

**NOAH C. CHAUVIN**  
Assistant Professor of Law  
Widener University Commonwealth School of Law  
3800 Vartan Way  
Harrisburg, PA 17110

### **Academic Appointment**

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*Widener University Commonwealth School of Law*, Harrisburg, PA  
Assistant Professor of Law 2024–Present

Courses Taught: LAW 509: Legal Methods I (fall 2024)

### **Professional Experience**

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*Brennan Center for Justice at NYU School of Law*, Washington, D.C.  
Counsel, Liberty & National Security Program 2023–2024

*U.S. Department of Homeland Security, Office of the General Counsel*, Washington, D.C.  
Attorney Advisor, Intelligence Law Division 2021–2023

### **Judicial Clerkships**

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*The Honorable Karen Spencer Marston*  
United States District Court for the Eastern District of Pennsylvania 2020–2021

*The Honorable Thomas C. Wheeler*  
United States Court of Federal Claims 2019–2020

### **Education**

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*William & Mary Law School*, Williamsburg, Virginia  
J.D., *summa cum laude*, May 2019

Honors: *William & Mary Law Review*, Editor-in-Chief; Order of the Coif, Lawrence W. I'Anson Prize (member of graduating class with great promise); Legal Practice Fellow; Honor Council, Associate Justice; National Trial Team

*State University of New York at Geneseo*, Geneseo, New York  
B.A., *cum laude*, English Literature and Biology, May 2016

Honors: Tri Beta Biology Honor Society; Sigma Tau Delta English Honor Society

## Academic Publications

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### Articles

*The Warrant Exception that Isn't: FISA Section 702, "Defensive" Searches, and the Fourth Amendment*, 74 AM. U. L. REV. (forthcoming 2025).

*Replacing Tinker*, 56 U. RICH. L. REV. 1135 (2022).

*The Constitutional Incongruity of "May-Issue" Concealed Carry Permit Laws*, 31 U. FLA. J.L. & PUB. POL'Y 227 (2021).

*Student-Athlete Employee Speech*, 20 VA. SPORTS & ENT. L.J. 171 (2020) (with Matthew Strauser).

*Unifying Establishment Clause Purpose, Standing, and Standards*, 50 U. MEM. L. REV. 319 (2019).

*Policing the Heckler's Veto: Toward a Heightened Duty of Speech Protection on College Campuses*, 52 CREIGHTON L. REV. 29 (2018).

### Shorter Works

*Protecting Students' "Right to Listen" by Statute*, 13 J. RACE, GENDER, & ETHNICITY (forthcoming 2024) (contribution to symposium on The Promise of Educational Equity).

*Justice Kavanaugh's Institutionalism*, 16 U. ST. THOMAS J.L. & PUB. POL'Y (forthcoming 2024) (contribution to symposium on Constitutionalism).

*Against Gap-Filling*, 2024 CARDOZO L. REV. DE NOVO 1.

*Conspiracy Theories and the Perils of Government Error Correction*, 3 LSU L.J. FOR SOC. JUST. & POL'Y 1 (2023) (contribution to symposium on Conspiracy Theories, Disinformation, and Civil Rights).

*Anthony Leaker's Against Free Speech: Shadowboxing with Free Speech Principles*, 73 S.C. L. REV. 175 (2021) (reviewing ANTHONY LEAKER, AGAINST FREE SPEECH (2020)).

*The Banality of Law Journal Rejections*, 106 MINN. L. REV. HEADNOTES 18 (2021).

*Governments "Erasing History" and the Importance of Free Speech*, 41 N. ILL. U. L. REV. 1 (2020).

*Enough Is as Good as a Feast*, 44 SEATTLE U. L. REV. 1 (2020) (reviewing the *Ipse Dixit* podcast).

*The Need to Increase Free Speech Protections for Student Affairs Professionals*, 32 REGENT U. L. REV. 229 (2020) (invited essay: Symposium on “Contemporary Free Speech in the Law”).

*Finally, a Use for the U.S. News Law School Rankings*, 11 CALIF. L. REV. ONLINE 1 (2020).

Note, *Custom-Edited DNA: Legal Limits on the Patentability of CRISPR-Cas9’s Therapeutic Applications*, 60 WM. & MARY L. REV. 297 (2018) (Burton Award nominee).

### **Academic Presentations**

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Panelist for “The Promise of Educational Equity,” *Journal of Race, Gender & Ethnicity* Symposium (March 21, 2024).

Interviewer for “Sara Gras on Podcasting as Legal Scholarship,” *Ipse Dixit* (Mar. 10, 2023), <https://shows.acast.com/ipse-dixit/episodes/sara-gras-on-podcasting-as-legal-scholarship>.

Panelist for “Constitutionalism,” *University of St. Thomas Journal of Law & Public Policy* Symposium (Nov. 18, 2022), <https://www.youtube.com/watch?v=uoRuLWoZ8tI>.

Panelist for “Conspiracy Theories, Disinformation, and Civil Rights,” *LSU Law Journal for Social Justice and Policy* Symposium, LSU Paul M. Hebert Law Center (Oct. 8, 2021), <https://www.youtube.com/watch?v=jMCIGRIpK6I>.

Interviewed in “Noah Chauvin on Free Speech & its Critics,” *Ipse Dixit* (Apr. 18, 2021), <https://shows.acast.com/ipse-dixit/episodes/noah-chauvin-on-free-speech-its-critics>.

Panelist for “Campus Free Speech and Hate Speech,” *Regent University Law Review* Symposium, Regent University Law School (Oct. 12, 2019).

Panelist for “Safe Speech on Campus,” The Public Discourse Initiative, William & Mary Law School (Apr. 1, 2019).

Interviewed in “Law School Review,” William & Mary Law School Podcast: *Office Hours* (Feb. 12, 2019), <https://scholarship.law.wm.edu/audioarchive/19/>.

Presented *Custom-Edited DNA: Legal Limits on the Patentability of CRISPR-Cas9’s Therapeutic Applications* to the Cornell University Athletic Pre-Health Society (Apr. 11, 2018).

### **Other Publications**

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*Too Much Power for Spy Agencies*, BRENNAN CTR. FOR JUST. (Apr. 23, 2024), <https://www.brennancenter.org/our-work/analysis-opinion/too-much-power-spy-agencies>.

*Why Congress Must Reform FISA Section 702—and How It Can*, DISPATCH (Apr. 9, 2024), <https://thedispatch.com/article/why-congress-must-reform-fisa-section-702-and-how-it-can/>.

*The Year(s) of Section 702 Reform, Part VI: (Another) Looming Deadline*, JUST SEC. (Apr. 5, 2024), <https://www.justsecurity.org/94322/section-702-reform-compromise/> (with Elizabeth Goitein).

*The House Intelligence Committee Blocks Crucial Surveillance Reforms*, BRENNAN CTR. FOR JUST. (Feb. 28, 2024), <https://www.brennancenter.org/our-work/analysis-opinion/house-intelligence-committee-blocks-crucial-surveillance-reforms>.

*What's Next for Reforming Section 702 of the Foreign Intelligence Surveillance Act*, BRENNAN CTR. FOR JUST. (Feb. 2, 2024), <https://www.brennancenter.org/our-work/research-reports/whats-next-reforming-section-702-foreign-intelligence-surveillance-act> (with Elizabeth Goitein).

*The Year of Section 702 Reform, Part V: The HPSCI Majority FISA Working Group Report*, JUST SEC. (Nov. 27, 2023), <https://www.justsecurity.org/90230/the-year-of-section-702-reform-part-v-the-hpsci-majority-fisa-working-group-report/> (with Elizabeth Goitein).

*The Year of Section 702 Reform, Part IV: The Government Surveillance Reform Act*, JUST SEC. (Nov. 7, 2023), <https://www.justsecurity.org/89786/the-year-of-section-702-reform-part-iv-the-government-surveillance-reform-act/> (with Elizabeth Goitein).

*Privacy and Civil Liberties Oversight Board Embraces Surveillance Reforms*, BRENNAN CTR. FOR JUST. (Oct. 12, 2023), <https://www.brennancenter.org/our-work/analysis-opinion/privacy-and-civil-liberties-oversight-board-embraces-surveillance-reforms>.

*We Can Fight Fentanyl Trafficking Without Violating Americans' Privacy*, HILL (Sept. 19, 2023), <https://thehill.com/opinion/criminal-justice/4209978-we-can-fight-fentanyl-trafficking-without-violating-americans-privacy/>.

*Surveillance Reforms Do Not Endanger Americans*, BRENNAN CTR. FOR JUST. (July 19, 2023), <https://www.brennancenter.org/our-work/analysis-opinion/surveillance-reforms-do-not-endanger-americans>.

*New Legislation Would Close a Fourth Amendment Loophole*, BRENNAN CTR. FOR JUST. (July 6, 2023), <https://www.brennancenter.org/our-work/analysis-opinion/new-legislation-would-close-fourth-amendment-loophole>.

*Congress Should Not Reauthorize Warrantless Surveillance of Americans*, HILL (May 25, 2023), <https://thehill.com/opinion/judiciary/4018982-congress-should-not-reauthorize-warrantless-surveillance-of-americans/>.

## **Media Appearances and Interviews**

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Benjamin J. Hulac, *US Citizens Can Be Caught Up In New Surveillance Law*, N.J. SPOTLIGHT NEWS (May 1, 2024), <https://www.njspotlightnews.org/2024/05/section-702-foreign-intelligence-surveillance-act-reauthorized-more-access-us-intelligence-officials-citizens-data/> (quoted in article).

Mathew Ingram, *Lawmakers Fight Over Privacy—On Two Very Different Fronts*, COLUM. JOURNALISM REV. (Apr. 11, 2024), [https://www.cjr.org/the\\_media\\_today/congress\\_privacy\\_bill\\_fisa\\_section\\_702.php](https://www.cjr.org/the_media_today/congress_privacy_bill_fisa_section_702.php) (quoted in article).

Elizabeth Nolan Brown, *Republicans Split on Whether FBI Should Be Able To Snoop Without a Warrant*, REASON (Apr. 10, 2024), <https://reason.com/2024/04/10/republicans-split-on-whether-fbi-should-be-able-to-snoop-without-a-warrant/> (quoted in article).

Josh Meyer, *Fentanyl Kills Thousands of Americans. Could Plugging a Gap In U.S. Intelligence Save Lives?*, USA TODAY (Apr. 4, 2024), <https://www.usatoday.com/story/news/politics/2024/04/04/cia-seeks-section-702-reauthorization-fight-fentanyl/71731181007/> (quoted in article).

Matthew Rice, *Warrantless Surveillance Is Next on Congress' Must-Do List, but Speaker Johnson Refuses To Take a Position*, N.Y. SUN (Apr. 3, 2024), <https://www.nysun.com/article/warrantless-surveillance-is-next-on-congress-must-do-list-but-speaker-johnson-refuses-to-take-a-position> (quoted in article).

Russell Payne, *Critics of Government Surveillance Pan New Spy Powers Reform as 'Toothless'*, N.Y. SUN (Feb. 13, 2024), <https://www.nysun.com/article/critics-of-government-surveillance-pan-new-spy-powers-reform-as-toothless> (quoted in article).

Jason Cohen, *'Scare Tactics': FBI Warrantless Surveillance Renewal Was Unnecessary For Stopping Terrorism, Experts Say*, DAILY CALLER (Dec. 15, 2023), <https://dailycaller.com/2023/12/15/scare-tactics-warrantless-surveillance-renewal-unnecessary-stopping-terrorism/> (quoted in article).

*Radio Insurrection*, KPFK (Dec. 14, 2023), <https://stoplapdspying.org/weekly-update-dec-15-2023/> (guest on radio program).

Gopal Ratnam, *Congress Looks to Block US Agencies from Buying Americans' Data*, ROLL CALL (Dec. 12, 2023), <https://rollcall.com/2023/12/12/congress-looks-to-block-us-agencies-from-buying-americans-data/> (quoted in article).

Courtney Bubl , *GOP Reps.' FISA Reform Plans Don't Make Advocates Happy*, LAW360 (Nov. 16, 2023), <https://www.law360.com/articles/1767752/gop-reps-fisa-reform-plans-don-t-make-advocates-happy> (quoted in article).

## **Bar Admissions**

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District of Columbia	2020–Present
United States Court of Federal Claims	2020–Present