INDEX OF SUPPLEMENTARY MATERIALS

Part 1: Themes

1. Introduction to American Constitutionalism

Part 2: Development

2. The Colonial Era: Before 1776
   I. Introduction
   II. Judicial Power and Constitutional Authority
      i. James Otis, Part of Speech before the Superior Court of Massachusetts on the Writs of Assistance
   III. Powers of the National Government
      i. Massachusetts Circular Letter
      ii. The Speeches of His Excellency Governor Hutchinson . . . With the Answers of . . . the House of Representatives
   IV. Separation of Powers
      i. Thomas Pownall, The Administration of the Colonies
      ii. A List of Infringements and Violations of Rights

3. The Founding Era: 1776–1788
   I. Introduction
   II. Judicial Power and Constitutional Authority
      A. Judicial Review
         i. An Elector [James Iredell], “To the Public”
   III. Powers of the National Government
      i. James Madison, “Vices of the Political System of the United States”
      ii. The Northwest Ordinance
   IV. Federalism
      A. Representation of State Interests
         i. James Madison, “The Federalist No. 46”
      B. Constitutional Amendment and Ratification
         i. Thomas Jefferson, Notes on the State of Virginia
         ii. Resolves of the Concord Town Meeting
   V. Separation of Powers
      i. John Adams, “Thoughts on Government”
      ii. Debate in the Constitutional Convention
iii. James Madison, “The Federalist No. 49”
iv. James Madison, “The Federalist No. 57”

4. The Early National Era: 1789–1828
   I. Introduction
   II. Judicial Power and Constitutional Authority
      A. Judicial Review
         i. Kamper v. Hawkins
         ii. Hayburn’s Case
         iii. Vanhorne’s Lessee v. Dorrance
         iv. United States v. Callender
         v. Eakin v. Raub
      B. Judicial Supremacy
         i. Attorney General Caesar Rodney, Letter to President Thomas Jefferson
      C. Federal Review of the States
         i. Fletcher v. Peck
         ii. Cohens v. Virginia
         iii. Algernon Sidney [Spencer Roane], “On the Lottery Decision”
      D. Constitutional Litigation
         i. John Jay, Letter to George Washington on Advisory Opinions
         ii. Bank of United States v. Deveaux
      E. Judicial Structure and Selection
         i. Senate Debate on the Judiciary Act of 1801
         ii. Stuart v. Laird
         iii. Debate on the Impeachment of Justice Samuel Chase
         iv. United States v. Worrall
   III. Powers of the National Government
      A. Necessary and Proper Clause
         i. Quaker Petition on Slavery
         iii. James Monroe, Proposal for a Military Draft
         iv. Daniel Webster, Speech on the Proposed Military Draft
      B. Territorial Acquisition and Governance
         i. Senate Debate on the Louisiana Purchase
         ii. House and Senate Debate on the Missouri Compromise
      C. Power to Regulate Commerce
         i. Resolutions of the Hartford Convention
      D. Taxing and Spending Power
         i. Hylton v. United States
         ii. James Madison, Internal Improvements Veto Message
         iii. House Report on Internal Improvements
      E. Treaty Power
         1. Alexander Hamilton, “Camillus No. 36”
         2. James Madison, Speech on the Jay Treaty
   IV. Federalism
A. Constitutional Amendment and Ratification  
   i. Thomas Jefferson, Letter to Samuel Kercheval  
B. State Authority to Interpret the Constitution  
   i. Massachusetts Resolution and Virginia Reply regarding the Virginia Resolutions of 1798  
   ii. Virginia Report of 1799  
C. Police Powers  
   i. *Corfield v. Coryell*  
D. States and the Commerce Clause  
   i. *Brown v. Maryland*  
V. Separation of Powers  
A. Pardon Power  
   i. William Wirt, Pardons  
B. Presidential Power to Execute the Law  
   i. William Wirt, Opinion on the President and Accounting Officers  
C. Legislative Investigation Powers  
   i. *Anderson v. Dunn*  
D. Legislative Speech and Debate  
   i. Thomas Jefferson, Letter on Cabell Case  
E. Presidential War and Foreign Affairs Powers  
   i. James Madison, “Helvidius, No. 1”  
   ii. *Martin v. Mott*  
F. Nondelegation of Legislative Powers  
   i. *Wayman v. Southard*  

5. The Jacksonian Era: 1829–1860  
   I. Introduction  
   II. Judicial Power and Constitutional Authority  
      A. Judicial Supremacy  
         i. *Ableman v. Booth*  
      B. Constitutional Litigation  
         i. *Commonwealth v. Anthes*  
         ii. *Sheldon v. Sill*  
         iii. *Louisville, Cincinnati and Charleston Railroad Co. v. Letson*  
         iv. Massachusetts Constitutional Convention, Debate on Advisory Opinions  
      C. Federal Review of the States  
         i. *Barron v. Baltimore*  
         ii. *Swift v. Tyson*  
   III. Powers of the National Government  
      A. Necessary and Proper Clause  
         i. *U.S. v. Haun*  
      B. Taxing and Spending Power  
         i. President James Polk, Veto of Internal Improvements Bill  
         ii. *Sharpless v. Mayor of Philadelphia*  
      C. Territorial Acquisition and Governance  
         i. Congressional Debate on the Annexation of Texas  
iii. Foster v. Neilson

D. Federal Regulation of Elections
   i. Congressional Debate on the Apportionment Act of 1842

IV. Federalism
   A. Comity
      i. Commonwealth v. Aves
      ii. Bank of Augusta v. Earle
   B. State Authority to Interpret the Constitution
      i. Andrew Jackson, Proclamation on Nullification
      ii. South Carolina Exposition and Protest
      iii. South Carolina Protest and Instructions
      iv. Daniel Webster, Speech on Nullification
   C. Representation of State Interests
      i. Senate Debate on the Right of State Legislatures to Instruct U.S. Senators
   D. States and the Commerce Clause
      i. Willson v. Black Bird Creek Marsh Company
      ii. City of New York v. Miln
      iii. The Passenger Cases
      iv. The License Cases

V. Separation of Powers
   A. Presidential Power to Execute the Law
      i. Decatur v. Paulding
      ii. Dissenting Democrats of Removal of the Federal Deposits
      iii. Caleb Cushing, Relation of the President to the Executive Departments
   B. Presidential War and Foreign Affairs Powers
      i. Caleb Cushing, Opinion on Ambassadors and Other Public Ministers
   C. Martial Law and Habeas Corpus
      i. United States v. Jackson
   D. Nondelegation of Legislative Powers
      i. Cincinnati, Wilmington and Zanesville, Rail Road Company v. The Commissioners of Clinton County
      ii. Rice v. Foster
   E. Sharing the Legislative Power
      i. House Debate on the Veto Power
      ii. Daniel Webster, Speech on the Bank Veto
      iii. William Henry Harrison, Inaugural Address
      iv. John Tyler, Statement upon Signing the Apportionment Act
      v. House Debate on Tyler’s Signing Statement
   F. Appointment and Removal Power
      i. Ex Parte Hennen
      ii. Field v. People of Illinois, ex rel. McClernand
   G. Pardon Power
      i. United States v. Wilson
   H. Impeaching and Censuring the President
      i. Note: The Censure of President Andrew Jackson
      ii. “The Colored Seamen’s Acts”: A Case Study
6. Secession, Civil War, and Reconstruction: 1861–1876
   I. Introduction
   II. Judicial Power and Constitutional Authority
      A. Constitutional Litigation
         i. Ex Parte Yerger
         ii. Tennessee v. Davis
         iii. Murdock v. City of Memphis
         iv. Mississippi v. Johnson
      III. Powers of the National Government
         A. General Principles
            i. Timothy Farrar, “Adequacy of the Constitution”
            ii. Sidney George Fisher, “The Trial of the Constitution”
         B. Necessary and Proper Clause
            i. Congressional Debate on the Conscription Bill
            ii. Kneedler v. Lane
            iii. Kneedler v. Lane II
            iv. Chief Justice Taney, Draft Opinion on the Conscription Law
            v. Correspondence between Jefferson Davis and Joseph Brown on Conscription
         C. Federal Power to Enforce Civil Rights
            i. United States v. Reese
   IV. Federalism
      A. General Principles
         i. Note: Federalism in the Confederate South
      B. Territorial Integrity
         i. Note: The Creation of West Virginia
      C. Intergovernmental Immunity
         i. Collector v. Day
         ii. In re Tarble
      D. States and the Commerce Clause
         i. Reading Railroad Co. v. Pennsylvania
      E. States and Native American Sovereignty
         i. The New York Indians
      F. Interstate Travel
         i. Crandall v. Nevada
      G. Secession
         i. Jefferson Davis, “The Right of Secession”
         ii. Abraham Lincoln, Fourth of July Message to Congress
      H. Constitutional Amendment and Ratification
         i. John Alexander Jameson, A Treatise on Constitutional Conventions
         ii. Wells v. Bain
         iii. Wood’s Appeal
   V. Separation of Powers
      A. Martial Law and Habeas Corpus
         i. Ex Parte Milligan
      B. Pardon Power
         i. United States v. Klein
C. Impeaching and Censuring the President
   i. Note: The Impeachment of Andrew Johnson

7. The Republican Era: 1877–1932
   I. Introduction
   II. Judicial Power and Constitutional Authority
      A. Judicial Review
         i. James Bradley Thayer, “The Origin and Scope of the American Doctrine of Constitutional Law”
         ii. Stephen Field, “The Centenary of the Supreme Court of the United States”
         iv. Mugler v. Kansas
         v. Lochner v. New York
      B. Federal Review of the States
         i. Hurtado v. California
         ii. Smyth v. Ames
      C. Constitutional Litigation
         i. United States v. Lee
         ii. Fergus v. Marks
         iii. Parker v. the State, ex rel. Powell
         iv. Kadderly v. Portland
         v. United States v. Texas

III. Powers of the National Government
   A. Power to Regulate Commerce
      i. Correspondence between John Altgeld and Grover Cleveland on the Pullman Strike
      ii. In Re Debs
      iii. Stafford v. Wallace
      iv. Hoke and Economides v. United States
      v. House Report on Convict Labor
   B. Taxing and Spending Power
      i. Hooe v. United States
      ii. McCray v. United States
      iii. Springer v. United States
   C. Territorial Acquisition and Governance
      i. Insular Cases [Downes v. Bidwell]
   D. Immigration and Naturalization
      i. Fong Yue Ting v. U.S.

IV. Federalism
   A. States and the Commerce Clause
      i. Wabash, St. Louis and Pacific Railway Company v. Illinois
      ii. Robbins v. Shelby County Taxing District
      iii. Shreveport Rate Case
      iv. Liesy v. Hardin
      v. In re Rahrer
   B. Constitutional Amendment and Ratification
      i. David Jayne Hill, “The Crisis in Constitutionalism”
ii. *Leser v. Garnett*

iii. *Dillon v. Gloss*

C. Sovereign Immunity
   i. *Hans v. Louisiana*
   ii. *Ex parte Young*

D. Representation of State Interests
   i. George F. Edmunds, “Should Senators Be Elected by the People?”

E. State Regulation of Federal Elections
   i. *McPherson v. Blacker*
   ii. *State ex rel Nebraska Republican State Central Committee v. Wait (NE 1912)*

F. Police Powers
   i. *Anderson v. Board of County Commissioners*

G. Comity
   i. *Fauntleroy v. Lum*
   ii. *Haddock v. Haddock*
   iii. *Cunningham v. Cunningham*

V. Separation of Powers
   A. Appointments and Removals
      i. The Presidential Appointment Power in the Age of Congressional Government
   B. Presidential Power to Execute the Law
      i. *In re Neagle*
      ii. *Bates and Guild Co. v. Payne*
      iii. *United States v. Midwest Oil Company*
   C. Nondelegation of Legislative Power
      i. *State of Minnesota ex rel. Railroad & Warehouse Commission v. Chicago, Milwaukee, & St. Paul Railway Company*
      ii. *Marshall Field & Co. v. Clark*
   D. Sharing the Legislative Power
   E. Legislative Investigation Powers
      i. *McGrain v. Daugherty*
   F. Legislative Organization
      i. House Report on Expulsion

   I. Introduction
   II. Judicial Power and Constitutional Authority
      A. Constitutional Litigation
         i. *Ashwander v. Tennessee Valley Authority*
         ii. *Poe v. Ullman*
         iii. *Abbott Laboratories v. Gardner*
      B. Federal Review of the States
         i. *Adamson v. California*
         ii. *Duncan v. Louisiana*

III. Powers of the National Government
A. Power to Regulate Commerce
   i. *Carter v. Carter Coal Co.*
   ii. *United States v. Darby*
   iii. *Parker v. Brown*

B. Necessary and Proper Clause
   i. *Wood v. Miller*

C. Federal Power to Enforce Civil Rights
   i. *Katzenbach v. Morgan*

D. Taxing and Spending Power
   i. *United States v. Kahriger*

IV. Federalism
A. States and the Commerce Clause
   i. *Morgan v. Virginia*
   ii. *Pennsylvania v. Nelson*
   iii. *Southern Pacific Co. v. Arizona ex rel. Sullivan*
   vi. *Dean Milk v. City of Madison*

B. Comity
   i. *Williams v. North Carolina*—1942

C. State Regulation of Federal Elections
   i. *Smiley v. Holm*
   ii. *In the Matter of the Application of William A. Thomas v. Cohen* (NYS Kings Co. 1933)
   iii. *Ray v. Blair*

D. Constitutional Amendment and Ratification
   i. Opinion of the Court re. Constitutional Convention

V. Separation of Powers
A. Presidential War and Foreign Affairs Powers
   i. *United States v. Pink*
   ii. *United States v. Belmont*
   iii. Note: Lend-Lease
   iv. Robert H. Jackson, Acquisition of Naval and Air Bases in Exchange for Over-Age Destroyers
   v. State Department Memorandum, Authority of the President to Order the Armed Forces of the United States Abroad
   vi. *United States v. Reynolds*
   vii. Department of State Memorandum on the Authority of the President to Repel Attack in Korea
   ix. Nicholas Katzenbach, Memorandum on Presidential Authority in Vietnam

B. Legislative Investigation Powers
   i. *Barenblatt v. United States*
   ii. *Watkins v. United States*

C. Legislative Organization
   i. Tennessee Constitutional Convention, Debate on Legislative Pay
ii. Senate Hearings on the Filibuster—1947
iii. Senate Hearings on the Filibuster—1957

D. Martial Law and Habeas Corpus
   i. Ex parte Endo
   ii. Ex parte Quirin et al.
   iii. Hirabayashi v. United States
   iv. Korematsu v. United States

E. Nondelegation of Legislative Powers
   i. Panama Refining Co. et al. v. Ryan et al.
   ii. Yakus v. United States
   iii. National Broadcasting Co. v. United States

F. Sharing the Legislative Power
   i. Herbert Brownell, Jr., Authority of Congressional Committees to
      Disapprove Action of the Executive Branch
   ii. William P. Rogers, Authority of Congressional Committees to
      Disapprove Action of the Executive Branch

G. Impeaching and Censuring the President
   i. Hearings on Presidential Inability

   I. Introduction
      i. Barry Goldwater, Speech Accepting the Republican Presidential
         Nomination

   II. Judicial Power and Constitutional Authority
      A. Constitutional Litigation
         i. Goldwater v. Carter
         ii. Massachusetts v. Laird
         iii. Congressional Hearings on Attorney Fees and Public Law
              Litigation
         iv. D & W Auto Supply v. Department of Revenue
         v. United States v. Richardson
         vi. North Carolina v. Rice

      B. Judicial Supremacy
         i. Kansas v. McClanahan (Kan., 1973)

      C. Judicial Review
         i. Commonwealth ex rel. Carroll v. Tate

   III. Powers of the National Government
      A. Taxing and Spending Power
         i. Congressional Hearings on the Disclosure of the Intelligence Budget

   IV. Federalism
      A. States and the Commerce Clause
         i. National Bellas Hess v. Department of Revenue of the State of Illinois
         ii. De Canas v. Bica

      B. Police Powers
         i. People v. Zelinski

      C. Interstate Travel
         i. Shapiro v. Thompson

      D. States and Native American Sovereignty
i. *United States v. Wheeler*

V. Separation of Powers

A. Presidential War and Foreign Affairs Powers
   i. William H. Rehnquist, *The President and the War Powers: South Vietnam and the Cambodian Sanctuaries*
   ii. Joseph Harmon, *Presidential Power to Use the Armed Forces Abroad without Statutory Authorization*

B. Presidential Power to Execute the Law
   i. Ramsey Clark, “Power of President to Impound Funds”
   ii. William H. Rehnquist, *Presidential Authority to Impound Funds*
   iii. William H. Rehnquist, *Testimony to Congress on Presidential Impoundment*
   iv. *Congressional Hearings on Impoundment*
   vi. Benjamin R. Civiletti, *The Attorney General’s Duty to Defend and Enforce Constitutionally Objectionable Legislation*

C. Sharing the Legislative Power
   i. *Congressional Debate on Legislative Veto*
   ii. Antonin Scalia, *Testimony on the Congressional Veto*

D. Immunity from Judicial Processes
   i. Robert G. Dixon, Jr., *Amenability of the President, Vice President and Other Civil Officers to Federal Criminal Prosecution while in Office*

E. Executive Privilege
   i. *Nixon v. Administrator of General Services*
   ii. *Kissinger v. Reporters Committee for Freedom of the Press*

F. Pardon Power
   i. Mary C. Lawton, *Presidential or Legislative Pardon of the President*
   ii. *Congressional Hearings on the Pardon of Richard Nixon*

G. Legislative Speech and Debate
   i. *Hutchinson v. Proxmire*
   ii. *Gravel v. United States*

H. Impeaching and Censuring the President
   i. *Constitutional Grounds for Presidential Impeachment*

Part 3: Contemporary Issues


I. Introduction

II. Judicial Power and Constitutional Authority

A. Judicial Review
   i. *Abbott et al. v. Burke et al.*

B. Constitutional Litigation
   i. *Allen v. Wright*
   ii. *Lujan v. Defenders of Wildlife*
   iii. *Heckler v. Chaney*

C. Judicial Structure and Selection
i. Thomas v. Union Carbide Agricultural Products Co.

III. Powers of the National Government
   A. Taxing and Spending Power
      i. Washington State Housing Finance Commission v. O'Brien
   B. Power to Raise Armies
      i. Perpich v. Department of Defense

IV. Federalism
   A. States and the Commerce Clause
      i. West Lynn Creamery v. Healy
      ii. Quill v. North Dakota
      iii. Maine v. Taylor
   B. Constitutional Amendment and Ratification
      i. Timothy E. Flanigan, Congressional Pay Amendment

V. Separation of Powers
   A. Emoluments
      i. Larry L. Simms, President Reagan’s Ability to Receive Retirement Benefits from the State of California
      ii. Robert B. Shanks, Application of the Emoluments Clause of the Constitution and the Foreign Gifts and Decorations Act
      iii. Samuel Alito, Emoluments Clause Questions Raised by NASA Scientist’s Proposed Consulting Arrangement with the University of New South Wales
   B. Nondelegation of Legislative Powers
      i. Mistretta v. United States
      ii. Lincoln v. Vigil
   C. Sharing the Legislative Power
      i. Ralph Tarr, Constitutionality of Line-Item Veto Proposal
      ii. Congressional Hearings on Legislative Veto
   D. Presidential Power to Execute the Law
      i. William French Smith, The Attorney General’s Duty to Defend the Constitutionality of Statutes
      ii. Theodore B. Olson, Prosecution for Contempt of Congress of an Executive Branch Official
      iii. Bowsher v. Synar
   E. Presidential War and Foreign Affairs Powers
      i. Dames and Moore v. Regan
      ii. Haig v. Agee
      iii. Timothy Flanigan, Issuance of Official or Diplomatic Passports
      v. Timothy Flanigan, Authority to Use United States Military Forces in Somalia
      vi. Walter Dellinger, Deployment of United States Armed Forces into Haiti
   F. Legislative Organization
      i. House Report on the Expulsion of Representative Lederer
   G. Immunity from Judicial Processes
      i. Mitchell v. Forsyth
      ii. Harlow v. Fitzgerald
iii. *Nixon v. Fitzgerald*

H. Executive Privilege
i. William French Smith, Assertion of Executive Privilege in Response to Congressional Subpoena
ii. Theodore Olson, Memorandum on the Confidentiality of Attorney General’s Communications
iii. Charles J. Cooper, Response to Congressional Requests for Information Regarding Decisions made Under the Independent Counsel Act


I. Introduction
A. Introduction to the 2012–2013 Term
B. Introduction to the 2013–2014 Term
C. Introduction to the 2012–2015 Terms

II. Judicial Power
A. Constitutional Litigation
ii. *Guinn v. Legislature of Nevada*
iv. *Friends of the Earth v. Laidlaw Environmental Services*
vii. *Hein v. Freedom from Religion Foundation*
viii. *Arizona Christian School Tuition Organization v. Winn*
x. *Hertz v. Friend*
x. *Raines v. Byrd*
x. *El Shifa Pharmaceuticals v. United States*
xii. *Mohamed v. Jeppersen Datanplan*
xiii. *Zivotofsky v. Clinton*
xiv. *Windsor v. United States*
xv. *Hollingsworth v. Perry*
xvi. *Summers v. Earth Island Institute*
xix. *In re Al-Nashiri* (D.C.C. 2015)
xx. *Armstrong v. Exceptional Child Center*
xxi. *Spokeo, Inc. v. Robins*
xxii. *Zubik v. Burwell*
xxiii. *Patchak v. Zinke*

B. Judicial Structure and Selection
i. The Nomination of Merrick Garland to the U.S. Supreme Court
ii. *Oil States Energy Services, LLC v. Greene’s Energy Group, LLC*

III. Powers of the National Government
A. Necessary and Proper Clause
i. *United States v. Kebodeaux*

B. Federal Power to Enforce Civil Rights
i. Nevada Department of Human Resources v. Hibbs

C. Taxing and Spending Power
   i. Rumsfeld v. Forum for Academic and Institutional Rights, Inc. (FAIR), et al.
   ii. Legal Services Corporation v. Velazquez, et al.
   iii. Maready v. City of Winston-Salem
   iv. Town of Beloit v. County of Rock
   v. United States v. International Business Machines
   vi. County of Santa Clara v. Trump (ND Ca. 2017)
   vii. Upstate Citizens for Equality, Inc. v. United States

D. Power to Regulate Commerce
   i. Gonzales v. Raich
   iii. King v. Burwell

E. Treaty Power
   i. Hearings on GATT Implementing Legislation
   ii. Walter Dellinger, Whether Uruguay Round Agreements Required Ratification as a Treaty
   iii. Bond v. United States

IV. Federalism
A. States and the Commerce Clause
   i. Crosby v. National Foreign Trade Council
   ii. United Haulers Association, Inc. v. Oneida–Herkimer Solid Waste Management Authority
   iii. Granholm v. Heald
   iv. Wyeth v. Levine
   v. South Central Bell Telephone Co. v. Alabama
   vi. Overstock v. New York State Department of Taxation
   vii. Comptroller of the Treasury of Maryland v. Wynne
   viii. South Dakota v. Wayfair, Inc.

B. Non-Commandeering
   i. Reno v. Condon
   ii. Lunn v. Commonwealth (MA 2017)
   iii. Murphy v. National Collegiate Athletic Association

C. Sovereign Immunity
   i. Franchise Tax Board of the State of California v. Hyatt (Nev., 2014)
   ii. United Skagit Indian Tribe v. Lundgren

D. Police Powers
   i. Arizona v. United States

E. States and the Regulation of Elections
   i. Arizona v. Inter Tribal Council
   iii. Arizona State Legislature v. Arizona Independent Redistricting Commission

F. States and Native American Sovereignty
   i. Inyo County v. Paiute-Shoshone Indians
   ii. Michigan v. Bay Mills Indian Community
G. Interstate Travel
   i. *Saenz v. Roe*

V. Separation of Powers
   A. Emoluments
      i. Walter Dellinger, Applicability of Emoluments Clause to Employment of Government Employees by Foreign Public Universities
      ii. David J. Barron, Applicability of the Emoluments Clause to the President’s Receipt of the Nobel Peace Prize
      iii. The Debate over Donald Trump’s Business Arrangements
   B. Sharing the Legislative Power
      i. Walter Dellinger, The Legal Significance of Presidential Signing Statements
      ii. Senate Report on the Line Item Veto
      iii. *Ex parte Perry* (TX 2016)
   C. Presidential Power to Execute the Law
      i. *Medellin v. Texas*
      ii. Andrew Fois, Letter to Orrin G. Hatch on Duty to Defend
      iii. Eric Holder, Non-Defense of the Defense of Marriage Act
      iv. Hearings on the President’s Constitutional Duty to Faithfully Execute the Laws
         v. *Perez v. Mortgage Bankers Association*
   D. Presidential War and Foreign Affairs Powers
      i. Randolph D. Moss, Authorization for Continuing Hostilities in Kosovo
      ii. Jay Bybee, Authority of the President to Use Military Force against Iraq
      iii. Department of Justice Paper on National Security Agency Activities
      iv. Congressional Research Service, Presidential Authority to Conduct Warrantless Electronic Surveillance to Gather Foreign Intelligence Information
         v. Letter from Scholars and Former Government Officials on National Security Agency Activities
         vi. John Yoo and Robert J. Delahunty, Authority of the President to Suspend Certain Provisions of the ABM Treaty
         vii. Walter Dellinger, Proposed Deployment of United States Armed Forces into Bosnia
         viii. Walter Dellinger, Deployment of United States Armed Forces into Haiti
         ix. Walter Dellinger, Constitutionality of Legislative Provision Regarding ABM Treaty
         x. Christopher Schroeder, Validity of Congressional-Executive Agreements that Substantially Modify the United States’ Obligations under an Existing Treaty
         xi. Department of Justice White Paper on Drone Strikes
xii. Congressional Hearings on Drone Strikes
xiv. Zivotofsky v. Kerry
xvi. Steven A. Engel, Airstrikes against Syrian Chemical-Weapons Facilities

E. Martial Law and Habeas Corpus
   i. Hamdan v. Rumsfeld
   ii. Boumediene v. Bush

F. Immunity from Judicial Processes
   i. Karl R. Thompson, Immunity of the Assistant to the President from Congressional Subpoena
   ii. Ronald D. Rotunda, Indictability of the President
   iii. Randolph D. Moss, A Sitting President’s Amenability to Indictment and Criminal Prosecution

G. Executive Privilege
   i. In re Sealed Case
   iii. Eric Holder, Assertion of Executive Privilege over Documents

H. Legislative Investigation Powers
   i. Robert Ruben, Letter to John Linder on Congressional Oversight
   ii. Curtis E. Gannon, Authority of Individual Members of Congress to Conduct Oversight
   iii. Charles E. Grassley, Letter on Requests for Information by Individual Members of Congress

I. Appointment and Removal
   i. Virginia A. Seitz, “Lawfulness of Recess Appointments during a Recess of the Senate Notwithstanding Periodic Pro Forma Sessions”
   ii. Canning v. National Labor Relations Board
   iii. National Labor Relations Board v. Canning
   iv. Lucia v. Securities and Exchange Commission

J. Nondelegation of Legislative Powers
   ii. Free Enterprise Fund v. Public Fund Company Accounting Oversight Board
   iii. Department of Transportation v. Association of American Railroads

K. Impeaching and Censuring the President
   i. Charges and Reply in the Impeachment of President William Clinton

L. Elections and Political Parties
   i. Elliott v. Cruz (PA 2016)