

CONFERENCE ON THE ROLE OF EXECUTIVE POWER AND DISCRETION UNDER THE RULE OF LAW

March 5-6, 2015

Stauffer Auditorium
Hoover Institution, Stanford University

As part of the Hoover Institution's Initiative on Regulation and the Rule of Law, this conference, hosted by Allan Meltzer and Ken Scott, examines the critical issues for a government, founded on the separation of powers, to operate in an effective and legal manner, drawing from recent examples of the expansion of presidential executive authority to make law.

THURSDAY, MARCH 5

8:15-8:45 AM **Shuttle Service from Sheraton Hotel to Hoover Institution**

8:30 AM **Continental Breakfast**

Chair: Allan Meltzer, Hoover Institution and Carnegie Mellon University

9:00 AM **Prosecuting Beyond the Rule of Law:
Corporate Mandates Imposed Through Pretrial Diversion Agreements**
Jennifer Arlen, New York University

Discussant: Daniel Richman, Columbia University

10:30 AM **Break**

10:45 AM **Can the Administrative State Be Tamed?**

Christopher DeMuth Sr., Hudson Institute

Discussant: Michael McConnell, Hoover Institution and Stanford University

12:15 PM **Lunch**

Chair: Michael McConnell, Hoover Institution and Stanford University

1:15 PM **Waiving Rules of Law**

Zachary Price, UC Hastings College of Law

Discussant: Michael Asimow, Stanford University

2:45 PM **Break**

3:00 PM **The Role of Guidance in Modern Administrative Procedure**

Richard Epstein, Hoover Institution and New York University

Discussant: David Freeman Engstrom, Stanford University

4:30 PM **Closing Remarks**

Allan Meltzer, Hoover Institution and Carnegie Mellon University

4:45 PM **Adjourn, Shuttle Service from Hoover Institution to Sheraton Hotel**

6:00 PM **Reception and Dinner in the Sequoia Room at the Sheraton Hotel**



FRIDAY, MARCH 6

8:15-8:45 AM **Shuttle Service from Sheraton Hotel to Hoover Institution**

8:30 AM **Continental Breakfast**

Chair: Michael Boskin, Hoover Institution and Stanford University

9:00 AM **Executive Discretion and the Rule of Law:
A Positive Analysis of Presidential Signing Statements**
Barry Weingast, Hoover Institution and Stanford University
Discussant: Nate Persily, Stanford University

10:30 AM **Break**

10:40 AM **Concluding Panel on Issues about Regulation and the Rule of Law**
Panelists: Michael Rappaport, University of San Diego
Ed Rubin, Vanderbilt University
John Yoo, University of California, Berkeley

11:50 AM **Closing Remarks**
Allan Meltzer, Hoover Institution and Carnegie Mellon University

12:00 PM **Adjourn, Luncheon**



