Croley article wins ABA scholarship award

An article by Professor of Law and Associate Dean for Academic Affairs Steven Croley has won the top award for scholarship from the American Bar Association (ABA) Section of Administrative Law and Regulatory Practice.


Reagan issued executive orders in 1981 and 1985 calling for White House review, and Bush continued them. Clinton revoked the previous orders and issued Executive Order 12866, which largely preserved the substance of the Reagan orders but provided for more transparency and record-keeping of the process.

The article is “largely an empirical investigation of the phenomenon of White House review of rulemaking, but it goes well beyond the reporting of data,” the ABA section’s Committee on Scholarship reported in its recommendation of Croley for the award. “The article situates the data within larger debates concerning the regulatory state, the proper role of the President of the United States within the regulatory state, and the costs and benefits of centralized review.”

Croley mined the logs kept by the Regulatory Information Services Center (RISC) and the Office of Information and Regulatory Affairs (OIRA) in the Office of Management and Budget. His investigation noted the high incidence of proposed Environmental Protection Agency rules during the Clinton years, which accounted for more than one-half of OIRA’s review meetings. He found, for example, that: 1) The Reagan and Bush White Houses reviewed more than 2,000 rules a year; the Clinton administration fewer. But the Clinton White House reviewed more significant rules and required changes in more of them; 2) Agency representation, the significance of the rule under review, or the presence of representatives of outside interests at OIRA meetings did not appear to affect whether or not the proposed rule was changed; and 3) Environmental Protection Agency rules “constitute a dramatic case of the general trend during the Clinton administration of fewer rules reviewed and a much higher percentage of them changed as a result of the OIRA review process.”

Croley writes that “the data here thus facilitate evaluation of competing claims about the merits of a strong regulatory president and competing visions of regulatory government. . . . Last but not least, this article argues that greater White House influence on agency rulemaking is, on balance, a welcome development in administrative law.”

Law School welcomes five new faculty members

S tudents value their opportunity to learn from the Law School’s exceptional faculty members, and graduates tell you their contacts with faculty members are at the heart of many of their fondest memories of their Law School years. After leaving the Law School and launching careers, many graduates maintain contact with faculty members as supporters, mentors, and sometimes colleagues.

This year, the Law School community welcomes five new faculty members who reflect the high level of accomplishment and promise that is traditional at the Law School. The new faculty members are: