-Profit Board Memberships: Humanity in Action, 1997-; Community Mental Health Center Foundation, 1993- ; I Have A Dream, New Haven, 1993- ; Initiative for Public Interest Law at Yale, 1990-3; Creative Arts Workshop, 1988-91; Friends of Legal Services for South Central Connecticut, 1981- ; Asian Community Services, 1984-86; Hillel Sunday School at Yale, 1980-86; National Council for Public Assessment of Technology, 1975-78; Washington Center for the Study of Services, 1975-77; Consumer Federation of America, 1975-76; D.C. Bar, Division on Antitrust Trade Regulation and Consumer Protection, 1975-76; Policy Council, Association for Public Policy Analysis and Management, 1987-91

Consultancies and Expert Testimonies: Advisory Committee, Toka Corp., 2019- (cyber-technology); Attorney General of Canada (immigration), 2013-15); State of Israel, Ministry of Justice, 2011 (national security limits on immigration); State of Connecticut, 1994-98 (arbitrator in transportation dispute with New York State); U.S. Department of Justice, 2005 (on remedies for civil rights violations); ACE Insurance (2004-05) (on tort litigation); CNA Insurance Co., 2004-05 (on asbestos litigation); Canadian Department of Justice 1994, 2005 (on citizenship issues); lawyers for plaintiffs and defendants in various personal injury and civil rights litigation; 3M, 1995-96 (on breast implant litigation); Center for Claims Resolution, 1991-94 (on asbestos litigation); Kroll Associates, 1989 (on congressional rules); Administrative Conference of the United States, 1983-91 (on administrative law issues); Environmental Protection Agency, 1983-84 (on regulatory issues); Institute for Liberty and Democracy, Lima, Peru, 1984- (on regulatory reform); Ford Foundation, Project on Business and the Media, 1976-77 (on TV series)

Advisory Committees: American Law Institute, Restatement (Third) of Torts: General Principles, 1998-; Connecticut Mental Health Center, 1990- (chair); College of Arts and Sciences, Cornell University, 1978-81; National Science Foundation Studies on regulation, 1976-77; Public Member, National Advisory Committee to the Comptroller of the Currency, 1976-77

Yale University Committees: Chair, Advisory Committee on Investor Responsibility, 1990-92; Member, Committee on Retirement Issues, 1989-91; chair and member, numerous Law School committees

Regulation Books Editor, Journal of Public Policy Analysis and Management, 1984-85

Listed in Who's Who in America; Who's Who in American Politics; Who's Who in American Law; Who's Who in the World