

Committee on Energy and Commerce
U.S. House of Representatives
Witness Disclosure Requirement - "Truth in Testimony"
Required by House Rule XI, Clause 2(g)(5)

1. Your Name: <i>Stuart M Benjamin</i>		
2. Your Title: <i>Professor, Duke Law School</i>		
3. The Entity(ies) You are Representing: <i>None</i>		
4. Are you testifying on behalf of the Federal, or a State or local government entity?	Yes	No <input checked="" type="checkbox"/>
5. Please list any Federal grants or contracts, or contracts or payments originating with a foreign government, that you or the entity(ies) you represent have received on or after January 1, 2013. Only grants, contracts, or payments related to the subject matter of the hearing must be listed. <i>None</i>		
6. Please attach your curriculum vitae to your completed disclosure form.		

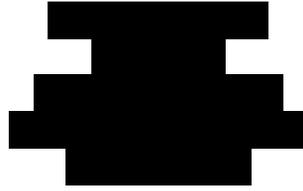
Signature



Date:

5/18/2015

Stuart Minor Benjamin
Duke University School of Law



EDUCATION	YALE LAW SCHOOL, J.D. , 1991 Yale Law Journal, Volume 100: Book Review Editor
	YALE COLLEGE, B.A. , <i>Summa Cum Laude</i> , History, 1987 Phi Beta Kappa Alice Derby Lang Prize for the best senior essay in classical studies
EMPLOYMENT	
Fall 2003–present	DUKE UNIVERSITY SCHOOL OF LAW : Douglas Blount Maggs Professor of Law Teaching and Research Areas: Telecommunications Law Administrative Law First Amendment Law and Technology Native American Law
2005–present	DUKE UNIVERSITY SCHOOL OF LAW : Associate Dean for Research Develop and implement initiatives designed to enhance faculty scholarly productivity and the intellectual climate of the Law School
2009–2011	FEDERAL COMMUNICATIONS COMMISSION : Distinguished Scholar Served as the inaugural distinguished scholar, developing long-range initiatives and advising the Chairman
2001–2003	UNIVERSITY OF TEXAS SCHOOL OF LAW : Rex G. & Edna Baker Professor in Constitutional Law
1997–2001	UNIVERSITY OF SAN DIEGO SCHOOL OF LAW : Associate Professor
Spring 2001	UNIVERSITY OF TEXAS SCHOOL OF LAW : Visiting Associate Professor
Fall 2000	UNIVERSITY OF PENNSYLVANIA LAW SCHOOL : Visiting Associate Professor
1996–1997	PROFESSOR LAURENCE TRIBE, HARVARD LAW SCHOOL : Associate Drafted appellate briefs and revisions to Constitutional Law treatise
1995–1996	JUSTICE DAVID H. SOUTER, UNITED STATES SUPREME COURT : Law clerk

- 1992–1995 **UNITED STATES DEPARTMENT OF JUSTICE, OFFICE OF LEGAL COUNSEL:**
 Attorney-advisor
 Drafted legal opinions and provided legal advice to the Executive Branch on questions of federal statutory and constitutional law; reviewed proposed legislation for constitutionality; briefed and argued *Applegate v. United States*, 25 F.3d 1579 (Fed. Cir. 1994), a takings case
- Fall 1992 **LEGAL RESOURCES CENTRE**, Port Elizabeth, South Africa: Staff attorney
 Assisted in trial preparations for a major land claim on behalf of the Mfengu of Tsitsikamma, who were removed from their land in 1977
- 1991–1992 **JUDGE WILLIAM C. CANBY, JR., UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT**, Phoenix, Arizona: Law clerk
- Summer 1991 **UNITED STATES DEPARTMENT OF JUSTICE, ENVIRONMENT DIVISION, APPELLATE SECTION:** Summer law clerk
 Wrote the United States’ brief in *Wyoming ex rel. Sullivan v. Lujan*, 969 F.2d 877 (10th Cir. 1992), a standing case
- 1987–1988 **WUHAN URBAN DESIGN INSTITUTE**, Hubei, China: Instructor
 Taught English to students in a Chinese university and studied Mandarin
- Summer 1986 **BLACK SASH**, Johannesburg, South Africa: Caseworker
 Served as a caseworker advising black South Africans on their rights and remedies in areas including immigration, labor and housing
- 1984–present **STARMOUNT COMPANY**, Greensboro, North Carolina: Chair of the Board
 Direct the operations of a privately held real estate company

PUBLICATIONS

- Books **TELECOMMUNICATIONS LAW AND POLICY** (4th ed. 2015, 3rd ed. 2012, 2nd ed. 2006, 1st ed. 2001, and annual supplements) (with coauthors)
- Major Articles *Judicial Retirements and the Staying Power of U.S. Supreme Court Decisions*, 12 **JOURNAL OF EMPIRICAL LEGAL STUDIES** ____ (forthcoming 2015) (with Georg Vanberg)
- Algorithms and Speech*, 161 **UNIVERSITY OF PENNSYLVANIA LAW REVIEW** 1445 (2013)
- Standing the Test of Time: The Breadth of Majority Coalitions and the Fate of U.S. Supreme Court Precedents*, 4 **JOURNAL OF LEGAL ANALYSIS** 445 (2012) (with Bruce Desmarais)
- Bootstrapping*, 75 **LAW & CONTEMPORARY PROBLEMS** 115 (2012)
- Transmitting, Editing, and Communicating: Determining What “The Freedom of Speech” Encompasses*, 60 **DUKE LAW JOURNAL** 1673 (2011)

- Fixing Innovation Policy: A Structural Perspective*, 77 **GEORGE WASHINGTON LAW REVIEW** 1 (2009) (with Arti Rai)
- Tennis with the Net Down: Administrative Federalism Without Congress*, 57 **DUKE LAW JOURNAL** 2111 (2008) (with Ernest Young)
- Who's Afraid of the APA? What the Patent System Can Learn from Administrative Law*, 95 **GEORGETOWN LAW JOURNAL** 269 (2007) (with Arti Rai)
- Evaluating E-Rulemaking: Public Participation and Political Institutions*, 55 **DUKE LAW JOURNAL** 893 (2006)
- Evaluating the FCC's National Television Ownership Cap: What's Bad for Broadcasting Is Good for the Country*, 46 **WILLIAM & MARY LAW REVIEW** 439 (2004)
- Spectrum Abundance and the Choice Between Private and Public Control*, 78 **NEW YORK UNIVERSITY LAW REVIEW** 2007 (2003)
- The Logic of Scarcity: Idle Spectrum as a First Amendment Violation*, 52 **DUKE LAW JOURNAL** 1 (2002) (selected for presentation at the 2002 Stanford/Yale Junior Faculty Forum in the category of Constitutional Law — Theoretical Foundations)
- Proactive Legislation and the First Amendment*, 99 **MICHIGAN LAW REVIEW** 281 (2000)
- Stepping into the Same River Twice: Rapidly Changing Facts and the Appellate Process*, 78 **TEXAS LAW REVIEW** 269 (1999)
- Equal Protection and the Special Relationship: The Case of Native Hawaiians*, 106 **YALE LAW JOURNAL** 537 (1996)