

Bio for Hill Testimony on March 11, 2021

Stanley M. Brand received his B.A. from Franklin & Marshall College in 1970 and his J.D. from Georgetown University Law School in 1974.

From 1976-1983, he served as General Counsel to the House of Representatives under Speaker Thomas P. “Tip” O’Neill, representing the House, its Committees, Members and Officers in litigation arising from their performance of official duties and the constitutional powers of the House. He briefed and argued landmark separation of powers cases involving the Speech or Debate Clause and self-disciplinary powers, the legislative veto, the House chaplaincy, and the subpoena power of the House. These include:

United States v. Helstoski, 442 U.S. 477 (1979) (Speech or Debate)

Helstoski v. Meanor, 442 U.S. 500 (1979) (Speech or Debate)

Immigration and Naturalization Service v. Chadha, 462 U.S. 919 (1983)
(legislative veto)

Murray v. Buchanan, 720 F.2d 689 (D.C. Cir. 1983) (en banc) (House Chaplaincy)

Holy Spirit Association for the Unification of World Christianity v. C.I.A., 636 Fed. 2nd 838 (D.C. Cir. 1981) (Freedom of Information Act exemption for congressional records)

Vander Jadt v. O’Neill, 699 F.2d 1166 (D.C. Cir. 1983) (challenge to House Committee ratios)

Goland v. C.I.A., 607 F.2d 367 (D.C. Cir. 1979) (Freedom of Information Act exemption for congressional records)

Moore v. U.S. House of Representatives, 733 F.2d 946 (D.C. Cir. 1984)
(challenge to tax status under organization clause)

Davis v. Federal Election Commission, 554 U.S. 724 (2008) (applicability of First Amendment to Bipartisan Campaign Reform Act’s millionaire’s amendment)

United States v. U.S. House of Representatives, 556 Fed. Supp. 150 (D.D.C. 1983)

Mr. Brand served as special counsel to the House Committee on Standards of Official Conduct (renamed the Ethics Committee) *In the Matter of Representative George v. Hansen*, Report of the Committee on Standards of Official Conduct, U.S. House of Representatives, 98th Congress, 2d Session (1984).

Mr. Brand has also published widely on constitutional and legal powers. These include:

Law Reviews:

Elliott H. Levitas and Stanley M. Brand, *Congressional Review of Executive and Agency Acts After Chadha: "The Son of Legislative Veto Lives On,"* 72 Geo. L. Rev. 801 (1984)

Stanley M. Brand and Sean Connelly, *Constitutional Confrontations: Preserving a Prompt and Orderly Means by Which Congress May Enforce Investigative Demands Against Executive Branch Officials*, 36 Catholic U.L. Rev. 71 (1986)

Stanley M. Brand, *Battle Among the Branches: The Two Hundred Year War*, 65 N.C. L. Rev. 902 (1987)

He is the co-author of a leading text on congressional investigative power:

Lance Cole and Stanley M. Brand, *Congressional Investigations and Oversight: Case Studies and Analysis* (Carolina Academic Press, 2011)

Mr. Brand has also written for a variety of media and academic publications, including:

Stanley M. Brand, *Oversight committee session with Michael Cohen looks like an illegitimate show hearing*, The Conversation, Feb. 27, 2019

Stanley M. Brand, *The public may never see a report from Mueller's investigation*, The Conversation, Mar. 22, 2019

Stanley M. Brand, *Coronavirus restrictions likely to lead to remote voting for Congress*, The Conversation, Apr. 22, 2020

Stanley M. Brand, *Historic power struggle between Trump and Congress to be reviewed by Supreme Court*, The Conversation, May 11, 2020

Stanley M. Brand, *Congress may not like it when Trump fires an inspector general – but it can't do anything to stop him*, The Conversation, May. 22, 2020

Stanley M. Brand, *DOJ drops investigation into three senators for insider trading; Burr probe continues*, The Conversation, May. 27, 2020

Stanley M. Brand, *State prosecutors and voters – not the feds – can hold corrupt officials accountable*, The Conversation, June 11, 2020

Stanley M. Brand, *Trump gets no special protections because he's president and must release financial records, Supreme Court rules*, The Conversation, July 9, 2020

Stanley M. Brand, *Why Congress Can't curb Trump's power to commute Stone's sentence and pardon others*, The Conversation, July 17, 2020

Stanley M. Brand, *Drawing the Line in Rosty's Case*, Legal Times 22, July 4, 1994).

Stanley Brand, *Why the Law Might Not Allow Senate to Expel Ray Moore*, Politico, Nov. 22, 2017

Mr. Brand currently serves as Distinguished Fellow in Law and Government at Penn State Dickinson Law where he teaches Federal Regulation and Legislative Practice, Election Law, Sports and Entertainment Law, Government Independent Counsel and is the coordinator for the D.C. semester program.

He has represented scores of Members of the House and Senate and executive branch officials in Grand Jury, Inspectors General and ethics investigations. *See, One of the 25 People You Should Know on Capitol Hill*, Politico, Jan. 6, 2009.