

CRISTINA M. RODRÍGUEZ

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PERMANENT ACADEMIC APPOINTMENTS

Yale Law School

Leighton Homer Surbeck Professor of Law (2014-present), *Professor of Law* (2013-2014), *Sidley Austin-Robert D. McLean '70 Visiting Professor of Law and Robina Foundation Senior Fellow* (fall 2009)

Research Fields: immigration law & policy; administrative law & process; constitutional law

Teaching: Yale Law Women Excellence in Teaching Award (2020)

Courses: Constitutional Law; Administrative Law; Immigration Law

Seminars: Separation of Powers and Executive Branch Legal Interpretation; Immigration and the American State; Foundations of American Legal Thought

Service: Faculty Director, Ludwig Public Sector Program, Tsai Leadership Program (2020-present); Academic Appointments (Chair, 2019-2020; spring and fall 2018); Committee on Expanding Pipeline to Academia (2019-present); Curricular Appointments (2013-2014, 2016, 2019); Faculty-Student Working Group (*on state of the school*) (2018-2019); Liman Public Interest Fellowships (2016); Academic Careers (2013-2015); Review of Legal Writing Program (2014-2015); Faculty Workshop Co-Convener (2013-2014)

NYU School of Law

Professor of Law (December 2008-January 2013 (*government service leave* January 2011-January 2013)), *Associate Professor* (2007-2008), *Assistant Professor* (2004-2007), *Alexander Fellow* (2003-2004)

Service: Chair, Committee to Produce Law School Self-Study Report to ABA (2009); Clerkship Committee (2004-09); Furman Academic Careers Program (2010); Bickel & Brewer Latino Institute Scholarship Program (2006-09)

VISITING ACADEMIC APPOINTMENTS AND FELLOWSHIPS

Columbia Law School, *Samuel Rubin Visiting Professor of Law & Scholar in Residence* (2016-2017)

University of Toronto, Centre for Ethics, *Visiting Scholar* (2015-2016)

Stanford Law School, *Visiting Professor of Law* (spring 2015)

Berkeley Law School, *Visiting Scholar* (March 2015)

Osgoode Hall Law School, York University, *Pierre Genest Global Visiting Scholar* (spring 2013)

Harvard Law School, *Henry L. Stimson Visiting Professor of Law* (spring 2010), *Reginald F. Lewis Fellow* (2001-2002)

GOVERNMENT APPOINTMENTS AND SERVICE

Presidential Commission on the Supreme Court of the United States

Appointed co-chair pursuant to Executive Order [14023](#) (April 2021-Dec. 2021), final report available [here](#)

Biden-Harris Presidential Transition

Department of Justice Agency Review Team (Nov. 2020-Jan. 2021)

Office of Legal Counsel, U.S. Department of Justice

Legal Consultant (March 2021-present)

Deputy Assistant Attorney General (January 2011-January 2013)

Recipient of Attorney General Award (with team charged to implement Prison Rape Elimination Act) (2012)

Presidential Recognition for Outstanding Service as Political Appointee (2012)

JUDICIAL CLERKSHIPS

The Honorable Sandra Day O'Connor, U.S. Supreme Court (October Term 2002)
The Honorable David S. Tatel, U.S. Court of Appeals, D.C. Circuit (2000-2001)

EDUCATION

Yale Law School, J.D., June 2000

Recognition: Benjamin Scharps Prize (co-recipient, best paper written by a third-year student)
Carolyn E. Agger Award for Women in Law (post-graduate grant)

Activities: *The Yale Law Journal*, Articles Editor (1999-2000), Editor (1998-1999)

South America Linkage Program (1998-2000)

Lowenstein International Human Rights Clinic (1998)

Workers' Rights Project (1998)

Employment: TA, Professor Rogers Smith, Yale Political Science Dept. (constitutional law) (1999)

Research assistant, Professor Jack Balkin (1998-2000)

Summer associate, Williams & Connolly, Jenner & Block, Washington, D.C. (1999)

Summer law clerk, Lawyers' Committee for Civil Rights, Washington, D.C. (1998)

Oxford University, Master of Letters in Modern History, April 1998

1995 Rhodes Scholar (Texas & St. John's)

Thesis: *Engendering an American Awakening: A Study of the Transatlantic Network of Women Abolitionists and the Development of Anti-Slavery Ideology in the U.S., 1835-1860* (Supervisor: Daniel W. Howe)

Yale College, B.A. in History, *magna cum laude*, with distinction in major, June 1995

Class Marshal; Co-director, Dwight Hall at Yale Center for Public Service; Yale Debate Association

LANGUAGES

Fluent in Spanish (speaking, reading, and writing ability); basic knowledge of German

PUBLICATIONS & PAPERS

Works in Progress

The Accountable Bureaucrat (with Anya Bernstein)(for a preview, see [here](#))

Working with Statutes (with Anya Bernstein)

Books

THE PRESIDENT AND IMMIGRATION LAW (with Adam B. Cox) (Oxford University Press 2020)
(reviewed in *Harvard Law Review*, *The New Rambler*, *Washington Review of Books*, *JOTWELL*, *Green Bag Annual Review*)

- For October 2020 symposium on Just Security, see [here](#)
- For December 2020 symposium on Balkinization, see [here](#)
- For April 2021 symposium on Notice and Comment, see [here](#)
- For related writings and book talks, see thepresidentandimmigrationlaw.com

PROCESSES OF CONSTITUTIONAL DECISIONMAKING: CASES AND MATERIALS (Aspen Casebook Series) (joined for eighth edition 2022) (with Sanford Levinson, Akhil Reed Amar, Jack M. Balkin, and Reva B. Siegel)

RACIAL JUSTICE AND LAW (Foundation Press) (1st ed. 2016) (with R. Richard Banks, Guy-Uriel Charles, and Kim Forde-Mazrui)

IMMIGRATION AND REFUGEE LAW & POLICY (Foundation Press) (6th ed. 2015) (5th ed. 2009) (Supplements 2011 & 2013) (with Stephen H. Legomsky)

Articles & Essays

The Supreme Court, 2020 Term—[Foreword: Regime Change](#), 135 HARV. L. REV. 1 (2021)

Reading Regents and the Political Significance of Law, 2019 [SUP. CT. REV.](#) (2021)

Closing the Nation's Doors, [Democracy Journal](#) (*Trump v. Democracy symposium*) (October 2020)

Trump v. Hawaii and the Future of Presidential Power and Immigration Law, [ACS Supreme Court Review 2017-2018](#)

Enforcement, Integration, and the Future of Immigration Federalism, 5 [J. OF MIGRATION AND HUMAN SECURITY](#) 509 (2017)

Regulatory Pluralism and the Interests of Migrants, *Immigration, Emigration, and Migration: NOMOS LVII* (2017)

The President and Immigration Law Redux, 125 [YALE L.J.](#) 104 (2015) (with Adam B. Cox)

Complexity as Constraint, 115 [COLUM. L. REV. SIDEBAR](#) 179 (2015) (a review of Jon Michaels, *An Enduring, Evolving Separation of Powers*, 115 COLUM. L. REV. 515 (2015))

Toward Détente in Immigration Federalism, 30 Virginia J. of Law & Politics 505 (2015) (symposium issue: *The Future of Immigration Enforcement* (in honor of retirement of David Martin))

Negotiating Conflict through Federalism, 124 [YALE L.J.](#) 2904 (2014)

Legal Frameworks Affecting Immigrant Integration: Federal Baselines and Local Variation (working paper commissioned by National Academy of Sciences Committee on the Integration of Immigrants in U.S. Society) (October 2014) (utilized and excerpted [in](#): *The Integration of Immigrants into American Society* (NAS Committee Report 2015))

Law and Borders, [Democracy Journal](#) (summer 2014)

Uniformity and Integrity in Immigration Law, 123 [Yale L.J. F.](#) 499 (2014) (reprinted in *Immigration and Nationality Law Review* (2015))

Immigration, Civil Rights, and the Formation of the People, 142 DAEDELUS (2013)

Constraint through Delegation: The Case of Executive Control over Immigration Policy, 59 [DUKE L.J.](#) 1787 (2010) (reprinted in *Immigration and Nationality Law Review* (2012))

Non-citizen Voting and the Extra-constitutional Construction of the Polity, 8 [I*CON](#), *The International Journal of Constitutional Law* 30 (2010)

Immigration and the Civil Rights Agenda, 6 STAN. J. C.R.-C.L. 123 (2010) (symposium issue: civil rights and the Obama administration) (reprinted in *THE NEW BLACK: WHAT HAS CHANGED, AND WHAT HAS NOT, WITH RACE IN AMERICA*, Guy-Uriel Charles & Ken Mack, eds., New Press (2013))

Building Capacity for Transnational Regulation of Migration, 110 [COLUM. L. REV. SIDEBAR](#) 1 (2010) (reprinted in *Migration, Human Rights and Development: A Global Anthology*, Anne T. Gallagher, ed. (2013))

The President and Immigration Law, 119 [YALE L.J.](#) 458 (2009) (with Adam B. Cox)

The Citizenship Clause, Original Meaning, and the Egalitarian Unity of the Fourteenth Amendment, 11 [UNIV. PENN. J. OF CONSTITUTIONAL LAW](#) 1363 (2009) (symposium issue: originalism and the Reconstruction Amendments)

A Review of Peter Spiro, *Beyond Citizenship: American Identity after Globalization*, 103 AMERICAN J. OF INT'L L. 180 (2009)

Discrete and Insular No More, 12 HARV. LAT. LATINO REV. 41 (2009) (symposium issue in honor of the publication of *Latinos and the Law* (Delgado, Perea, Stefancic, eds.))

The Significance of the Local in Immigration Regulation, 106 [MICH. L. REV.](#) 567(2008)

The Citizenship Paradox in a Transnational Age, 106 [MICH. L. REV.](#) 1111 (2008) (a review of Hiroshi Motomura, *AMERICANS IN WAITING: THE LOST STORY OF IMMIGRATION AND CITIZENSHIP IN THE UNITED STATES*, Oxford University Press (2006))

From Litigation, Legislation, 117 [YALE L.J.](#) 1132 (2008) (a review of Brian Landsberg, *FREE AT LAST TO VOTE: THE ALABAMA ORIGINS OF THE 1965 VOTING RIGHTS ACT*, University Press of Kansas (2007))

Against Individualized Consideration, 83 [IND. L. J.](#) 1405(2008) (symposium issue: Latino/as at the Epicenter of Legal Discourse)

Latinos and Immigrants, 11 HARV. LATINO L. REV. 247 (2008) (symposium issue: Latino Civic Participation)

Guest Workers and Integration: Toward a Theory of What Immigrants and Americans Owe One Another, 2007 UNIV. OF CHI. LEGAL FORUM 219

E Pluribus Unum: How bilingualism strengthens American democracy, [DEMOCRACY: A JOURNAL OF IDEAS](#) (2007)

Language Diversity in the Workplace, 100 [NORTHWESTERN UNIV. L. REV.](#) 1689 (2006)

Language and Participation, 94 [CAL. L. REV.](#) 687 (2006)

Accommodating Linguistic Difference: Toward a Comprehensive Theory of Language Rights in the United States, 36 [HARV. C.R.-C.L. L. REV.](#) 133 (2001)

Clearing the Smoke-Filled Room: Women Jurors and the Disruption of an Old-Boys' Network in Nineteenth-Century America, 108 [YALE L.J.](#) 1805 (1999)

Chapters in Edited Volumes

Language Rights and Migration, in *THE ENCYCLOPEDIA OF GLOBAL HUMAN MIGRATION* (Oxford University Press 2013)

Immigration and the Civil Rights Paradigm, in *THE NEW BLACK: WHAT HAS CHANGED, AND WHAT HAS NOT, WITH RACE IN AMERICA* (Guy-Uriel Charles & Ken Mack, eds., New Press 2013)

The Integrated Regime of Immigration Regulation, in *WRITING IMMIGRATION: SCHOLARS AND JOURNALISTS IN DIALOGUE* (Roberto Suro & Marcelo Suárez-Orozco, eds., University of California Press 2011)

The Constitutional Status of Irregular Migrants: Testing the Boundaries of Human Rights Protection in Spain and the United States, in *ARE HUMAN RIGHTS FOR MIGRANTS?* (Marie Dembour & Tobias Kelley, eds., Routledge 2011) (with Ruth Rubio-Marín)

Legal Limits on Immigration Federalism, in *TAKING LOCAL CONTROL: IMMIGRATION POLICY ACTIVISM IN U.S. CITIES AND STATES* (Monica Varsanyi, ed., Stanford University Press 2010) (with Muzaffar Chishti & Kimberly Nortman)

The Law of Language in the Classroom, in *AFFIRMING STUDENTS' RIGHT TO THEIR OWN LANGUAGE: BRIDGING EDUCATIONAL POLICIES TO LANGUAGE/LANGUAGE ARTS TEACHING PRACTICES* (Dolores Straker, et al. eds., Routledge 2008)

Select News Media and Blog Essays

The Fifth Circuit's Interventionist Administrative Law and the Misguided Reinstatement of Remain in Mexico, [Just Security](#) (Dec. 21, 2021) (with Adam B. Cox)

Are the Phantoms Real?, A Symposium on Skowronek, King & Dearborn, *Phantoms of a Beleaguered Republic: The Unitary Executive and the Deep State*, [Balkanization](#) (July 14, 2021) (with Anya Bernstein)

*Author's Response: [Notice and Comment Symposium](#) on *The President and Immigration Law** (Apr. 14, 2021) (with Adam B. Cox)

Fixing Trump's damage to government will take more than executive orders, [Wash. Post](#) (Jan. 22, 2021)

The President and Immigration Law: An Introduction to a Just Security Series, [Just Security](#) (Oct. 12, 2020) (with Adam B. Cox)

The Supreme Court's Ominous DACA Decision: Perils for Dreamers in What Comes Next, [Just Security](#) (June 22, 2020) (with Adam Cox)

Trump's COVID-19 Immigration Proclamation May be Legal, but It's Still an Abuse of Power, [Just Security](#) (April 30, 2020) (with Adam Cox)

The Radical Supreme Court Travel Ban Opinion, [Just Security](#) (June 27, 2018) (with Adam Cox & Ryan Goodman)

A Primer on the DACA Rescission, [Balkinization](#) (Oct. 5, 2017) (with Adam Cox & Marty Lederman)

Trump and Sessions Can't Blame Constitution for their Cruel DACA Decision, [Newsweek](#) (Sept. 6, 2017) (with Adam B. Cox) (originally posted on [Just Security](#))

DHS memos build a wall around the U.S. without laying a brick, [CNN](#) (February 21, 2017)

Trump and the Immigration Bureaucracy, [Just Security](#) (February 9, 2017)

It's OK That Congress Won't Fix Immigration: States Can Do a lot on Their Own, [Wash. Post](#) (Post Everything) (June 30, 2014)

Co-convener (with Adam B. Cox) of Symposium on Administrative Reform of Immigration Law, [Balkinization](#) (November 26, 2014) (posts with Adam Cox: *Symposium Introduction; Executive Discretion and Congressional Priorities; Concluding Thoughts: Line Drawing, the Separation of Powers, and the Responsibilities of the Political Branches*)

Negotiating Conflict through Federalism, [Balkinization](#) (April 2014)

Fourteenth Amendment is Key to American Experiment, [CNN](#) (August 17, 2010) (critiquing proposals to deny birthright citizenship to children of unauthorized immigrants)

What Tests Can, and Can't, Do, New York Times Room for Debate, *Detecting Race Bias in the Workplace* (June 29, 2009) (discussing Supreme Court's decision in *Ricci v. DeStefano*)

Focus on Sotomayor, the Jurist, New York Times Room for Debate, *Sotomayor: Does Biography Matter?* (May 26, 2009)

Assessing the Practical Repercussions of Ricci, American Constitution Society online symposium: Experts on *Ricci* (July 27, 2009)

Opinio Juris online symposium debating Peter Spiro's *Beyond Citizenship: American Identity After Globalization* (May 2008) (posts included: *Erosion Does not Mean Decline; Resisting the Erosion of Citizenship; Channeling Circular Migration; Final Thoughts on Cosmopolitanism*)

Debating Immigration Reform, [Balkinization](#), posts included: [Immigration Reform I: Looking Back](#); [Immigration Reform II: Looking Forward, Accepting Inevitability](#); [Immigration Reform III: Resetting After the Collapse](#) (June-July 2007); *A Day Without Immigrants* (May 2006)

States Take the Immigration Initiative, Americas Society/Council of the Americas, News & Views (solicited opinion piece published in English and Spanish and distributed throughout the Americas) (2006)

Immigration Reform Has to Start on the Street, NEWSDAY (July 23, 2006) (discussing local efforts to grapple with immigration)

Think Progress, Center for American Progress: Supreme Court Extra, posts included analysis of nomination of John G. Roberts to the Supreme Court (June-July 2005)

Frameworks for Immigration Reform, in American Constitution Society's [What's the Big Idea?](#) Recommendations for Improving Law & Society in the Next Administration (October 2016)

Delegation and Divergence: A Study of the 287(g) Program and State and Local Immigration Enforcement, [Migration Policy Institute Paper](#) (2011) (with R. Capps, M. Rosenblum, M. Chishti)

A Program in Flux: New Priorities and Implementation Challenges for 287(g), [Migration Policy Institute Paper](#) (2010) (with M. Chishti, R. Capps, L. St. John)

Regulating Immigration at the State Level: Highlights from the Database of 2007 Immigration Legislation and Methodology, [Migration Policy Institute Paper](#) (2008) (with L. Laglagaron, A. Silver, S. Thanasombat)

Testing the Limits: A Framework for Assessing the Legality of State and Local Immigration Measures, [Migration Policy Institute Paper](#) (2007) (with M. Chishti & K. Nortman)

Amicus Curiae, Faculty Senate of Florida International University v. Winn, No. (S. D. Fla. 2006) (with Eduardo Peñalver) (challenging restrictions on academic travel to Cuba)

AFFILIATIONS, MEMBERSHIPS & RECOGNITIONS

American Academy of Arts and Sciences (elected 2020)

American Law Institute (elected 2016)

Migration Policy Institute, Washington, D.C. (*trustee, 2020-present; non-resident fellow since 2008*)

American Bar Foundation Fellow

American Society for Legal and Political Philosophy

Council on Foreign Relations (*Term Member 2008-2013*)

Yale Law Women Excellence in Teaching Award (2020)

Puerto Rican Bar Association Academic Excellence Award (2014); Dominican Bar Association

Latina Trailblazer Award (2013); Yale Latino Law Association Alumni Achievement Award (2013);

National Hispanic Bar Foundation Academic Achievement Award (2014)

Bar Admissions: Supreme Court of the United States (2005); New York State (2001)

PROFESSIONAL SERVICE AND CONFERENCE ORGANIZING

Member, American Law Institute Early Career Scholars Medal Committee (2020-present)

Co-organizer, Public Seminar Series on COVID and the Global Order (a joint Yale Law School/Jackson Institute [series](#)) (summer 2020)

Editorial Advisory Committee, *Democracy: A Journal of Ideas*

Peer Review conducted for *Oxford Journal of Legal Studies*, Pew Charitable Trusts, Harvard University Press, NYU Press, Oxford University Press, Russell Sage Foundation

Advisory Council Member, “The Future of Latinos in the United States: Law, Opportunity, and Mobility,” [Project](#) of the American Bar Foundation (2014-present)

Co-organizer, The Future of Latinos in the United States—Northeast Roundtable, Yale Law School (April 2017) (with American Bar Foundation Directors Robert Nelson and Rachel Moran)

Co-organizer, Los Angeles Immigration Symposium, UCLA School of Law (April 2016) (with Roberto Suro, Roger Waldinger, & Jim Hollifield)

Co-organizer and convener, NYU-Yale-Stanford Conference on Prosecutorial Discretion in Immigration Law, NYU School of Law (October 2014) (with Adam B. Cox and Mariano-Florentino Cuellar)

Co-organizer and convener, Yale-NYU Conference on Immigration Reform: The Good, the Bad, and the Possible, Yale Law School (November 2013) (with Adam B. Cox and Lucas Guttentag)

Planning Committee, Academic Plenary Sessions, Immigration Law Professors' Workshop (2013-2014; 2007-2008)

Committee Member, National Academy of Sciences Committee to Estimate Costs of Increased DHS Enforcement on DOJ Budget (2010)

Convener, Supreme Court Year in Review, New York City Bar Association CLE (July 2009 & 2010)

Co-convener, NYU-Columbia Working Group on Latin American Migration (2008-2009)

Co-organizer, American Constitution Society, Conference on Originalism and Reconstruction (2008)

Member, Latino Studies Executive Committee, NYU Dep't. Social and Cultural Analysis (2005-2009)

Member, Board of Directions, Brennan Center for Justice at NYU School of Law (2005-2010)

Member, Rhodes Scholarship Selection Committee, Houston, TX & New York, NY (1998-2005)

INVITED LECTURES

John Field Simms Lecture on Constitutional Structures, University of New Mexico (scheduled for spring 2023)

America's Immigration Dilemma, MIT Center for International Studies Starr Forum, Cambridge, MA (November 2019)

The President, Immigration Law, and the Politics of Constitutional Structure, President's Constitution Day Colloquium, Smith College, North Hampton, MA (September 2019)

Our Immigration Impasse, 1892 Club, Hartford, CT (April 2019)

The President, Immigration Law, and the Politics of Constitutional Structure, Leighton Homer Surbeck Inaugural Chair Lecture, Yale Law School (November 2017)

Policy-making through Enforcement—Immigration Law and Beyond, The Wythe Lecture, William & Mary College of Law (November 2015)

Immigration Reform and the Political Value of Manufactured Crises, Humanities on the Edge Lecture Series, University of Nebraska, Lincoln (April 2015)

Immigration, Civil Rights, and the Formation of the People, Pierre Genest Memorial Lecture, Osgoode Hall Law School, York University, Toronto, ON (February 2013)

The Separation of Powers in Immigration Law, Immigration and Nationality Law Review Symposium, Cincinnati, OH (April 2012)

Educating English-language Learners and the Reach of the Law, Plenary Lecture, American Association of Applied Linguistics, Boston, MA (March 2012)

Local Governments and Immigrant Integration, Toyohashi City Hall, Toyohashi, Japan (June 2010)

Extraterritorial Application of Domestic Constitutions; Democracy, Judges, and the Commonwealth Model; The Rights of Immigrants, Universidad de Palermo, Buenos Aires, Argentina (May 2009) (in Spanish)

Democracy and Judges, Barnard's Inn Hall, London (March 2009)

Immigration and Local Governments, Keynote Address, League of California City Attorneys Conference, University of California, Hastings School of Law (October 2008)

Interpreting Constitutions: Written vs. Unwritten, Lincoln's Inn Fields & Barnard's Inn Hall, London (April 2008)

Burden Sharing in an Age of Migration, James Thomas Lecture, Yale Law School (March 2008)

SELECTED ACADEMIC AND PROFESSIONAL PRESENTATIONS

2022

Stanford Law School Constitutional Law Center, Panel on the Supreme Court Commission (Jan. 2022)

The Accountable Bureaucrat, University of Toronto Faculty of Law Workshop (March 2022)

What Article II History Teaches About Emergency Powers, Stanford Constitutional Law Center Conference (May 2022)

2020-2021

Book talks, events, and media on The President and Immigration Law (Oxford University Press 2020) (with Adam B. Cox)(recordings available [here](#)):

Lectures and events

Texas Tribune Festival

Bryant Park American History Book Series

Center for Migration Studies

Migration Policy Institute

National Constitution Center Town Hall

Yale Club of New York City

Yale Law School, Lillian Goldman Library, Faculty Book Talk

New York Historical Society
Center for the Study of International Migration at UCLA and the UCSD Center for Comparative Immigration Studies
NYU School of Law Book Talk
Seminary Co-Op Bookstore, Chicago
Center for the Study of Representative Institutions, Yale Macmillan Center
National Constitutional Law Workshop Series, The Rehnquist Center on the Constitutional Structures of Government, University of Arizona School of Law
Fragomen Annual Immigration Symposium
The Scholar: St. Mary's Law Review on Race and Social Justice, Immigration Symposium
The Graduate Center, City University of New York
Law & Society Annual Meeting: Author(s) Meet Reader(s)
Brennan Center for Justice, NYU School of Law
American Constitution Society Chapters (Berkeley, University of Chicago, Columbia, Harvard, Michigan, and Stanford)

Podcasts and selected media interviews: Detroit Public Radio; Connecticut Public Radio's Where We Live; NPR's Morning Edition; Talks on Law; Lawfare; The Immigrantly Podcast; Tempest Tossed (the New School Zolberg Center podcast); Good Law/Bad Law; New Books Network; Digging a Hole: The Legal Theory Podcast

Other talks and events (all virtual)

The Accountable Bureaucrat, Power in the Administrative State Workshop (Dec. 2021)

President Biden's Executive Orders, We the People [Podcast](#), National Constitution Center (Feb. 2021)

The Second Impeachment of Donald Trump, We the People [Podcast](#), National Constitution Center (Jan. 2021)

Book talk with Debra Kang on INS on the Line: Making Immigration Law on the U.S.-Mexico Border, 1917-1954 (OUP 2016), Yale Center for the Study of Representative Institutions (Oct. 2020)

What would Donald Trump's Re-election Mean for Constitutional Law?, Stanford Constitutional Law Center (October 2020)

Spotlight Conversation: Immigration Now, 50 Women at Yale 150 [Symposium](#) (celebrating 150/50 years of women at Yale) (Sept. 2020)

Revitalizing the Office of Legal Counsel, Roundtable Convening, American Constitution Society (August 2020)

Lecturer, *Supreme Court Year in Review—October Term 2019*, Public Law Institute, New York City (August 2020)

2019

Commentator on Sam Erman's *Almost Citizens*, American Society for Legal History, Boston, MA (November 2019)

Wither Legislative Supremacy?, University of Texas Law School Faculty Workshop (April 2019)

Immigration and the Constitution, New York Historical Society (February 2019)

Lecturer, *Supreme Court Year in Review—October Term 2018*, Public Law Institute, New York City (August 2019)

2018

The Case of DACA and DAPA, Administrative Constitutionalism Conference, University of Pennsylvania Law School (October 2018)

Wither Legislative Supremacy?, St. John's Law School Faculty Workshop (October 2018)

The Future of the Supreme Court, Texas Tribune Festival, Austin, TX (September 2018) (recorded as Slate [amicus](#) podcast)

Lecturer, *Supreme Court Year in Review—October Term 2017*, Public Law Institute, New York City (August 2018)

Delegating Emergency Power (from *The President and Immigration Law*), Harvard Law School Public Law Workshop (March 2018)

Distinguished Commentator, Conference of Constitutional Law Scholars, William H. Rehnquist Center on the Constitutional Structures of Government, James E. Rogers College of Law, University of Arizona School of Law (March 2018)

2017

Selections from *The President and Immigration Law* book manuscript

Berkeley Workshop in Law, Philosophy, and Political Theory (November 2017)

Columbia Law School Faculty Workshop (March 2017)

UCLA School of Law Faculty Workshop (January 2017)

Exploring the Debate over Sanctuary Cities, We the People Podcasts, The National Constitution Center, Philadelphia, PA (May 2017), <https://constitutioncenter.org/blog/podcast-exploring-the-debate-over-sanctuary-cities>.

The Constitution in the Age of Trump, Columbia Law School Center for Constitutional Governance (March 2017)

2016

Selections from *The President and Immigration Law* book manuscript

NYU Global and Comparative Law Colloquium (November 2016)

Cardozo Law School Faculty Workshop (November 2016)

University of Virginia Law School Faculty Workshop (March 2016)

University of Southern California Gould School of Law Faculty Workshop (April 2016)

Yale Law School Faculty Workshop (April 2016)

Ethics at Noon, Centre for Ethics, University of Toronto (April 2016)

OT 2015—The Supreme Court's Year in Review, Public Law Institute Seminar (August 2016)

Is President Obama's Immigration Policy Against the Law?, We the People Podcast, National Constitution Center, Philadelphia, PA (April 2016), <http://blog.constitutioncenter.org/2016/04/podcast-is-president-obamas-immigration-policy-against-the-law/>

DAPA in the Balance: Supreme Court Arguments and Potential Impacts on U.S. Families, Migration Policy Institute webinar (April 2016), <http://www.migrationpolicy.org/events/dapa-balance-supreme-court-arguments-and-potential-impacts-us-families-and-communities>.

Has the President Gone Too Far on Immigration?, The National Constitution Center, Philadelphia, PA (February 2016), <http://nccprograms.podbean.com/e/has-the-president-gone-too-far-on-immigration/>

2015

The President and Immigration Law Redux

Northwestern Law School Faculty Workshop (November 2015)
Conference on Constitutional Culture, Queen's Law School (October 2015)
University of Toronto Constitutional Law Roundtable (October 2015)
NYU Law & Politics Colloquium (September 2015)
Stanford Law School Faculty Workshop (April 2015)
Columbia Law School Legal Theory Workshop (April 2015)
Berkeley Law School Faculty Workshop (March 2015)

Executive Branch Legal Interpretation, Stanford Constitutional Law Center (May 2015)

Immigration, Civil Rights, and the Future of Race Relations in the United States, Eastern Sociological Association Presidential Plenary (February 2015)

Federalism and National Consensus

University of Toronto Faculty of Law Workshop (November 2015)
George Washington University Law School Faculty Workshop (February 2015)
Florida State University College of Law Faculty Workshop (January 2015)

The Deferred Action Litigation: What to Expect and Next Steps, Migration Policy Institute Annual Conference, Georgetown Law School (October 2015)

2014

Toward Détente in Immigration Federalism, Conference on the Future of Immigration Enforcement, University of Virginia School of Law (October 2014)

Federalism and Immigrant Integration, Center for Migration Studies New York 50th Anniversary Symposium (September 2014)

Legal Frameworks Affecting Immigrant Integration: Federal Baselines and Local Variation, presentation to National Academy of Sciences Committee on the Integration of Immigrants in U.S. Society (July 2014)

Federalism and National Consensus

Yale Law School Faculty Workshop (April 2014)
Fordham Law School Faculty Workshop (April 2014)
Columbia Law School Public Law Seminar (February 2014)

Separation of Powers and Prosecutorial Discretion in Immigration Law, Rebellious Lawyering Conference, Yale Law School (February 2014)

Justice Sotomayor's Immigration Jurisprudence, Yale Law Journal Symposium on Justice Sotomayor's First Five Years on the Court (February 2014)

2013

Prosecutorial Discretion and Administrative Alternatives to Immigration Reform, Conference on Immigration Reform: The Good, the Bad, and the Possible, Yale Law School (November 2013)

Federalism and National Consensus, Kadish Center for Law, Morality & Public Affairs, University of California, Berkeley School of Law (October 2013)

The Separation of Powers and Domestic Policy in the Second Obama Administration, Conference on the Future of Constitutional Governance, Center for Constitutional Governance, Columbia Law School (April 2013)

Immigration, Civil Rights, and the Formation of the People, Seminar on Citizenship, University of Toronto Faculty of Law (March 2013)

Regulating Migration Transnationally, Meeting of the American Society for Legal and Political Philosophy, New Orleans, LA (January 2013) (commentary on paper by Thomas Cristiano)

Federalism, the Executive Branch, and Marijuana Legalization, American Constitution Society Roundtable, Washington, D.C. (April 2013)

2011

Immigration and Equality, Conference on the Future of Equality, American Constitution Society, Open Society Institute, and University of Texas Law School (April 2011)

2010

The Legal and Social Structures for Immigrant Integration in the United States, Conference on Immigration, Liberalism, and the Nation-State, Interdisciplinary Center, Radzyner School of Law, Herzliya, Israel (October 2010)

Decentralization and the Formation of National Consensus
University of Michigan Law School Constitutional Theory Colloquium (October 2010)

Arizona's SB1070 and State and Local Enforcement of Immigration Law
Sandra Day O'Connor College of Law, Arizona State University (October 2010)

Global Labor Migration and the Integration and Security Challenges it Presents, U.S. Embassy Conference in Honor of Fiftieth Anniversary of U.S.-Japan Security Treaty, Tokyo American Center and Sofia University, Tokyo, Japan (June 2010)

Constraint through Delegation: The Case of Executive Control over Immigration Policy
Harvard Law School Faculty Workshop (April 2010)
University of Washington Law School Faculty Workshop (April 2010)
Duke Law Journal Fortieth Anniversary Administrative Law Symposium (February 2010)
Boston University School of Law Faculty Workshop (February 2010)

Immigration and the Civil Rights Paradigm, From Slavery, to Freedom, to the White House, Conference in Honor of John Hope Franklin, Duke Law School (April 2010)

The Disaggregation of Citizenship, Conference on Immigration, Race, and the 21st Century Workplace, Law and Public Affairs Program, Princeton University (February 2010)

Incorporating the Local into Immigration Regulation, Wayne State Law Review Immigration Reform Symposium, Wayne State Law School (February 2010)

The Future of Local Immigration Regulation, Localization of Immigration Law Conference, Harvard Law School (February 2010)

Featured Commentator, Symposium to celebrate publication of *The Birthright Lottery*, by Ayelet Shachar, University of Toronto Faculty of Law (January 2010)

Immigration and Local Governments, New York City Law Department (October 2010)

Arizona's SB 1070 and Preemption, American Constitution Society Panel, Cardozo Law School, New York, NY (September 2010)

Introduction to Constitutional Law, Sponsors for Educational Opportunity, Corporate Law Institute, Inc., NYU School of Law (workshop introducing major themes of constitutional law to college students admitted to top-20 law schools as part of summer-long corporate law training program for minority students) (July 2010)

2009

The President and Immigration Law

Yale Law School Faculty Workshop (November 2009)

Pepperdine Law School Faculty Workshop (May 2009)

Stanford Law School Faculty Workshop (February 2009)

University of Chicago Law & Politics Colloquium (January 2009)

Burden Sharing in an Age of Migration

Cornell Law School Faculty Workshop (November 2009)

University of Chicago Constitutional Law Workshop (April 2009)

The Legal Framework Governing the Language Needs of Immigrants to the United States, Immigration, Education, and Language: A Spain/USA Perspective, King Juan Carlos I of Spain Center at NYU (November 2009)

A Comment on Peter Spiro's Local Citizenship, Cooper-Walsh Colloquium: Empowered Cities: The City as Autonomous Actor, Fordham Law School (October 2009)

Immigration and Human Rights in the United States and Spain, International Institute for the Sociology of Law, Oñati, Spain (May 2009)

Managing Migration through Administrative and Regulatory Mechanisms: Possibilities for U.S.-Mexico Cooperation, International Administrative Law Conference, Universidad Autónoma de Nuevo León, Monterrey, Mexico (April 2009)

The Immigrant and the City, Conference on Immigration and Local Government in the United States and Europe, Villa La Pietra, Florence, Italy (March 2009)

The Future of Conservative Jurisprudence, Brennan Center for Justice, Harvard Club, New York, NY (November 2009)

The Constitution in 2020, American Constitution Society, Soros Open Society Institute, New York, NY (July 2009)

The Sotomayor Nomination, American Constitution Society, National Press Club, Washington, D.C. (June 2009)

Introduction to Constitutional Law, Sponsors for Educational Opportunity, Corporate Law Institute, Inc., NYU School of Law (August 2009)

Prospects for Immigration Reform in the Obama Administration, Wagner Graduate School of Public Service, NYU (April 2009)

2008

Citizenship, Alienage, and the Fourteenth Amendment, American Constitution Society Conference on Originalism and Reconstruction, University of Pennsylvania Law School (November 2008)

The Latino Educational Crisis and the Law, Columbia-NYU Working Group on Latin American Migration (November 2008)

The Enforcement of Immigration Law: The Federal-State-Local Dynamic, Conference on Covering Immigration: Academic and Journalistic Perspectives, Nieman Foundation for Journalism & David Rockefeller Foundation for Latin American Studies, Harvard University (October 2008)

The Significance of the Local in Immigration Regulation

Yale Law School Local Government Colloquium (October 2008)

Rutgers-Camden Law School Faculty Workshop (February 2008)

Columbia-NYU Working Group on Latin American Migration (February 2008)

University of Michigan, Law Review authors series (January 2008)

Burden Sharing in an Age of Migration

University of Alabama Faculty Workshop (October 2008)

SMU Dedman College of Law Citizenship Colloquium (September 2008)

NYU School of Law Summer Faculty Workshop (July 2008)

The President and Immigration Law

NYU Faculty Workshop (October 2008)

Immigration Law Professors Workshop, Miami, Florida (May 2008)

Language Politics: Normative Perspectives, Association for the Study of Nationalities Global Convention, Columbia University (April 2008)

Immigration and Election 2008, NYU Stern School of Business, Council on Foreign Relations, and *The Economist* public forum (February 2008)

Latinos, Immigration, and the Political Process, Kramer Levin Diversity Lecture Series, New York, NY (September 2008)

The Constitutional Basis for Individual Rights in America: Habeas Corpus, NYU Multinational Institute of American Studies (June 2008)

English-only and the History of Immigration to the United States, Lower East Side Tenement Museum, New York, NY (June 2008)

The States Step In: The Devolution of Immigration Policy, Fifth Annual Immigration Law & Policy Conference, Georgetown Law Center, CLINIC, and the Migration Policy Institute, Washington, D.C. (May 2008)

Prospects for Litigation: State and Local Immigration Regulation, D.C. Bar Association (April 2008)

2007

The Significance of the Local in Immigration Regulation

Queen's University Faculty of Law, Kingston, Ontario (November 2007)

University of Minnesota Public Law Colloquium (October 2007)

LatCrit X, Miami, Florida (October 2007)

Washington College of Law, American University, Faculty Workshop (October 2007)

Temple Law School Faculty Workshop (October 2007)

University of Iowa College of Law Faculty Workshop (September 2007)

University of Pennsylvania Law School Faculty Workshop (September 2007)

Boalt Hall Workshop for Junior Administrative Law Scholars (August 2007)

NYU Summer Faculty Workshop (June 2007)

Cornell Law School Junior Constitutional Law Scholars Workshop (March 2007)

Latinos and Immigrants, Conference on Latinos and Civic Participation, University of Indiana School of Law, Bloomington (March 2007)

Guest Workers and the Threat to Immigrant Assimilation

Washington University School of Law Faculty Workshop (March 2007)

NYU Faculty Workshop (February 2007)

Liberalism, Members, and Strangers Workshop, AALS Annual Meeting (January 2007)

Comprehensive Immigration Reform—What Should it Look Like?, Wagner Graduate School of Public Service, NYU (February 2007)

The New State and Local Immigration Regulation, Migration Policy Institute, Washington, D.C. (presentations to immigration policy community) (January & December 2007)

Introduction to Constitutional Law, Sponsors for Educational Opportunity, Corporate Law Institute, Inc., NYU School of Law (August 2007)

Immigration and Language Diversity, Lower East Side Tenement Museum, New York, NY (April 2007)

2006

Guest Worker Programs and the Threat to Immigrant Assimilation

University of Chicago Immigration Law Symposium (October 2006)

NYU Immigration Reform Symposium (October 2006)

Language Diversity in the Workplace

University of Oregon Legal Theory Workshop (October 2006)

New York Junior Faculty Colloquium, Fordham Law School (March 2006)

Northwestern Employment Law Association (February 2006)

Immigration Policy Challenges, Conference on Rethinking Global Migration, Immigration Studies @ NYU; the David Rockefeller Center for Latin American Studies, Harvard University; and the Pew Hispanic Center, New York, NY (May 2006)

The American Advantage in Assimilation, Immigration Law Teachers Workshop, William S. Boyd School of Law, Las Vegas, NV (May 2006)

Immigration Law Reform and the Problem of Unauthorized Migration, NYU International Center for Advanced Studies (April 2006)

Judicial Nominations, Constitutional Theory Conference, University of Pennsylvania Law School (April 2006)

Language and Participation, Georgetown Constitutional Theory Workshop (March 2006)

Introduction to Constitutional Law, Sponsors for Educational Opportunity, Corporate Law Institute, Inc. (July 2006)

The Supreme Court at a Crossroads: American Constitutional Law in the Next Decade (federalism and the separation of powers), Anti-Defamation League's Edward Brodsky Legal Conference (February 2006)

2005

Freedom of the Press and International Law, U.S. Embassy, Caracas, Venezuela (Delivered lectures and facilitated round table discussions on freedom of the press under international and inter-American law to media lawyers, journalists, academics, and students) (October 2005)

Language Rights and Democratic Participation in the United States, Law and Justice in a Global Society Conference, IVR Congress of Law and Philosophy, Granada, Spain (May 2005)

El español como ideología en la era de globalización, (The Spanish language as ideology in an era of globalization), King Juan Carlos I of Spain Center at NYU (April 2005)

The Supreme Court's Death Penalty Cases: A Review of the Supreme Court's Term, 2004-2005, NYU Institute of Judicial Administration, Inc., Chicago, IL (July 2005)

Introduction to Constitutional Law, Sponsors for Educational Opportunity, Corporate Law Institute, Inc., NYU School of Law (July 2005)

2004

Language Diversity in the Workplace, Northwestern Law School Law & Labor Colloquium (November 2004)

Samuel Huntington's Language Problem, NYU Latino Studies Colloquium (November 2004)

Language and Participation, King Juan Carlos I Center, NYU (September 2004)