



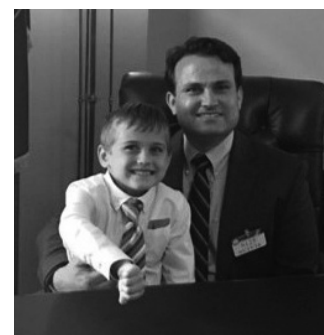
CHRISTOPHER J. WALKER\*



Several years ago I had my Mr. Smith Goes to Washington moment. Senator Orrin Hatch invited me to serve on his Senate Judiciary Committee staff for Neil Gorsuch's confirmation to the Supreme Court. When I arrived in D.C., I discovered I would work out of the Senator's president pro tempore office in the Capitol building. I spent the next four months working there and walking its majestic halls.

In the late evenings, I would often stare out of a window in the president pro tempore's office that looked out on the National Mall. Those were special times for personal reflection and appreciation for our constitutional form of government. It was also a thrill to have my two oldest sons visit that office, meet Senator Hatch, and sit at the president pro tempore's desk where so many of our nation's leaders have sat over the decades.

Fast forward nearly four years to January 6, 2021. With the rest of America, I watched in horror as people



mobilized and invaded the Capitol in an effort to disrupt the election certification process and undermine the fundamental democratic value of a peaceful transition of power. I worried for the safety of friends and former co-workers who were already risking their health during the pandemic to help their bosses carry out their constitutional duty to certify the election. This invasion

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became even more personal and poignant when reporters continued to show one particular picture of the crowd right before they invaded. I am pretty sure that picture (reproduced above) was taken from the same window that I gazed through years before.

More fundamentally, in watching people desecrate the Capitol, I worried for the future of our democracy. The Capitol invasion was both a physical and symbolic violation of our constitutional order, our democratic foundation, and, in a deeper sense, the separation of powers between Congress and the president.

I am deeply grateful for our nation's leaders who stood up to condemn this invasion, including those who returned to the Capitol that night to vote in favor of certifying the election. And yet despite some profiles in courage, I will always remember January 6, 2021, as a dark day in our nation's history.

As I reflect on 2020 and the start of 2021, I am also grateful to the leaders and members of this Section. So many of you have answered the call to serve—as Hill staffers, career civil servants, political appointees, and lawyers engaged in representing clients and the public interest to encourage effective regulatory governance and discourage government overreach. It has been a joy in 2021 to see many of you accept the call to serve in the Biden administration, and still more pursue other public service opportunities within and without government.

I am also grateful for your countless hours of service and engagement with the Section. In November, we had more than 800 virtual attendees at the Section's signature event, the annual ABA Administrative Law Conference. Roughly 100 of you spoke on some 20 different panels, sharing your wisdom and experience with the rest of the Section.

At our awards luncheon, Professor Michael Herz conferred the Gellhorn-Sargentich Law Student Essay Award to Johnathan Hall, a student at Duke Law School, for his timely and well-executed student note *The Gorsuch Test: Gundy v. United States, Limiting the Administrative State, and the Future of Nondelegation*, 70 DUKE L.J. 175 (2020); see also Hall, *infra* this issue.

Professor Ron Krotoszynski presented the annual Award for Scholarship in Administrative Law to Professor Miriam Seifter (University of Wisconsin Law School) for her pathbreaking article *Understanding State Agency Independence*, 117 MICH. L. REV. 1537 (2019); see also Seifter, *infra* this issue.

Past-Chair Linda Jellum gave the Section's Volunteer of the Year Award to Professor David Rubenstein (Washburn

University School of Law) for, among other things, his tireless years of service as editor-in-chief of this quarterly newsletter, the *Administrative & Regulatory Law News*. See Rubenstein, *infra* this issue.

And I had the privilege of inducting the Honorable Judy Boggs, a former Section Chair and current Chief Judge of the U.S. Department of Labor's Benefits Review Board, into the Section Fellows ranks. See Walker, *infra* this issue.

Beyond the annual conference, the Section has been busy on several other fronts. I'll highlight just two.

First, during the second half of 2020, we held regular free webinars on various topics which altogether attracted thousands of attendees. To help those webinars reach an even broader audience, we have recently launched the Section's YouTube channel.<sup>1</sup> The videos posted so far include, among others, a great panel for law students and young lawyers on how to secure a job in administrative law, as well as our keynote panel from the annual conference on recognizing and addressing racism in administrative law. We will continue to add to the Section's YouTube channel in 2021 and beyond.

Second, the Section's governing council approved the launch of a new initiative, the ABA Program for Prospective Administrative Law Scholars (PALS). This program aims to help diversify the administrative law contingent within the legal academy by positioning promising lawyers currently in government or administrative and regulatory law practice to be successful job candidates in the academic marketplace. PALS is still subject to further development and final ABA approval; stay tuned for more details on this exciting and important new initiative later this year.

I am excited for what lies ahead for the Section in 2021. A presidential transition is always an exhilarating time in administrative law. The regulatory responses to the COVID-19 pandemic will continue to evolve at all levels of government. We will no doubt explore these developments at the Section's Spring Institute in May, through various webinars, on our Notice and Comment blog, and at other Section activities.

Most of all, I am grateful for your commitment to the rule of law, to our democratic institutions, and to the public interest. I look forward to the day when we can meet again in person. Until then, the Section's virtual interactions will allow us to continue a rich dialogue and friendship regarding administrative law and regulatory practice. ○

<sup>1</sup> Anyone can subscribe for free to the Section's YouTube channel here: <https://www.yalejreg.com/nc/subscribe-to-the-aba-adlaw-youtube-channel/>.