

THOMAS HYUKJIN LEE

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New York, NY 10023
212.636.6728 thlee@fordham.edu

ACADEMIC EXPERIENCE

Research and Teaching Interests

- (1) International Law (use of force, alternative dispute resolution) and U.S. Foreign Relations Law;
- (2) Federal Courts (federal jurisdiction and civil procedure; enforcing rights in federal and state courts);
- (3) Constitutional and Legal History (historical evolution and functions of U.S. courts, Asian Americans and the law, civil and common law traditions and their influence on U.S. law and institutions)

Fordham University School of Law

Leitner Family Chair in International Law, 2009-present
Associate Professor and Professor of Law, 2002-present (tenured in 2006)
Co-Founder & Co-Director, Center on Asian Americans & the Law, 2022 - present
Faculty Director of Graduate and International Studies, 2006-12, 2013-19

Committee Service

Admissions, 2011-12, 2024-present
Appointments, 2002-5, 2006-8 (Chair), 2013-16, 2020-22, 2024-25
Curriculum, 2003-4, 2009-12, 2013-16
Dean Search, 2023-24
International Programs, 2006-12 (Chair), 2013-19 (Chair), 2022-23 (Chair)
Long-Range Planning, 2004-5, 2011-12, 2014-16, 2021-22

Columbia Law School

Visiting Professor of Law, 2005-6, 2017-18, fall 2022, 2024-25

New York University School of Law

Adjunct Professor of Law, 2017-19, 2020-24

Harvard Law School

Visiting Professor of Law, 2012-13

University of Virginia School of Law

Visiting Professor of Law, fall 2007

Harvard College

Teaching Assistant; Resident Pre-Law & Government Tutor at Cabot House, 1996-99
Senior Honors Thesis Adviser in East Asian Studies and Government Departments
Bok Center award for undergraduate teaching

Universidad CEU San Pablo (Madrid, Spain)

Visiting Professor, spring 2016-19

Sungkyunkwan University (SKKU) Law School (Seoul, Korea)

Visiting Professor and Distinguished Adjunct Professor, summer 2006-12

RAND Corporation

Adjunct Researcher, 2024-25

Journal of American Constitutional History

Board of Editors, 2023-present

International Centre for the Settlement of Investment Disputes (ICSID)

Panel of Conciliators, 2013-19 (Republic of Georgia nominee)

Associations

American Bar Foundation, Fellow

American Law Institute, Member (elected 2014)

American Society for Legal History, Member

American Society of International Law, Member

Ass'n of Am. Law Schools Federal Courts Section, Chair (2010-11); Executive Board, 2010-present

Courses Taught (**bold** indicates courses taught 2023-25)

Asian Americans & the Law (Fordham & Columbia); **Civil Procedure** (Fordham, Columbia & Harvard); Civil Law & Common Law Traditions (Harvard); Constitutional Law (Fordham);

Federal Courts (Fordham & Columbia); International Arbitration (Fordham & Columbia);

International Law (Fordham, Columbia & Harvard); International Trade (Fordham & Cardozo); Laws of War (Fordham & Virginia); Originalism Seminar (Fordham); **U.S. Foreign Relations Law** (NYU); U.S. Supreme Court Seminar (Columbia); **U.S. Law of Civil-Military Relations** (Columbia J-term)

GOVERNMENT EXPERIENCE

United States Department of Defense

Special Counsel to the General Counsel, 2019-20

Performed duties as directed by the General Counsel and Secretary

Awarded Secretary of Defense Medal for Exceptional Public Service

United States Navy, Cryptology/Information Warfare Officer, 1991-95 (reserve 1995-99)

Active duty ashore in Korea, 1991-92, and afloat from Misawa Japan, 1993-95 (multiple deployments aboard subsurface combatants and as command-and-control warfare officer aboard U.S.S Independence (CV-62) in Western Pacific and Indian Oceans)

Distinguished Graduate, Navy-Marine Corps Cryptologic Division Officers' Course, 1992

Decorations include Navy Commendation Medal, Navy Achievement Medal (with 2 gold stars), Navy Expeditionary Medal (with service star), Sea Service, Overseas Service (with 2 service stars), Meritorious Unit Commendation, Pistol Expert, Rifle Expert

United States Army Center of Military History

Summer Intern, 1990

United States Department of State, U.S. Foreign Policy Institute

Lecturer on International Humanitarian Law/Laws of War, May 2017-19, 2020-23

Ministry of Foreign Affairs, Republic of Korea

Consultant on International Law, Law of the Sea, and U.S. Foreign Relations Law, 2014-16

Constitutional Court of Korea

U.S. Constitutional Law Adviser, 2006-11

Associate Justice David H. Souter, U.S. Supreme Court

Clerk, 2001-2

Chief Judge Michael Boudin, U.S. Court of Appeals for the First Circuit, Boston MA

Clerk, 2000-1

PRIVATE PRACTICE

Gruenstein Law, New York NY
Partner, 2026- present

Hughes Hubbard and Reed, New York NY
Special Counsel, 2023-26
Of Counsel, 2016-19, 2020-23

American Bar Association (ABA) Committee on Judicial Nominations, 2022
Practitioners' Group to Evaluate Judge Ketanji Brown Jackson's Nomination to the Supreme Court of the United States (evaluated KBJ's civil procedure and federal jurisdiction opinions)

Wachtell, Lipton Rosen & Katz, New York NY
Associate & Summer Associate, 2001, 1999

Munger, Tolles & Olson, Los Angeles CA
Summer Associate, 1999

Weil, Gotshal & Manges, Washington DC
Summer Associate, 1996

Bar Admissions

New York (2001); Massachusetts (2001, inactive); U.S. Supreme Court (2005); U.S. Courts of Appeals for the D.C. (2005), First (2001), Second (2005), and Eleventh Circuits (2022); Southern District of New York (2018)

EDUCATION

Harvard Law School, J.D.; Articles Chair, Harvard Law Review; Laylin Prize (Int'l Law)
Harvard University, Ph.D. Candidate in Government (ABD); A.M. in Regional Studies East Asia
Harvard College, A.B. in East Asian Languages & Civilizations and Government, *summa cum laude*
Detur Prize, Hoopes Prize, ΦBK, John Havard Scholarship, Fulbright Scholarship (Korea)
Saint Anselm's Abbey School (Washington DC), Austin Scholar

Languages

Korean (proficient), French (reading), Latin (reading), Japanese (limited reading and speaking)

SELECTED PUBLICATIONS

SSRN page: [Author Page for Thomas H. Lee: SSRN](#)

Works-in-progress

Civil Law's Influence on the Institutional and Legal Development of U.S. Courts (draft article)

The Legality of U.S. Domestic Military Operations, 58 Loyola Univ. Chicago L. J. (forthcoming 2027)

The Citizenship Clause's Residence Requirement (draft article)

AI and the Pentagon, 96 Fordham L. Rev. ____ (forthcoming 2026)

Casebooks

Asian Americans & the Law (with Hon. Denny Chin) (Carolina Academic Press 2026)

Articles & Book Chapters

Economic Sanctions and the Law, 48 Fordham Int'l L.J. 969 (2025) (with Andrew Kent & Harlan Cohen).

The Judicial Power—Admiralty Clause, in *The Heritage Guide to the Constitution* 471 (Josh Blackman & John G. Malcolm eds., 3d ed. 2025).

Article III, the Bill of Rights, and Administrative Adjudication, (with John M. Golden), 92 Fordham L. Rev. 397 (2023)

Congressional Power, Public Rights, and Non-Article III Adjudication (with John M. Golden), 98 Notre Dame L. Rev. 1113 (2023)

Federalism, Private Rights, and Article III Adjudication (with John M. Golden), 108 Va. L. Rev. 1547 (2022)

Article IX, Article III, and the First Congress: The Original Constitutional Plan for the Federal Courts, 1787-1792, 89 Fordham L. Rev. 1895 (2021)

The United States and Individual and Collective Self-Defense in Northeast Asia in *STRENGTHENING THE U.S.-JAPAN ALLIANCE* (Masahiro Kurosaki and Matthew Waxman, eds., Columbia University Press, 2020)

Customary International Law and U.S. Judicial Power: From the Third to the Fourth Restatements in Sarah A. Cleveland & Paul B. Stephan, eds., *THE RESTATEMENT AND BEYOND—THE PAST, PRESENT, AND FUTURE OF U.S. FOREIGN RELATIONS LAW* (Oxford University Press, 2020)

In Defense of International Comity, 93 So. Cal. L. Rev. 169 (2020) (with Samuel Estreicher)

Some Considerations for Conducting Legal Reviews of U.S. Military Cyber Operations, 62 Harv. Int'l L. J. Online 22 (2020) (with Paul C. Ney, Jr. et al.) available at: [Some Considerations for Conducting Legal Reviews of U.S. Military Cyber Operations by Thomas H. Lee :: SSRN](#)

Toward an Interest Group Theory of Anti-Corruption Laws, 2019 U. Ill. L. Rev. 1227 (2019) (with Sean J. Griffith)

The Law of Nations and the Judicial Branch, 106 Geo. L. J. 1707 (2018)

Natural Born Citizen, 67 Am. U. L. Rev. 327 (2017)

International Arbitration of Patent Claims in Arthur Rovine, ed., *Contemporary Issues in International Arbitration and Mediation* (Brill-Nijhoff 2017)

Double Remedies in Double Courts, 26 European J. Int'l L. 519 (2015) (with Sungjoon Cho)

An Empirical Survey of International Commercial Arbitration Cases in the U.S. District Court for the Southern District of New York, 1970-2014, 39 Fordham Int'l L. J. 307 (2015) (with Vera Korzun)

The Law of War and the Responsibility to Protect Civilians: A Reinterpretation, 55 Harvard Int'l. L. J. 251 (2014)

The Three Lives of the Alien Tort Statute: The Evolving Role of the Judiciary in U.S. Foreign Relations, 89 Notre Dame L. Rev. 1645 (2014)

International Law as an Interpretive Tool in the Supreme Court, 1861-1900, in David L. Sloss et al., eds., *INTERNATIONAL LAW IN THE U.S. SUPREME COURT: CONTINUITY AND CHANGE* (Oxford 2011) (with David L. Sloss)

The Story of the Prize Cases: Executive Action and Judicial Review in Wartime, in Curtis Bradley & Chris Schroeder, eds., *PRESIDENTIAL POWER STORIES* (Foundation Press, 2009) (with Michael D. Ramsey)

The Civil War in U.S. Foreign Relations Law: A Dress Rehearsal for Modern Transformations, 53 St. Louis L. J. 53 (2008)

The Safe-Conduct Theory of the Alien Tort Statute, 106 Colum. L. Rev. 830 (2006)

The Supreme Court of the United States as Quasi-International Tribunal: Reclaiming the Court's Original and Exclusive Jurisdiction over Treaty-Based Suits by Foreign States against States, 104 Colum. L. Rev. 1765 (2004)

University Dons and Warrior Chieftains: Two Concepts of Diversity, 72 Fordham L. Rev. 2301 (2004)

International Law, International Relations Theory, and Preemptive War: The Vitality of Sovereign Equality Today, 67 Law & Contemp. Probs. 147 (Autumn 2004)

Making Sense of the Eleventh Amendment: International Law and State Sovereignty, 96 Nw U. L. Rev. 1027 (2002)

Short-Form Papers

[International Relations Theories and International Law](#)

[The Maritime Origins of Judicial Review](#), A review of Kevin Arlyck, "The Nation at Sea: The Federal Courts and American Sovereignty, 1789-1825" (Cambridge University Press, 2025)

International Law and Institutions and the American Constitution in War and Peace, 31 Berkeley Int'l L. J. 291 (2013)

Countermajoritarian Federalism, 74 Fordham L. Rev. 2123 (2006)

The Augustinian Just War Tradition and the Problem of Pretext in Humanitarian Intervention, 28 Fordham Int'l L. J. 756 (2005)

PEER REVIEWS

Multiple tenure letters, including for law faculty at Columbia, Cornell, Georgetown, Harvard, and Texas
Referee for law journals, including flagship reviews at Chicago, Columbia, Harvard, Stanford, and Yale

PRESENTATIONS

Presented at academic conferences or workshops at the law schools at American, Brooklyn, BYU, Cardozo, UCLA, UC-Berkeley; University of Chicago, Columbia, Duke, Fordham, George Mason, Georgetown, George Washington, Harvard, University of Michigan, NYU, Northwestern, University of Pennsylvania, University of San Diego, St. Johns, Stanford, Temple, University of Texas, Vanderbilt, and Yale, and at events sponsored by, among others, the American Association of Law Schools, American Constitution Society, American Society of International Law, Association of the Bar of the City of New York, Center for Constitutional Originalism, Federalist Society, Federal Judicial Conference, Institute of Judicial Administration at NYU Law, Justice for All Project of the U.S. Court of Appeals for the Second Circuit, and the International Law Association