

Nicholas R. Parrillo

Yale Law School • 127 Wall Street • New Haven, CT 06511 • nicholas.parrillo@yale.edu

Academic Employment

Yale University

- William K. Townsend Professor of Law, 2021 to present
- Professor of History (secondary appointment), 2014 to present
- Professor of Law, 2014-2020; Associate Professor of Law, 2008-2013

Principal Publications

[“Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators with the Industries Who Rarely Have,” *George Washington Law Review* 93 \(2025\): 1031-1195.](#)

- Invited for the *George Washington Law Review*’s Annual Review of Administrative Law
- Based on an original [dataset](#) of industry judicial challenges to all major federal health-and-safety regulators

[“Foreign Affairs, Nondelegation, and Original Meaning: Congress’s Delegation of Power to Lay Embargoes in 1794,” *University of Pennsylvania Law Review* 172 \(2024\): 1803-1843.](#)

- Commissioned by Curt Bradley and Jack Goldsmith for symposium on “the Statutory Foreign Affairs Presidency”

[“Nondelegation, Original Meaning, and Early Federal Taxation: A Dialogue with My Critics,” *Drake Law Review* 71 \(2024\): 367-434, with online appendix \[here\]\(#\)](#)

- Symposium article engaging critical responses to my 2021 *Yale Law Journal* article from [Philip Hamburger](#), [Aaron Gordon](#), [Ann Woolhandler](#), and [Ilan Wurman](#)
- Selected as [Download of the Week](#) by the Legal Theory Blog
- Featured in [Ad Law Reading Room](#)

[“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence from the Federal Tax on Private Real Estate in the 1790s,” *Yale Law Journal* 130 \(2021\): 1288-1455.](#)

- Discussed in *Consumers’ Research v. FCC*, 109 F.4th 743, 780-82 (5th Cir. 2024) (en banc), *reversed*, 145 S. Ct. 2482 (2025); also discussed in the Solicitor General’s [winning brief](#) before the Supreme Court in that case and cited in Justice Gorsuch’s [dissent](#) to the Court’s opinion, 145 S. Ct. at 2527 n.10
- Selected for review in [Jotwell](#) (Administrative Law)
- Related research findings appear in a [supplemental paper](#) to this article

[“Towards an Administrative Law of Central Banking,” *Yale Journal on Regulation* 38 \(2021\): 1-89 \(with Peter Conti-Brown and Yair Listokin\).](#)

[“Should the Public Get to Participate Before Federal Agencies Issue Guidance? An Empirical Study,” *Administrative Law Review* 71: 57-125 \(2019\).](#)

[“Federal Agency Guidance and the Power to Bind: An Empirical Study of Agencies and Industries,” *Yale Journal on Regulation* 36 \(2019\): 165-271.](#)

- [Quoted](#) by the U.S. Supreme Court in *Sackett v. EPA*, 598 U.S. 661, 667 (2023)
- Cited in *Kaiser v. Johnson & Johnson*, 947 F.3d 996, 1003 (7th Cir. 2020); *FTC v. Credit Bureau Center, LLC*, 937 F.3d 764, 771, 774 (7th Cir. 2019)
- Served as the focal point for an [online symposium](#) about guidance
- Selected for [two reviews](#) in [Jotwell](#) (Administrative Law)

[“Negotiating the Federal Government’s Compliance with Court Orders: An Initial Exploration,” *North Carolina Law Review* 97: 899-932 \(2019\).](#)

["The Endgame of Administrative Law: Governmental Disobedience and the Judicial Contempt Power," *Harvard Law Review* 131 \(2018\): 685-794.](#)

- Cited in *Stavrianoudakis v. U.S. Fish and Wildlife Service*, 108 F.4th 1128, 1140 n.5 (9th Cir. 2024)
- Discussed in [Wall Street Journal](#), [New York Times](#) ([twice](#)), [Washington Post](#) ([four times](#)), [USA Today](#), [NPR](#), [Bloomberg](#), [Associated Press](#) ([three times](#)), [Chicago Tribune](#), [The Atlantic](#), [Dissent](#), [Washington Examiner](#), [Lawfare Podcast](#), [Christian Science Monitor](#), [American Prospect](#), [Daily Beast](#), [CRS](#), [Axios](#), and [Rolling Stone](#)
- Selected for review in [Jotwell](#) (Jurisprudence)

"Fiduciary Government and Public Officers' Incentives," in [*Fiduciary Government*](#), ed. Evan J. Criddle et al. (Cambridge, UK: Cambridge University Press, 2018), 146-160.

["Federal Agency Guidance: An Institutional Perspective," Final Report to the Administrative Conference of the United States \(Oct. 12, 2017\).](#)

- Based on author's interviews with 135 individuals across agencies, industry, and NGOs
- Served as the basis for ACUS's [best practices](#) for agency use of guidance, published in [82 Fed. Reg. 61734-38 \(Dec. 29, 2017\)](#); these were partly extended to cover interpretive rules in [best practices](#) on that subject, [84 Fed. Reg. 38,927 \(Aug. 8, 2019\)](#)
- Cited in *Glycine & More, Inc. v. United States*, 880 F.3d 1335, 1338 n.2 (Fed. Cir. 2018)

["Jerry Mashaw's Creative Tension with the Field of Administrative Law" in *Administrative Law from the Inside Out: Essays on Themes in the Work of Jerry Mashaw*, ed. Nicholas R. Parrillo \(Cambridge, UK: Cambridge University Press, 2017\).](#)

Against the Profit Motive: The Salary Revolution in American Government, 1780-1940 (New Haven: Yale University Press, 2013).

- [Annual Scholarship Award](#) (American Bar Association Section on Administrative Law) for the year's best book or article on administrative law
- [Hurst Prize](#) (Law and Society Association) for the year's best book on legal history
- [Quoted](#) in *CFPB v. Community Financial Services Association*, 601 U.S. 416, 462 & n.11 (2024) (Alito, J., dissenting)
- Visit the [Book Webpage](#) and read the [Introductory Chapter](#); watch a [Talk](#) about the book
- Extended Reviews in [The Boston Review](#) and the [Harvard Law Review](#)
- Featured in symposium on [Balkanization](#)
- Selected for Review in [Jotwell](#) (Administrative Law)

["Leviathan and Interpretive Revolution: The Administrative State, the Judiciary, and the Rise of Legislative History, 1890-1950," *Yale Law Journal* 123 \(2013\): 266-411.](#)

- [Cromwell Article Prize](#) (American Society for Legal History) for the year's best article on American legal history by an early-career scholar

"Testing Weber: Compensation for Public Services, Bureaucratization, and the Development of Positive Law in the United States," in [*Comparative Administrative Law*](#), ed. Susan Rose-Ackerman and Peter L. Lindseth (Cheltenham, UK: Edward Elgar, 2010).

["The De-Privatization of American Warfare: How the U.S. Government Used, Regulated, and Ultimately Abandoned Privateering in the Nineteenth Century," *Yale Journal of Law and the Humanities* 19 \(2007\): 1-96.](#)

["The Government at the Mercy of Its Contractors': How the New Deal Lawyers Reshaped the Common Law to Challenge the Defense Industry in World War II," *Hastings Law Journal* 57 \(2005\): 93-197.](#)

"Lincoln's Calvinist Transformation: Emancipation and War," *Civil War History* 46 (2000): 227-253.

- republished in [On Lincoln](#) (Kent, OH: Kent State University Press, 2014), volume 3 of *Civil War History Readers* ("a multivolume series reintroducing the most influential articles published in the journal")

Casebook

[Administrative Law: The American Public Law System: Cases and Materials, 9th ed. \(West, 2025\) \(with Jerry L. Mashaw, Peter M. Shane, Aditya Bamzai, Emily S. Bremer, and Margaret B. Kwoka\)](#)

Edited Volume

Administrative Law from the Inside Out: Essays on Themes in the Work of Jerry Mashaw, ed. Nicholas R. Parrillo (Cambridge, UK: Cambridge University Press, 2017).

Congressional Testimony

[Written Testimony](#) Before the United States House of Representatives Committee on Oversight and Government Reform, "Shining Light on the Federal Regulatory Process," March 14, 2018

- [Video of Opening Statement](#) at Hearing

Government Service

Administrative Conference of the United States

- [Senior Fellow](#), 2022 to present
- Public Member, 2016-22
- Consultant, project on federal agency guidance, 2016-17

Courses Taught

Large Courses:

- Administrative Law
- Advanced Administrative Law
- American Legal History
- Legislation
- Remedies

Seminars:

- Administrative Law: Research Seminar
- American Legal History: Research Seminar
- Bureaucracy
- Privatization

Student-Conferred Honors

Elected Faculty Commencement [Speaker](#) by Yale Law School Class of 2026

Yale Law School Faculty Excellence [Award](#), 2016

- conferred by Yale Law Women according to a competitive vote of the student body

Short Pieces

[Bank Supervision and the Lost Century of Federal Administrative Law, *Notice & Comment Blog*, Sept. 16, 2025](#)

[A Response to the En Banc Fifth Circuit's Discussion of My Work on Nondelegation, *Notice & Comment Blog*, August 1, 2024](#)

[Symposium Introduction for William Novak's *New Democracy: The Creation of the Modern American State*, *Notice & Comment Blog*, July 18, 2022](#)

[Margaret Kwoka's *Saving the Freedom of Information Act* as a Model for the Empirical Study of Administrative Law, *Notice & Comment Blog*, Feb. 1, 2022](#)

[A Brief Response to Philip Hamburger on Nondelegation, Original Meaning, and the Direct Tax of 1798, *Notice & Comment Blog*, Jan. 20, 2022](#)

[Review of *Federal Ground*, by Gregory Ablavsky, *American Journal of Legal History* 61 \(September 2021\): 338-40.](#)

["Towards an Administrative Law of Central Banking," *Oxford Business Law Blog*, May 17, 2021 \(with Peter Conti-Brown and Yair Listokin\)](#)

["Judge Stephen F. Williams, 1936-2020" *Notice & Comment Blog*, August 9, 2020 \(with Peter Conti-Brown, Kristina Daugirdas, Daniel E. Ho, and Anne Joseph O'Connell\), reprinted with revisions in *Administrative & Regulatory Law News*, 46, no. 1 \(Fall 2020\): 10-11.](#)

["The Contempt Finding and Sanctions Against Secretary DeVos and the Department of Education," *Notice & Comment Blog*, Oct. 30, 2019](#)

["The New Executive Orders on Guidance: Initial Reactions," *Notice & Comment Blog*, Oct. 10, 2019](#)

[Review of *Inventing American Exceptionalism*, by Amalia D. Kessler, *Law and History Review* 36 \(2018\): 1101-03.](#)

["Understanding and Addressing Controversies About Agency Guidance," *Regulatory Review*, March 5, 2018 \(with Lee Liberman Otis\)](#)

["Challenges Agencies Face in Communicating by Guidance," *Notice & Comment Blog*, Jan. 31, 2018](#)

["The Fate of the Clean Power Plan Case: Hold in Abeyance, or Remand?" *Notice & Comment Blog*, May 5, 2017](#)

["Holding the Federal Government in Contempt of Court: What Powers Do Judges Have Over an Administration?" *Just Security Blog*, March 2, 2017](#)

["Bureaucratic Power and the Rule of Law," review of *Tocqueville's Nightmare*, by Daniel Ernst, *Reviews in American History* 43 \(Sept. 2015\): 544-49.](#)

["Administrative Constitutionalism and Administrative Power," *RegBlog*, Symposium on Sophia Lee's *The Workplace Constitution*, April 1, 2015](#)

["Remarks Accepting the Section's 2014 Annual Scholarship Award for *Against the Profit Motive*," *Administrative & Regulatory Law News*, 40, no. 2 \(Winter 2015\): 7-9.](#)

[Review of *Making the Modern American Fiscal State*, by Ajay Mehrotra, *Journal of American History* 101 \(March 2015\): 1225-26.](#)

["The Salary Revolution and the Marks of Government's Distinctness: A Response to Jon Michaels," *Harvard Law Review Forum* 128, no. 99 \(Feb. 10, 2015\)](#)

["The Banishment of the Profit Motive from American Government—and Its Return?" *Balkinization*, June 12, 2014.](#)

["American Fiscal State-Building, Crisis, and Contingency," *PrawfsBlawg*, Symposium on Ajay Mehrotra's *Making the Modern American Fiscal State*, June 10, 2014.](#)

["What Is the Future of Scholarly Books in the Digital Age?" *Legal History Blog*, Nov. 26, 2013.](#)

["Researching State Legislative Records: The Biggest Obstacle in American Legal History," *Legal History Blog*, Nov. 13, 2013.](#)

“Impartial Decisionmaker,” in [Encyclopedia of American Civil Liberties](#), ed. Paul Finkelman (New York: Routledge, 2006), 2: 798-801.

Education

Yale Law School, J.D., 2004

- Scharps Prize (best paper by a 3L), Townsend Prize (best paper by a 2L); Parker Prize (best paper on legal history); *Yale Law Journal* Articles Editor

Yale University Graduate School, Ph.D., American Studies, 2012

- Committee: Jean-Christophe Agnew, Robert W. Gordon, Jerry Mashaw, Stephen Skowronek
- Awarded distinction by all three dissertation readers
- Whiting Fellowship, Yale Graduate School, 2007-08; Golieb Fellowship, NYU Law School, 2006-07; Cromwell Research Fellowship, Cromwell Foundation, 2006-07

Harvard College, A.B., *summa cum laude*, History and Literature, 2000

- Cumming Prize (best thesis in History and Literature), Hoopes Prize (outstanding thesis), Phi Beta Kappa

Clerkship

Judge Stephen F. Williams, U.S. Court of Appeals for the D.C. Circuit, 2005-06

Presentations and Conferences (since 2017)

Invited Participant, “The Future of the Civil Service,” Princeton University Program in Law and Public Policy, Washington, D.C., May 28, 2026

Invited Commenter, ABA Section of Administrative Law Spring Conference, Washington, D.C., May 7, 2026

Invited Commenter on Matthew Stephenson’s “The *Gray* Area: Finding Implicit Delegation to Agencies after *Loper Bright*,” Legislation Roundtable, Yale Law School, February 27, 2026

Invited Commenter on Mark Thomas’s “Unlocking Other Transactions,” Law of Abundance Conference, Yale Law School, January 23, 2026

Panel Chair, “Unitary Executive, Civil Service, and Congressional Administration,” Reimagining Administrative Law Initiative Conference, UCLA Law School, October 24, 2025

“Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have,” NYU Constitutional Law Colloquium, September 22, 2025

Invited Participant, Workshop on Ilan Wurman’s *The Constitution of 1789: A New Introduction*, Georgetown Center for the Constitution, September 19, 2025

“Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have,” Emory Law Faculty Colloquium, Sept. 10, 2025

Conference Co-organizer, “Politics and Law in the Administrative State,” Yale Institution for Social and Policy Studies and Yale Law School, June 17-18, 2025

Invited Commenter on Nicholas Handler’s “The Administrative Law of McCarthyism,” Administrative Law New Scholarship Roundtable, University of Michigan Law School, May 19-20, 2025

Invited Commenter, ABA Section of Administrative Law Spring Conference, Washington, D.C., May 8, 2025

Invited Participant, Workshop on Jed Shugerman's *A Faithful President: The Founders vs. The Originalists*, Georgia State University College of Law, May 6, 2025

"Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have," Columbia Public Economic Law Colloquium, April 22, 2025

[Invited Panelist, "Lessons From History," NYU Law Review Symposium: Where Does Administrative Law Go From Here? April 11, 2025](#)

Invited Participant, Conference on Reimagining Administrative Law, Cornell ILR School, March 21-22, 2025

[Invited Panelist, "The Nondelegation Doctrine's Next Good Year?" Federalist Society Teleforum, January 28, 2025](#)

"Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have," Yale Law School Faculty Workshop, January 27, 2025

"Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have," Power in the Administrative State Workshop, January 17, 2025 (virtual)

"Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have," University of Michigan Public Law Workshop, November 26, 2024

"Administrative Law as a Choice of Business Strategy: Comparing the Industries Who Have Routinely Sued Their Regulators With the Industries Who Rarely Have," ABA Section of Administrative Law Conference, November 7, 2024

Invited Panelist, "The Future of Administrative Law," U.S. Department of Justice, Washington, DC, October 16, 2024

"*Chevron's* Demise and Civil Rights," Presentation to ACLU National Legal Staff, July 15, 2024 (virtual)

Invited Commenter on Nicholas Almendares's "The Democratic Defense of the Major Questions Doctrine," Culp Colloquium, Harvard Law School, May 29, 2024

Invited Commenter, Yale Executive Action Workshop, Yale Institution for Social and Policy Studies, May 10-11, 2024

Invited Commenter, ABA Section of Administrative Law Spring Conference, Washington, D.C., May 9, 2024

Invited Commenter, Conference on "How the New Deal Was Run," Vanderbilt Policy Accelerator and Vanderbilt History Department, May 3-4, 2024

Invited Participant, Workshop on "The Past, Present, and Future of the Personnel of the State," Princeton University, April 26-27, 2024

Invited Commenter, Legislation Roundtable, Georgetown University Law Center, March 8, 2024

Invited Commenter, LPE Project Conference on "Administering a Democratic Political Economy," Yale Law School, February 2, 2024

"Federal Agency Guidance and the Power to Bind," ABA Section of Administrative Law Conference, December 1, 2023 (virtual)

["Foreign Affairs, Nondelegation, and Original Meaning: Congress's Delegation of Power to Lay Embargoes in 1794," University of Pennsylvania Law Review Symposium on the Statutory Foreign Affairs Presidency, October 13, 2023](#)

Invited Commenter on Rachel Rothschild's "Juristocracy and Administrative Governance," Administrative Law New Scholarship Roundtable, University of Texas-Austin Law School, May 16, 2023

Invited Commenter on Abhay Aneja and Guo Xu's "Strengthening State Capacity," Culp Colloquium, Duke Law School, May 15, 2023

"Who Sues Their Regulator? A Preliminary Report," University of Chicago Public Law Workshop, May 9, 2023

"Who Sues Their Regulator? A Preliminary Report," UC-Berkeley Public Law Workshop, April 24, 2023

"Who Sues Their Regulator? A Preliminary Report," Georgetown Public Law Workshop, April 18, 2023

"Who Sues Their Regulator? A Preliminary Report," George Washington University Law School Colloquium, April 17, 2023

"The Supreme Court and the Future of Administrative Power," Drake University Constitutional Law Symposium, April 15, 2023

Invited Commenter on Judge Justin Walker, "Developments in Administrative Law," Yale Law School Federalist Society, April 5, 2023

"Who Sues Their Regulator? A Preliminary Report," Notre Dame Law School Colloquium, March 21, 2023

Instructor (with Gillian Metzger), "American Bureaucracy and the Constitution," Reiss Graduate Institute for Constitutional History Seminar, New-York Historical Society, November 18 and December 2, 9, and 16, 2022

Panel Organizer and Panelist, "Appointment, Removal, and Supervision of the Folks Who Do the Work," ABA Section of Administrative Law Conference, December 1, 2022 (virtual)

[Invited Panelist, "Render Law Unto Congress and Execution Unto the Executive: The Supreme Court Rebalances Constitutional Power," Federalist Society National Lawyers' Convention, Washington, DC, November 10, 2022](#)

[Invited Commenter on Nondelegation, Conference on "Histories of Presidential Power," Stanford Constitutional Law Center, May 21, 2022](#)

["Do Statutory Qualifications for Officers Violate Original Meaning?" Conference on "Histories of Presidential Power," Stanford Constitutional Law Center, May 21, 2022](#)

Invited Commenter, Conference on "Networks, Platforms, and Utilities: Law and Policy," Vanderbilt Law School, April 22, 2022 [prevented from attending conference by public-health issue; circulated written commentary]

"Do Statutory Qualifications for Officers Violate Original Meaning?" University of Alabama Law School Faculty Colloquium, April 11, 2022

"Do Statutory Qualifications for Officers Violate Original Meaning?" University of Connecticut Law School Faculty Workshop, April 6, 2022

“Towards an Administrative Law of Central Banking,” Federal Reserve Board of Governors Legal Division, Dec. 17, 2021, and Feb. 4, 2022 (with Peter Conti-Brown and Yair Listokin)

“Does Administrative Regulatory Power Violate the Constitution’s Original Meaning?” Inaugural Lecture on Appointment as Townsend Professor of Law, Yale Law School, November 8, 2021

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” Boston College Legal History Roundtable and Regulation and Markets Workshop, November 1, 2021 (virtual)

Invited Commenter, Symposium on the 75th Anniversary of the Administrative Procedure Act, Chicago-Kent Law Review, October 1, 2021 (virtual)

Conference Organizer and Commenter, Administrative Law New Scholarship Roundtable, September 17, 2021 (converted from live conference to series of virtual mini-roundtables)

[Invited Panelist, “Non-Delegation? Or No Divesting? Art. I, Sec. 1 at the Founding and Today,” Federalist Society Executive Branch Review Week, May 17, 2021](#)

[“Nondelegation’s Past, Present, and Future,” Gray Matters: Gray Center for the Study of the Administrative State Podcast, March 26, 2021 \(with Kristin Hickman and Adam J. White\)](#)

Invited Commentator, “Nationwide Injunctions and the APA: A Conversation with Scott Keller,” Yale Law School Federalist Society, March 1, 2021 (virtual)

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” Darling Foundation Originalism Works-in-Progress Conference, University of San Diego, February 19, 2021 (virtual)

Invited Commentator on Gregory Ablavsky’s *Federal Ground*, Stanford Center for Law and History, February 16, 2021 (virtual)

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” Power in the Administrative State Workshop, University of Pennsylvania, January 22, 2021 (virtual)

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” University of San Diego Faculty Workshop, October 2, 2020 (virtual)

Conference Organizer and Commenter on Shalini Bhargava Ray’s “Abdication Through Enforcement,” Administrative Law New Scholarship Roundtable, September 18, 2020 (converted from live conference to series of virtual mini-roundtables)

Session Co-Leader, “Understanding the Reach and Potential Impact of the Nondelegation Doctrine,” Workshop on Climate Policy and Potential Constitutional Limits on Agency Delegation, Resources for the Future and UCLA School of Law, July 23-24, 2020 (virtual)

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” George Mason University Nondelegation Roundtable, May 2020 (converted from live event to exchange of comments)

“The Administrative Law of Central Banking” (with Peter Conti-Brown and Yair Listokin), Yale Law School Faculty Workshop, April 20, 2020 (virtual)

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” Fordham Constitutional History Workshop, April 1, 2020 (virtual)

“A Critical Assessment of the Originalist Case Against Administrative Regulatory Power: New Evidence From the Federal Tax on Private Real Estate in the 1790s,” Harvard Public Law Workshop, March 4, 2020

Invited Panelist, “How Easily Can Agencies Change Regulatory Policy in Immigration & Civil Rights?” Association of American Law Schools, Washington, DC, January 5, 2020

Invited Panelist, “Lessons from the Life of Administrative Law: What Experience Teaches About How the APA Can Be Improved,” [U.S. Department of Justice Summit on Modernizing the Administrative Procedure Act](#), Washington, DC, December 6, 2019

Chair, Panel on “Law, Equity, and Accountability in the Early Republic,” American Society for Legal History, Boston, MA, November 23, 2019

Invited Participant, Roundtable on Jed Stiglitz’s *The Reasoning State*, Cornell Law School, November 8, 2019

Invited Commentator, Roundtable on Bureaucracy and Presidential Administration, Antonin Scalia Law School, George Mason University, September 24, 2019

Organizing Committee Member and Commentator on Rebecca Ingber’s “Congressional Administration of Foreign Affairs,” Administrative Law New Scholarship Roundtable, University of Wisconsin Law School, June 10, 2019

“Transparency and Legal Reason: The Administrative Law of Central Banking” (with Peter Conti-Brown and Yair Listokin), University of Pennsylvania Public Law Workshop, April 23, 2019

“Appropriations and Federal Agency Compliance with Court Orders,” Conference on Congress’s Power of the Purse in a Polarizing Era, UC-Hastings Law School, March 15, 2019

Invited Panelist, “Equity in the Modern World,” Association of American Law Schools, New Orleans, LA, January 3, 2019

Invited Participant, Workshop on Eric Posner’s *American Demagogue*, Georgia State University College of Law, December 17, 2018

Invited Commentator, “Administering OIRA: A Conversation with Susan Dudley,” Yale Law School Federalist Society, November 27, 2018

“How Central Banks Should Interpret Their Statutes: Transparency, Legitimacy, and Statutory Interpretation at the Federal Reserve” (with Peter Conti-Brown and Yair Listokin), Brookings Institution, Washington, DC, November 19, 2018

Invited Panelist, “Does Agency Regulatory Power Extend Beyond its Formal Power, and Should It?” Federalist Society National Lawyers’ Convention (Showcase Panel), Washington, DC, November 17, 2018

Panel Organizer and Moderator, “Deregulation: Past and Present,” ABA Section of Administrative Law Conference, Washington, DC, November 2, 2018

Panel Organizer and Moderator, “Debating Administrative Constitutionalism: Practice,” University of Pennsylvania Law Review Symposium, October 20, 2018

Panel Organizer and Moderator, “The History and Origins of the Administrative State,” Second Circuit Judicial Conference, Saratoga Springs, NY, June 14, 2018

Organizing Committee Member and Commentator on Rory Van Loo’s “Regulatory Police,” Administrative Law New Scholarship Roundtable, University of Michigan Law School, June 12, 2018

Organizer and Moderator, “Deregulation: Past and Present,” ABA Section of Administrative Law Teleconference, June 8, 2018

Invited Panelist, “Can an Intelligible Distinction Between Legislative Rules and Guidance be Articulated?” District of Columbia Bar Program, April 26, 2018

Invited Participant, Workshop on New Edition of Robert Kagan’s *Adversarial Legalism*, Georgia State University College of Law, April 24, 2018

“Federal Agency Guidance and the Power to Bind: An Empirical Study of Agencies and Industries,” University of Texas-Austin School of Law Faculty Colloquium, April 5, 2018

“Federal Agency Guidance and the Power to Bind: An Empirical Study of Agencies and Industries,” Conference on New Frontiers in the Empirical Study of Agency Policymaking, University of Wisconsin-Madison, March 23, 2018

“Federal Agency Guidance and the Power to Bind: An Empirical Study of Agencies and Industries,” St. John’s Law Faculty Workshop, March 19, 2018

“Federal Agencies’ Use of Guidance,” District of Columbia Bar Program, March 15, 2018

“Federal Agency Guidance and the Power to Bind: An Empirical Study of Agencies and Industries,” Fordham Legislation Roundtable, March 2, 2018

“The Endgame of Administrative Law: Governmental Disobedience and the Judicial Contempt Power,” Association of American Law Schools, San Diego, CA, January 5, 2018 [prevented from attending conference by inclement weather; presentation read aloud by panel chair]

“Federal Agency Guidance: An Institutional Perspective,” Administrative Conference of the United States

- Meetings of the Committee on Judicial Review, Washington, DC, October 2, 17, 31, 2017
- Conference Plenary Session, Washington, DC, December 14, 2017

“Negotiating Governmental Compliance with Court Orders: A Preliminary Discussion,” Conference titled “Beyond Deference: Emerging Issues in Judicial Review of Agency Action,” Center for the Study of Administrative State, Antonin Scalia Law School, George Mason University, December 6, 2017

Invited Commentator on Christopher DeMuth, “The Trump Administration and the Administrative State,” Yale Law School Federalist Society, October 23, 2017

“The Endgame of Administrative Law: Governmental Disobedience and the Judicial Contempt Power,” ABA Section of Administrative Law Conference, Washington, DC, October 19, 2017

“Federal Agency Guidance: An Institutional Perspective,” ABA Section of Administrative Law Conference, Washington, DC, October 19, 2017

Invited Commentator on Blake Emerson’s “The Democratic Spirit of the New American State,” Administrative Law New Scholarship Roundtable, Ohio State University Moritz College of Law, June 27, 2017

“Fiduciary Government and Public Officers’ Incentives,” Conference on Fiduciary Government, UCLA School of Law, June 7, 2017

“Federal Agency Guidance from the Ground Up: A Preliminary Discussion,” Vanderbilt Law School Faculty Workshop, March 27, 2017

Invited Panelist, “Challenges to the Administrative State,” 33rd Meeting of the Committee on Science, Technology, and Law of the National Academy of Sciences, Pasadena, CA, March 9, 2017

Referee

Cambridge University Press
Columbia Law Review
Harvard Law Review
Institute for Advanced Study, Princeton, NJ
Journal of Policy History
Law and History Review
Law and Social Inquiry
Law and Society Review
Oxford University Press
Stanford Law Review
University of Chicago Press
William and Mary Quarterly
Yale Law Journal

Selected Institutional Service

Yale Law School

- Appointments Committee, Spring 2015, Spring 2017, AY 2017-18 (entry-level search chair), Spring 2023, AY 2023-24 (entry-level search chair), AY 2025-26 (chair)
- Chair, Rules Committee, AY 2020-21, 2021-22, 2022-23, 2024-25
- Chair, Law-Teaching Placement Committee, 2015-2016
- Intellectual Community Committee, 2022
- Co-Supervisor, Legal History Forum, AY 2011-2012, 2012-2013, 2020-2021, 2021-22

Yale History Department

- Ph.D. Admissions Committee, 2017-18

Yale Center for Historical Enquiry and the Social Sciences

- Senior Search Committee, 2016-17
- Associate Director, Spring 2015
- Steering Committee, 2013 to present

Memberships

ABA Section on Administrative Law and Regulatory Practice

- Chair, Committee on History of Administrative Law, 2015-2018

American Society for Legal History

- Finance Committee, 2016-2021; Reid Prize Committee, 2014-2016; Program Committee, 2013

Bar Admission

New York (2007)