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RESEARCH/TEACHING INTERESTS

Areas of Specialization: Regulatory investigations and enforcement; congressional oversight & investigations; administrative law; bureaucratic politics; federal information law.

Areas of Competence: Procurement law; tax-exempt entities law; political law/lobbying; judicial politics; jurisprudence; American legal history.

EDUCATION

B.A. Kenyon College (Political Science & Philosophy)

J.D. Emory University

Ph.D. *candidate* (Political Science) George Washington University (Major field: American Politics; Minor field: Methods)

WORKING PAPERS

[*Administrative Law Consequentialism: A Response to Vermeule on Emergencies*](#)
The Myth of Accommodation: A Doctrinal and Empirical Assessment

SCHOLARLY PUBLICATIONS

Peer reviewed

The Law: White House Equities: The New Executive Privilege, 45 PRES. STUD. QRTL'Y (2015) (with Mark Rozell).

Non-refereed

The Illusory Precedent of McGrain v. Daugherty, 4 UNT DALL. L. REV. 1-9 (2021).
Originally published at 38 YALE J. REG. NOTICE AND COMMENT (2020)).

'Drive By' Jurisdictional Rulings: Congressional Oversight in Court, 48 PEPPERDINE L. REV. (2020) 37-50.

Kendall v. United States and the Inspector General Dilemma, 88 U. CHICAGO L. REV. ONLINE (2020).

Congressional Oversight Disputes as Political Questions, Part I: The Decline of the Interbranch Accommodation Doctrine, 38 YALE J. REG. NOTICE AND COMMENT (2020).

Congressional Oversight Disputes as Political Questions, Part II: Accommodation as an Intrabranh Doctrine Governing Committee Investigations, 38 YALE J. REG. NOTICE AND COMMENT (2020).

Rationality, Legitimacy, & The Law, 7 WASH. U. JURISPRUDENCE REV. (2014).

Redressing Politicized Spending, 15 FEDERALIST SOC'Y REV. No. 1 (2014).

The Reductio Ad Absurdum of Regulating Corruption, JURIST (2013).

Gmail.gov: When Politics Gets Personal Does the Public Have a Right to Know? 13 FEDERALIST SOC'Y REV. (2012) (with Michael Pepson).

Romance is Dead: Mail Order Brides as Surrogate Corpses, 17 BUFFALO J. GENDER L. & SOC. JUSTICE (2009).

SCHOLARLY PRESENTATIONS

The Myth of Accommodation: A Doctrinal and Empirical Assessment, American University Law School, Oversight Project (Nov. 6, 2020).

Enforcement Discretion as Rules, Center for the Study of the Administrative State, George Mason University (Sep. 17-18, 2020).

TEACHING EXPERIENCE

Judicial politics (undergraduate).

POPULAR PUBLICATIONS

Hounded Out of Business by Regulators, Wall Street Journal (November 19, 2015).

The Latest Progressive Attack on Speech, Wall Street Journal (October 19, 2015).

A case study in pay-to-play cronyism, The Hill (Aug. 4, 2015).

Forcing Clinton's Emails Into the Open, Wall Street Journal (July 28, 2015).

Obama DOJ Channels Bank Shakedown Money To Private Groups, Investor's Business Daily (July 7, 2015).

A Revolving Door for Confidential IRS Information, RollCall (June 19, 2015).

Three transparency laws Hillary may have violated, USA Today (Mar. 16, 2015).

Six Recommendations to Make Washington More Transparent, The Hill (Jan. 16, 2015).

How about Amnesty for Our Schools? The Hill (Dec. 4, 2014).

Et tu, DOJ? Will Loretta Lynch Ignore IRS Fraud as AG as She Did in Her Own Backyard? Roll Call (Nov. 26, 2014).

Fishy business at the Supreme Court: Florida Capt. John Yates' sad saga, Fox News (Nov. 5, 2014).

After Holder: Four Things The Next Attorney General Must Address, Daily Caller (Sept. 30,

Epstein CV

2014).

The Dark Money Complex, Roll Call (Aug. 14, 2014).

All IRS roads lead to the archivist, Wash. Times. (July 28, 2014).

Gov. McAuliffe's outsized political clout, Wash. Post. (July 17, 2014).

When regulators retaliate, The Hill (June 24, 2014).

Despite Pledge of Transparency, Obama Is Clogging Information Flow, NAT'L L. J. (April 14, 2014) (with Mark J. Rozell, Ph.D).

FTC's Data Security Grab is Adjudication without Authority, Roll Call (Feb. 18, 2014).

The Politics of Targeting, The Hill (Feb. 5, 2014).

With Its Report On The Financial Crisis, What Is The Federal Government Trying to Hide? Forbes (Dec. 19, 2013).

Obamacare's Implementation Poses Grave, But Largely Unknown Risks for Beneficiaries, Forbes (Sept. 30, 2013).

Cronyism becomes a way of life, Wash. Times, (Aug. 14, 2013).

Who should be holding whom accountable, The Hill, (July 12, 2013).

Lax IRS Oversight Fostered Costly Charity Scams, Fiscal Times, (June 20, 2013).

Congress is Not the Answer: How We Really Should Be Investigating the IRS, Roll Call (June 11, 2013).

Does the IRS believe that support for Israel is support for terrorism? FoxNews (May 16, 2013).

Thomas Perez: Justice belabored, The Hill (May 9, 2013).

When foreign investment and national security collide, The Hill (Nov. 27, 2012).

Opacity of Hope: Obama broke FOIA promises, Wash. Examiner (Oct. 16, 2012).

A muddled message on e-mails, Wash. Post. (Aug. 17, 2012).

Ethics office audit of GSA fell far short, Federal Times (Aug. 12, 2012).

Culture Must Protect Fed Whistleblowers, Roll Call (May 22, 2012).

Occupy's Public Safety Threat Ignored by DOJ, Breitbart (May 3, 2012).

Epstein CV

Is the GSA Just the Tip of the Iceberg?, Townhall, (Apr. 19, 2012).

Is Federal aid being misused? Phila. Inquirer, (Mar. 27, 2012).

Does it take a lawsuit for the White House to be transparent? Fox News, (Mar. 23, 2012).

SELECTED PROFESSIONAL PRESENTATIONS

The Freedom of Information Act, Charles Koch Institute (April 28, 2016).

Testimony before the U.S. Senate, Committee on Homeland Security and Government Affairs, *Watchdogs Needed: Top Government Investigator Positions Left Unfilled for Years* (June 3, 2015).

Testimony before the U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Regulatory Reform, Commercial and Antitrust Law, *Hearing: Ongoing Oversight: Monitoring the Activities of the Justice Department's Civil, Tax and Environment and Natural Resources Divisions and the U.S. Trustee Program*. (May 19, 2015).

Make Your Job Easier With Open Government Tools, Sunlight Foundation, Advisory Committee on Transparency (Feb. 18, 2015).

Freedom of Information Act Workshop, Am. Bar. Assn. Section on Administrative Law and Regulatory Practice (Jan. 26, 2015).

Helping the 114th Congress build a more transparent government, Sunlight Foundation, Advisory Committee on Transparency (Dec. 11, 2014).

The Dog Ate My E-mails: Document Retention Policies, Litigation Holds, and Legal Ethics, Federalist Society 2014 National Lawyers Convention (Nov. 17, 2014).

DC Transparency Crisis Panel, Sponsored by Judicial Watch (Mar. 19, 2014).

State Policy Network: 20th Annual Meeting (November 2012).

Reporter's Toolbox: Practical Tips and Tools for Citizen Journalists, Americans for Prosperity: Defending the American Dream Summit (Aug. 3, 2012).

Proposed Freedom of Information Act Regulations, The White House Office of Science and Technology Policy (June 11, 2012).

Civil & Human Rights Conference, Sponsored by Make It Safe Coalition, 226 Dirksen Senate Office Building (May 21, 2012).

PROFESSIONAL EXPERIENCE

TRUST VENTURES, Austin, TX (Washington, D.C. office)

2020 – present

Epstein CV

Director for Legal and Policy

THE WHITE HOUSE, Washington, D.C. 2017 –2020
Senior Associate Counsel and Special Assistant to the President

CAUSE OF ACTION INSTITUTE, INC., Washington, D.C. 2011 –2017
Founder, Executive Director, and President of the Board of litigation, investigations, and crisis communications firm focused on bet-the-company government investigations and enforcement as well as affirmative litigation in regulatory, constitutional, political and public law matters.

U.S. HOUSE OF REPRESENTATIVES, Washington, D.C. 2009 –2011
Counsel for Oversight & Investigations, Committee on Oversight & Government Reform

KOCH FOUNDATION, Washington, D.C. 2008 –2009
Associate, Legal Reform

BAR AND COURT MEMBERSHIPS

Member of the State Bars of Texas, D.C. and Maryland; U.S. Court of Appeals for the D.C. Circuit; U.S. Court of Appeals for the Seventh Circuit; U.S. District Court for the District of Maryland; U.S. District Court for the Northern District of Illinois; U.S. District Court for the District of Columbia; U.S. Court of Federal Claims.

PROFESSIONAL ASSOCIATIONS AND SERVICE

Appointed to the Council, Administrative Conference of the United States (2021)

Appointed Member, D.C. Advisory Committee, U.S. Commission on Civil Rights (Term Expired 2020)

Affiliated Scholar, GWU Regulatory Studies Center

Member, Advisory Committee on Transparency, Sunlight Foundation

Member, Federalist Society Executive Committee on Administrative Law

The President's Volunteer Service Award

Eagle Scout