

September 26, 2006

Dear Members of Congress,

We write as legal scholars to urge you to prevent adoption of the so-called “compromise” bill, S.3929, which would rob individuals detained by the United States of the hallmark of American freedom, the right of anyone detained by the government to demand to know why and to challenge the conditions of confinement before a federal court, independent of the executive and the military. Responding to the real challenges posed by the dangers of terrorism does not require the sacrifice of our vital legal traditions—on the contrary, upholding the rule of law can keep us all safer. We identify three central reasons why this bill presents us with an urgent test of our nation’s constitutional and democratic values, and we ask you in the strongest possible terms to reject it.

- The bill’s most shocking feature is its elimination of habeas corpus review for non-U.S. citizen detainees. Triggered the moment that the executive labels an individual as an enemy combatant,<sup>1</sup> the bill confines judicial review to verifying the military commission decision if there is one. Habeas would not be available to test prolonged detention with no status review. By eliminating habeas corpus review for non-U.S. citizens detained in U.S. jurisdiction and sharply confining courts’ jurisdiction over actions concerning any aspect of their detention, the bill prevents consideration of the conditions of detention and interrogation. The Supreme Court has described, “[t]he writ of habeas corpus is the fundamental instrument for safeguarding individual freedom against arbitrary and lawless state action,” Harris v. Nelson, 394 U.S. 286, 290-91 (1969), yet **Congress is poised to eviscerate the courts’ power to consider habeas corpus petitions** on behalf of non-U.S. citizens, and to strip the courts’ jurisdiction “to consider any other action against the United States or its agents relating to any aspect of the detention.”<sup>2</sup> If this provision takes effect as law and withstands legal challenges, the President evidently will be able to detain individuals indefinitely, unrestrained by any judicial check on conditions of their detention. Both prior to and following determination of combatant status, detainees

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<sup>1</sup> Thus, Sect. 106a2 reads: “(e)(1) No court, justice, or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien detained by the United States who--

`(A) is currently in United States custody; and

`(B) has been determined by the United States to have been properly detained as an enemy combatant or is awaiting such determination.”

The term is defined in Sect. 948a(4): “UNLAWFUL ENEMY COMBATANT- The term `unlawful enemy combatant’ means an individual engaged in hostilities against the United States who is not a lawful enemy combatant.” A lawful enemy combatant is defined as follows in Sect. 948a(3) “LAWFUL ENEMY COMBATANT- The term `lawful enemy combatant’ means an individual who is--

`(A) a member of the regular forces of a State party engaged in hostilities against the United States;

`(B) a member of a militia, volunteer corps, or organized resistance movement belonging to a State party engaged in such hostilities, which are under responsible command, wear a fixed distinctive sign recognizable at a distance, carry their arms openly, and abide by the law of war; or

`(C) a member of a regular armed force who professes allegiance to a government engaged in such hostilities, but not recognized by the United States.”

<sup>2</sup> Bill S.3929, Sec. 106.

apparently would have no way to force the government to bring criminal charges. Blocked from access to nonpolitical judges, the detainees will have no forum in which to challenge detention without criminal trial or unlawful treatment. Their only remaining alternative would be to challenge their continued detention before the U.S. Military's Administrative Review Board, a mechanism so inadequate that it has proven on numerous occasions to be unable to effectuate the release of the very Guantanamo detainees it has recommended for release or repatriation.<sup>3</sup> Moreover, to eliminate any doubt that the bill seeks to tie the hands of the judiciary with regard to issues of detainee abuse, it provides that "[n]o person may invoke the Geneva Conventions... as a source of rights in any court of the United States or its States or territories."<sup>4</sup> The proponents justify this dramatic abandonment of the historic instrument of freedom and safeguard against government abuse as a means of saving time, not a crucial tool to ensure national safety.

- The bill drastically narrows the grounds for criminal liability under the Federal War Crimes Act, 18 U.S.C. 2441.<sup>5</sup> In doing so, it seems to license the executive to reinterpret the Geneva Conventions in ways that would uproot understandings that have been in place since 1949, that the Supreme Court has recently affirmed in Hamdan v. Rumsfeld, – U.S. – (June 29, 2006) and that have recently been affirmed by Senator John McCain.<sup>6</sup> These sections degrade the ability of the judiciary to fulfill its central function of interpreting the law. The proposed legislation would hand to **the President apparently exclusive authority to decide which techniques violate the Geneva Conventions for purposes of criminal sanction under the War Crimes Act, so long as they do not fall within the category of "grave breaches" created by this bill.**<sup>7</sup> Only those enumerated "grave breaches," like "Rape" and "Murder," would be definitely criminalized, leaving abuses which are not on the list, such as manslaughter, up to presidential discretion. This bill could potentially permit Central Intelligence Agency personnel to escape liability for beating people to the point of leaving multiple bruises, or for inducing hypothermia by

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<sup>3</sup> See, e.g., "Stuck in Guantánamo," International Herald Tribune, April 22, 2006, available at [http://www.iht.com/bin/print\\_ipub.php?file=/articles/2006/04/21/news/gitmo.php](http://www.iht.com/bin/print_ipub.php?file=/articles/2006/04/21/news/gitmo.php). The provision curtailing habeas corpus for detainees will inevitably give rise to a constitutional challenge under Art. I, section 9, clause 2 (limiting Congressional power to suspend the writ to circumstances of rebellion or invasion) and the due process clause of the 5<sup>th</sup> Amendment. The inevitability of judicial review underscores how the rush to enact the current compromise bill reflects partisan political maneuvering.

<sup>4</sup> Bill S.3929, Sec. 107(a).

<sup>5</sup> The War Crimes Act defines war crime to include any conduct "(3) which constitutes a violation of common Article 3 of the international conventions signed at Geneva, 12 August 1949, or any protocol to such convention to which the United States is a party and which deals with non-international armed conflict;" while the compromise bill substitutes

"(3) which constitutes a grave breach of common Article 3 as defined in subsection (d) when committed in the context of and in association with an armed conflict not of an international character; or." Bill S. 3929, Sec. 108(b)(1).

<sup>6</sup> McCain Comments on Military Commission Act of 2006, Sept. 15, 2006, [http://mccain.senate.gov/index.cfm?fuseaction=NewsCenter.ViewPressRelease&Content\\_id=2284](http://mccain.senate.gov/index.cfm?fuseaction=NewsCenter.ViewPressRelease&Content_id=2284).

<sup>7</sup> Bill S.3929, Sec. 108(a)(2)-(3), 108(b)(d)(1)(A)-(I); see also Convention (III) Relative to the Treatment of Prisoners of War. Geneva, 12 Aug. 1949, Art. 129-130.

placing detainees in a cold cell and pouring freezing water on them. No one can say what the result will be, or how far the bar on acceptable practice will have been irreversibly lowered.

- Finally, the bill **abandons our longstanding constitutional protections against punishing people on the basis of coerced testimony<sup>8</sup> and against denying individuals the opportunity to defend themselves through access to exculpatory evidence known to the government.<sup>9</sup>** These provisions reward and encourage torture, and undermine the fairness of the resulting trials.

Taken together, the bill's provisions rewrite American law to evade the fundamental principles of separation of powers, due process, habeas corpus, fair trials, and the rule of law, principles that, together, prohibit state-sanctioned violence. If there is any fixed point in the historical understandings of constitutional freedom that help to define us as a people, it is that no one may be picked up and locked up by the American state in secret or at an unknown location, or without opportunity to petition an independent court for inspection of the lawfulness of the lockup and of the treatment handed out by the state to the person locked up, under legal standards from time to time defined by Congress. This core principle should apply with full force to all detentions by the American state, regardless of the citizenship of detainees.

The legislation now pending before Congress would constitute a gross and direct repudiation of this principle. It aims to prevent any degree of judicial inspection of conditions of detention of any person whom the executive for any reason, disclosed or undisclosed, may choose to label and treat as an enemy combatant. It also seeks to prevent any degree of judicial inspection of grounds or reasons for detention of any person thus labeled whom the executive may choose to keep locked up forever without any official determination of combatant status. Such lawmaking by Congress would deal a body blow to American constitutional identity and American constitutional pride. It would in that way weaken us as a people, not only abroad but at home. It would produce major legal challenges and once more invite both our international critics and our friends to point to the U.S. government's apparent effort to evade widely accepted legal and moral constraints, tarnishing our reputation and our standing.

Legislation so grave ought not even to be seriously considered, much less enacted, in the absence of overwhelmingly urgent reasons. We are told that pending and foreseeable habeas corpus petitions make demands on judicial time and energies, and that having to fashion responses to them is distracting to military personnel and thus impedes our war effort. With all respect, those reasons are paltry when set beside the core principles of American justice and decency at stake.

No doubt there is a possibility that courts in some habeas corpus cases could get more seriously in the way of the executive. A habeas court might find that our country's laws as they stand, unless and until changed by Congress, require adjustments of military and executive branch practice that the executive would find undesirable or contrary to the national interest. We have not heard any of our legislators objecting to habeas corpus on that ground, and we believe we

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<sup>8</sup> Bill S.3929, Sec. 104(a)(1)(`Ch. 47A)(`Subch. III)(`Sec. 948r)(`c)-(`d).

<sup>9</sup> Bill S.3929, Section 949j.

know why we have not: For to object to habeas corpus on that ground is to set at naught the rule of law.

We cannot in good conscience stand by while a bill that erodes protections against state-sanctioned abuse is enacted. We therefore urge you to do everything in your power to prevent the enactment of this bill, and to ensure that any legislation passed on this subject complies fully with our constitutional standards.

Respectfully,

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209	Mark E. Wojcik	Professor Director Global Legal Studies	The John Marshall Law School	IL
210	Molly Warner Lien	Professor of Law and Director, Lawyering Skills Program	The John Marshall Law School	IL
211	Thomas Kleven	Professor of Law	Thurgood Marshall School of Law	IL
212	Heidi M. Hurd	Dean, College of Law, David C. Baum Professor of Law and Professor of Philosophy Co-Director, Program in Law and Philosophy	University of Illinois College of Law	IL
213	Lynne R. Feldman	Adjunct Professor of Immigration Law	University of Illinois College of Law	IL
214	Tom Ginsburg	Professor of Law	University of Illinois College of Law	IL
215	Wayne R. LaFave	Professor of Law Emeritus	University of Illinois College of Law	IL
216	Sheila Suess Kennedy	Associate Professor of Law and Public Policy	Indiana University Purdue University, School of Public and Environmental Affairs	IN
217	Aviva Orenstein	Professor of Law	Indiana University School of Law	IN
218	Florence Wagman Roisman	William F. Harvey Professor of Law	Indiana University School of Law	IN
219	Jeffrey O. Cooper	Associate Professor of Law	Indiana University School of Law	IN
220	Jennifer A. Drobac	Associate Professor of Law	Indiana University School of Law	IN
221	John A. Scanlan	Professor of Law	Indiana University School of Law	IN
222	Linda Kelly Hill	Professor of Law	Indiana University School of Law	IN
223	Elizabeth P. Hodges	Assistant Professor	Indiana University School of Law, Bloomington	IN
224	Alejandro E. Camacho	Associate Professor of Law	Notre Dame Law School	IN
225	Donald P. Kommers	Joseph and Elizabeth Robbie Professor of Political Science and Professor of Law	Notre Dame Law School	IN
226	Douglass Cassel	Lilly Endowment Professor of Law	Notre Dame Law School	IN
227	Fernand N. Dutille	Professor of Law	Notre Dame Law School	IN
228	James H. Seckinger	Professor of Law	Notre Dame Law School	IN

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233	Thomas Broden	Professor Emeritis	Notre Dame Law School	IN
234	Elizabeth M. Bruch	Associate Professor of Law	Valparaiso University School of Law	IN
235	Angela J. Ferguson	Adjunct Professor of Law	Washburn University School of Law	KS
236	Enid Trucios-Haynes	Professor of Law	Louis D. Brandeis School of Law	KY
237	Ken Katkin	Professor of Law	Salmon P. Chase College of Law	KY
238	David J. Gottlieb	Professor of Law	University of Kansas School of Law	KY
239	Alvin L. Goldman	Professor of Law	University of Kentucky College of Law	KY
240	Stuart P. Green	L.B. Porterie Professor of Law	Louisiana State University Law School	LA
241	Jeanne M. Woods	Henry F. Bonura, Jr. Distinguished Professor of Law	Loyola University School of Law	LA
242	Bill Quigley	Professor of Law	Loyola University, New Orleans, College of Law	LA
243	M. Isabel Medina	Ferrs Family Professor of Law	Loyola University, New Orleans, College of Law	LA
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245	Joachim Zekoll	A.D. Freeman Professor of Law	Tulane Law School	LA
246	Vernon Valentine Palmer	Professor of Law	Tulane Law School	LA
247	A.N. Yiannopoulos	Eason-Weinmann Professor of Law	Tulane University Law School	LA
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252	Kent Greenfield	Professor of Law	Boston College Law School	MA
253	Mark S. Brodin	Professor of Law	Boston College Law School	MA
254	Phyllis Goldfarb	Professor of Law	Boston College Law School	MA
255	Robert M. Bloom	Professor of Law	Boston College Law School	MA
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257	Larry Yackle	Professor of Law	Boston University	MA

258	David Lyons	Professor of Law	Boston University School of Law	MA
259	David Rossman	Professor of Law	Boston University School of Law	MA
260	Michael C. Harper	Professor of Law	Boston University School of Law	MA
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269	Deborah Anker	Clinical Professor of Law	Harvard Law School	MA
270	Duncan Kennedy	Carter Professor of General Jurisprudence	Harvard Law School	MA
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275	Henry Steiner	Jeremiah Smith, Jr. Prof. of Law, Emeritus	Harvard Law School	MA
276	Jacqueline Bhabha	Jeremiath Smith Jr. Lecturer on Law	Harvard Law School	MA
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278	Jody Freeman	Professor of Law	Harvard Law School	MA
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280	Jon Hanson	Professor of Law	Harvard Law School	MA
281	Joseph Singer	Bussey Professor of Law	Harvard Law School	MA
282	Kenneth Mack	Professor of Law	Harvard Law School	MA
283	Laurence H. Tribe	Carl M. Loeb University Professor	Harvard Law School	MA
284	Lloyd L. Weinreb	Dane Professor of Law	Harvard Law School	MA
285	Lucie White	Louis A. Horwitz Professor of Law	Harvard Law School	MA
286	Martha Minow	Jeremiah Smith, Jr. Professor of Law	Harvard Law School	MA
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298	Sarah Salter	Professor of Law	New England School of Law	MA
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301	Dan Williams	Associate Professor	Northeastern University School of Law	MA
302	Hope Lewis	Professor of Law	Northeastern University School of Law	MA
303	James V. Rowan	Professor of Law	Northeastern University School of Law	MA
304	Karl Klare	George J. & Kathleen Waters Matthews Distinguished University Professor	Northeastern University School of Law	MA
305	Michael Meltsner	Matthews Distinguished University Professor of Law	Northeastern University School of Law	MA
306	Peter D. Enrich	Professor of Law	Northeastern University School of Law	MA
307	Roger I. Abrams	Richardson Professor of Law	Northeastern University School of Law	MA
308	Sarah Hooke Lee	Associate Professor and Assistant Dean of Information and Research Services	Northeastern University School of Law	MA
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310	Wendy E. Parmet	Matthews Distinguished University Professor of Law	Northeastern University School of Law	MA
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312	Eric Blumenson	Professor of Law	Suffolk University Law School	MA
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315	Jessica Silbey	Assistant Professor of Law	Suffolk University Law School	MA
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321	R. Lisle Baker	Professor of Law	Suffolk University Law School	MA
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329	Deborah Weimer	Law School Professor	University of Maryland School of Law	MD
330	Mark A. Graber	Professor of Law	University of Maryland School of Law	MD
331	Michael Milleman	Professor of Law	University of Maryland School of Law	MD
332	Peter E. Quint	Jacob A. France Professor of Constitutional Law	University of Maryland School of Law	MD
333	Robert J. Condlin	Professor of Law	University of Maryland School of Law	MD
334	Taunya Lovell Banks	Jacob A. France Professor of Equality Jurisprudence	University of Maryland School of Law	MD
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336	David P. Cluchey	Professor of Law	University of Maine School of Law	ME
337	Deirdre M. Smith	Assoc. Professor of Law and Director, Cumberland Legal Aid Clinic	University of Maine School of Law	ME
338	James Friedman	Professor of Constitutional Law	University of Maine School of Law	ME
339	Jennifer Wriggins	Professor of Law	University of Maine School of Law	ME

340	Orlando E. Delogu	Emeritus Professor of Law	University of Maine School of Law	ME
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342	Michael Anthony Lawrence	Professor of Law	Michigan State University College of Law	MI
343	Anne Schroth	Clinical Professor of Law	University of Michigan Law School	MI
344	Eve L. Brensike	Assistant Professor of Law	University of Michigan Law School	MI
345	James Boyd White	Hart Wright Collegiate Professor of Law	University of Michigan Law School	MI
346	Madeline Kochen	Assistant Professor of Law	University of Michigan Law School	MI
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350	Jonathan Weinberg	Professor of Law	Wayne State University Law School	MI
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352	Brian H. Bix	Frederick W. Thomas Professor for Interdisciplinary Study of Law and Language	University of Minnesota Law School	MN
353	Carol Chomsky	Professor of Law	University of Minnesota Law School	MN
354	Chantal Thomas	Professor of Law	University of Minnesota Law School	MN
355	Dan L. Burk	Oppenheimer, Wolff & Donnelly Professor of Law	University of Minnesota Law School	MN
356	Daniel J. Gifford	Robbins, Kaplan, Miller & Ciresi Professor of Law	University of Minnesota Law School	MN
357	Fionnuala Ni Aolain	Dorsey & Whitney Chair in Law	University of Minnesota Law School	MN
358	Laura Danielson	Adjunct Professor of Immigration Law	University of Minnesota Law School	MN
359	Steve Simon	Professor of Clinical Instruction	University of Minnesota Law School	MN
360	David Schultz	Professor of Law; Professor	University of Minnesota Law School; Hamline University Graduate School of Management	MN
361	Virgil Wiebe	Director of Clinical Legal Education and Associate Professor of Law	University of St. Thomas School of Law	MN
362	Eric S. Janus	Vice Dean and Professor of Law	William Mitchell College of Law	MN

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364	Kathleen Clark	Professor of Law	Washington University School of Law	MO
365	Leigh Hunt Greenhaw	Senior Lecturer-in-law	Washington University School of Law	MO
366	Stephen H. Legomsky	Charles F. Nagel Professor of International and Comparative Law	Washington University School of Law	MO
367	L. Patricia Ice	Adjunct Professor	Mississippi College School of Law	MS
368	Charles H. Brower, II	Croft Associate Professor of International Law	University of Mississippi School of Law	MS
369	Michael H. Hoffheimer	Professor of Law	University of Mississippi School of Law	MS
370	Deborah S. Smith	Adjunct Professor of Law	University of Montana School of Law	MT
371	Gregory S. Munro	Professor of Law	University of Montana School of Law	MT
372	Allison G. Kort	Lecturing Fellow	Duke Law School	NC
373	Allison J. Rice	Supervising Attorney and Senior Lecturing Fellow	Duke Law School	NC
374	Erwin Chemerinsky	Alston & Bird Professor of Law and Political Science	Duke Law School	NC
375	James Boyle	William Neal Reynolds Professor of Law	Duke Law School	NC
376	Neil Vidmar	Russell M. Robinson II Professor of Law	Duke Law School	NC
377	Paul Carrington	Professor of Law	Duke Law School	NC
378	Sarah Ludington	Senior Lecturing Fellow	Duke Law School	NC
379	Deborah M. Weissman	Professor of Law and Director of Clinical Programs	University of North Carolina School of Law	NC
380	Hiroshi Motomura	Kenan Distinguished Professor of Law	University of North Carolina School of Law	NC
381	Tamar R. Birckhead	Assistant Professor of Law	University of North Carolina School of Law	NC
382	James M. Grijalva	Randy H. Lee Associate Professor of Law	University of North Dakota	ND
383	Kevin Ruser	Clinical Professor of Law, Director of Clinical Programs, Civil Clinical Law Program	University of Nebraska - Lincoln College of Law	NE
384	Christopher M. Johnson	Professor of Law and Chief Appellate Defender	Franklin Pierce Law Center	NH
385	Hugh Gibbons	Professor of Law Emeritus	Franklin Pierce Law Center	NH
386	Thomas G. Field, Jr.	Professor of Law	Franklin Pierce Law Center	NH
387	William O. Hennessey	Professor of Law	Franklin Pierce Law Center	NH

388	Kim Lane Scheppele	Director, Program in Law and Public Affairs, Laurance S. Rockefeller Professor of Public Affairs, Woodrow Wilson School and University Center for Human Values	Princeton University	NJ
389	Vanessa Barker	Visiting Fellow, Program in Law and Public Affairs, Visiting Assistant Professor of Sociology	Princeton University	NJ
390	Beth Stephens	Professor of Law	Rutgers School of Law-Camden	NJ
391	Charles Davenport	Professor of Law	Rutgers School of Law-Newark	NJ
392	James G. Pope	Professor of Law	Rutgers School of Law-Newark	NJ
393	Linda Bosniak	Professor of Law	Rutgers School of Law-Newark	NJ
394	Neil H. Buchanan	Associate Professor of Law	Rutgers School of Law-Newark	NJ
395	Paul L. Tractenberg	Board of Governors Distinguished Service Professor and Alfred C. Clapp Distinguished Public Service Professor of Law	Rutgers School of Law-Newark	NJ
396	Penny Venetis	Clinical Professor of Law, Clinical Scholar and Associate Director, Constitutional Litigation Clinic	Rutgers School of Law-Newark	NJ
397	Baher Azmy	Associate Professor of Law	Seton Hall University School of Law	NJ
398	Jon Romberg	Associate Professor of Law	Seton Hall University School of Law	NJ
399	Kevin B. Kelly	Associate Clinical Professor	Seton Hall University School of Law	NJ
400	Kristen Boon	Associate Professor of Law	Seton Hall University School of Law	NJ
401	Rachel D. Godsil	Professor of Law	Seton Hall University School of Law	NJ
402	Thomas Healy	Associate Professor of Law	Seton Hall University School of Law	NJ
403	Elizabeth Rapaport	Professor of Law	University of New Mexico School of Law	NM
404	Gloria Valencia-Weber	Professor of Law	University of New Mexico School of Law	NM
405	Jennifer Moore	Professor of Law	University of New Mexico School of Law	NM
406	Christopher L. Blakesley	Cobeaga Law Firm Professor of Law	University of Nevada at Las Vegas, Boyd School of Law	NV
407	David B. Thronson	Associate Professor of Law, Co-Director, Immigration Clinic	University of Nevada at Las Vegas, Boyd School of Law	NV
408	Jean R. Sternlight	Michael and Sonja Saltman Professor of Law, Director of Saltman Center for Conflict Resolution	University of Nevada at Las Vegas, Boyd School of Law	NV

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410	Lynne Henderson	Professor of Law	University of Nevada at Las Vegas, Boyd School of Law	NV
411	Raquel Aldana	Professor of Law	University of Nevada at Las Vegas, Boyd School of Law	NV
412	Ray Patterson	Associate Professor, Associate Director, Saltman Center for Conflict Resolution	University of Nevada at Las Vegas, Boyd School of Law	NV
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415	Stephen E. Gottlieb	Professor of Law	Albany Law School	NY
416	Christopher Serkin	Assistant Professor of Law	Brooklyn Law School	NY
417	Dan R. Smulian	Assistant Professor of Clinical Law	Brooklyn Law School	NY
418	David J. Reiss	Associate Professor of Law	Brooklyn Law School	NY
419	Elizabeth M. Schneider	Rose L. Hoffer Professor of Law	Brooklyn Law School	NY
420	Eve Cary	Associate Professor of Law	Brooklyn Law School	NY
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422	Marsha Garrison	Professor of Law	Brooklyn Law School	NY
423	Maryellen Fullerton	Professor of Law	Brooklyn Law School	NY
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425	Michael T. Cahill	Associate Professor of Law	Brooklyn Law School	NY
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433	Michael Doyle	Harold Brown Professor of International Affairs, Law and Political Science	Columbia Law School	NY
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435	Ragini Shah	Clinical Staff Attorney	Columbia Law School	NY
436	Theodore Ruthizer	Lecturer in Law	Columbia Law School	NY
437	Steve Yale-Loehr	Adjunct Professor of Law	Cornell University Law School	NY
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448	Robin A. Lenhardt	Associate Professor of Law	Fordham Law School	NY
449	Tracy Higgins	Professor of Law	Fordham Law School	NY
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477	David Golove	Professor of Law	NYU School of Law	NY
478	Norman Dorsen	Stokes Professor of Law	NYU School of Law	NY
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496	David Garland	Arthur T. Vanderbilt Professor of Law	NYU School of Law	NY
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500	Margery Koosed	Professor of Law	University of Akron School of Law	OH
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512	Paul A. Diller	Assistant Professor of Law	Willamette University College of Law	OR
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528	Jules Lobel	Professor of Law	University of Pittsburgh Law School	PA
529	Bernard Hibbits	Professor of Law	University of Pittsburgh School of Law	PA
530	Derrick Bell	Visiting Professor of Law	University of Pittsburgh School of Law	PA
531	Jean Stefancic	Research Professor of Law	University of Pittsburgh School of Law	PA
532	John M. Burkoff	Professor of Law	University of Pittsburgh School of Law	PA
533	Marvin A. Fein	Associate Professor of Legal Writing	University of Pittsburgh School of Law	PA
534	Rhonda Wasserman	Professor of Law	University of Pittsburgh School of Law	PA
535	Richard Delgado	University Distinguished Professor of Law	University of Pittsburgh School of Law	PA
536	Gregory P. Magarian	Professor of Law	Villanova University School of Law	PA
537	Penelope Pether	Professor of Law	Villanova University School of Law	PA

538	John J. Cannon	Professor of Law	Villanova University School of Law	PA
539	Joseph Dellapenna	Professor of Law	Villanova University School of Law	PA
540	John J. Capowski	Associate Professor of Law	Widener University School of Law	PA
541	Andrew Horwitz	Professor of Law	Roger Williams University School of Law	RI
542	Jared Goldstein	Associate Professor of Law	Roger Williams University School of Law	RI
543	Jonathan M. Gutoff	Associate Professor of Law	Roger Williams University School of Law	RI
544	W. Lewis Burke	Professor of Law	University of South Carolina	SC
545	Patrice H. Kunesh	Assistant Professor of Law	University of South Dakota School of Law	SD
546	Fran Ansley	Professor of Law	University of Tennessee College of Law	TN
547	Hill Rivkin	Dean and College of Law Distinguished Professor	University of Tennessee College of Law	TN
548	Paulette J. Williams	Associate Professor of Law	University of Tennessee College of Law	TN
549	Linda Rose	Adjunct Professor of Law	Vanderbilt University Law School	TN
550	Geoffrey S. Corn	Assistant Professor of Law	South Texas College of Law	TX
551	Rose Cuison Villazor	Assistant Professor of Law	Southern Methodist University, Dedman School of Law	TX
552	Craig L. Jackson	Professor of Law	Texas Southern University, Thurgood Marshall School of Law	TX
553	Huyen Pham	Associate Professor of Law	Texas Wesleyan University School of Law	TX
554	Jordan J. Paust	Mike & Teresa Baker Law Center Professor	University of Houston Law Center	TX
555	Laura Oren	Law Foundation Professor	University of Houston Law Center	TX
556	Barbara Hines	Clinical Professor of Law	University of Texas School of Law	TX
557	Karen Engle	W.H. Francis, Jr. Professor in Law & Director	University of Texas School of Law	TX
558	Michael J. Churgin	Raybourne Thompson Centennial Professor	University of Texas School of Law	TX
559	Sanford Levinson	W. St. John Garwood and W. St. John Garwood Jr. Centennial Chair in Law	University of Texas School of Law	TX
560	William E. Forbath	Lloyd M. Bentsen Chair in Law	University of Texas School of Law	TX
561	Martha Ertman	Professor of Law	University of Utah, SJ Quinney College of Law	UT

562	Peter N. Swisher	Professor of Law	University of Richmond Law School	VA
563	Ann C. Hodges	Professor of Law	University of Richmond School of Law	VA
564	Carl Tobias	Williams Professor of Law	University of Richmond School of Law	VA
565	John Paul Jones	Professor of Law	University of Richmond School of Law	VA
566	Shari Motro	Assistant Professor of Law	University of Richmond School of Law	VA
567	Deena R. Hurwitz	Assistant Professor of Law	University of Virginia School of Law	VA
568	Katie Redford	Adjunct Professor of Law	University of Virginia School of Law and Washington College of Law	VA
569	Louise Halper	Professor of Law	Washington & Lee University School of Law	VA
570	Jackie Gardina	Associate Professor of Law	Vermont Law School	VT
571	Joan Vogel	Professor of Law	Vermont Law School	VT
572	Liz Ryan Cole	Professor of Law	Vermont Law School	VT
573	Patrick Parenteau	Professor of Law	Vermont Law School	VT
574	Peter R. Teachout	Professor of Constitutional Law	Vermont Law School	VT
575	Richard Oliver Brooks	Professor of Law	Vermont Law School	VT
576	Stephen Dycus	Professor of Law	Vermont Law School	VT
577	John E. Clute	Professor of Law	Gonzaga University School of Law	WA
578	Gwynne L. Skinner	Visiting Clinical Professor of Law, International Human Rights Law	Seattle University School of Law	WA
579	John A. Strait	Associate Professor of Law	Seattle University School of Law	WA
580	Julie Shapiro	Associate Professor of Law	Seattle University School of Law	WA
581	Ronald C. Slye	Associate Professor, Director, International and Comparative Law Programs	Seattle University School of Law	WA
582	Clark B. Lombardi	Assistant Professor of Law	University of Washington School of Law	WA
583	Deborah Maranville	Professor of Law	University of Washington School of Law	WA
584	Helen A. Anderson	Assistant Professor of Law	University of Washington School of Law	WA
585	Jamie Mayerfeld	Associate Professor of Political Science	University of Washington School of Law	WA
586	Jane K. Winn	Professor of Law	University of Washington School of Law	WA
587	Jonathan A. Eddy	Professor of Law	University of Washington School of Law	WA

588	Kate Corcoran	Senior Law Lecturer	University of Washington School of Law	WA
589	Kate O'Neill	Associate Professor	University of Washington School of Law	WA
590	Lisa Kelly	Professor of Law, Director Children and Youth Advocacy Clinic (CAYAC)	University of Washington School of Law	WA
591	Louis E. Wolcher	Charles I. Stone Professor of Law	University of Washington School of Law	WA
592	Stewart Jay	William L. Dwyer Chair in Law, Professor of Law	University of Washington School of Law	WA
593	Veronica L. Taylor	Henry M. Jackson Professor of Law	University of Washington School of Law	WA
594	William T. Burke	Professor of Law Emeritus	University of Washington School of Law	WA
595	Elizabeth Mertz	Professor of Law	University of Wisconsin Law School	WI
596	Heinz Klug	Professor of Law	University of Wisconsin Law School	WI
597	Lawrence J. Bugge	Adjunct Professor of Law	University of Wisconsin Law School	WI
598	Leonard V. Kaplan	Mortimer Jackson Chair of Law	University of Wisconsin Law School	WI
599	Martha E. Gaines	Clinical Professor of Law	University of Wisconsin Law School	WI
600	Mary Prosser	Assistant Clinical Professor of Law	University of Wisconsin Law School	WI
601	Meredith J. Ross	Clinical Professor of Law	University of Wisconsin Law School	WI
602	Michael E. Smith	Haight-Bascom Professor of Law	University of Wisconsin Law School	WI
603	Richard B. Bilder	Foley & Lardner - Bascom Emeritus Professor of Law	University of Wisconsin Law School	WI
604	Stephen Meili	Clinical Professor of Law	University of Wisconsin Law School	WI
605	Ted Finman	Bascom Professor of Law Emeritus	University of Wisconsin Law School	WI
606	William C. Whitford	Emeritus Professor of Law	University of Wisconsin Law School	WI
607	Patrick C. McGinley	Professor of Law	West Virginia University College of Law	WV
608	Valorie K. Vojdik	Associate Professor of Law	West Virginia University College of Law	WV
609	Timothy Kearley	Professor of Law and Director of the Law Library	University of Wyoming College of Law	WY