

Nicholas R. Bednar

Vanderbilt Political Science Department
nicholas.r.bednar@vanderbilt.edu · www.nbednar.com

EDUCATION

| | |
|---|---------------|
| Vanderbilt University | Expected 2023 |
| Ph.D., Political Science | |
| <i>Dissertation Project: The Politics of Bureaucratic Capacity</i> | |
| Committee: David Lewis (Chair), Brenton Kenkel, Sharece Thrower, Guillermo Toral, and Rachel Potter (University of Virginia). | |
| M.A., Political Science | Dec. 2021 |
| University of Minnesota Law School | May 2016 |
| J.D., <i>Magna Cum Laude</i> | |
| University of Minnesota – Twin Cities | Dec. 2012 |
| B.A., Political Science and History, <i>with Distinction</i> | |
| University College Cork | May 2012 |
| Certificate in Irish Politics | |

RESEARCH AND TEACHING INTERESTS

Executive-Branch Politics; Public Administration; Administrative Law; Constitutional Law; Immigration Law; Statutory Interpretation; Formal Models; and Quantitative Methods.

EDITOR-REVIEWED PUBLICATIONS

- “*Chevron’s Inevitability.*” *George Washington Law Review* 85: 1392-1461 (2017) (with Kristin E. Hickman).
— Reviewed in *Jotwell (Administrative Law)* by Adrian Vermeule.
- “The Clear-Statement *Chevron* Canon.” *DePaul Law Review* 66: 819-872 (2017).
- “Asylum’s Interpretative Impasse: Interpreting ‘Persecution’ and ‘Particular Social Group’ Using International Human Rights Law.” *Minnesota Journal of International Law* 26: 145-187 (2017) (with Margaret Penland).
- “Social Group Semantics: The Evidentiary Requirements of ‘Particularity’ and ‘Social Distinction’ in *Pro Se Asylum Adjudications.*” *Minnesota Law Review* 100: 355-403 (2015).
— Recipient of the Volume 35/36 Note and Comment Award.

INVITED PUBLICATIONS

- “What to Do About *Chevron*—Nothing.” *Vanderbilt Law Review En Banc* 72: 151-176 (2019).
- “Justifying Delay: Why Agencies Delay Compliance Dates and How They Do It.” *Journal of Regulatory Compliance* 4: 1-33 (2019).

“The Winter of Discontent: A Circumscribed *Chevron*.” *Mitchell Hamline Law Review* 45: 393–423 (2019).

“*Chevron* Critics and Clarity.” *The Public Lawyer* 27(1): 2-10 (2019).

“Deferring to the Rule of Law: A Comparative Look at United States Deference Doctrines.” *University of Memphis Law Review* 47: 1047-1083 (2017) (with Barbara Marchevsky).

OTHER PUBLICATIONS

“Coping with *Chevron*: Justice Gorsuch’s Majority and Justice Breyer’s Dissent in *SAS Institute*.” *Yale Journal on Regulation: Notice & Comment* (2018).

“DACA on the Docket.” *Minnesota Law Review De Novo* (2017).

“Defying *Auer* Deference: *Skidmore* as a Solution to Conservative Concerns in *Perez v. Mortgage Bankers Association*.” *Minnesota Law Review De Novo* (2015).

CURRENT RESEARCH AND WORKING PAPERS

The Politics of Bureaucratic Capacity (Dissertation Project).

“Bureaucratic Capacity in the Administrative Presidency.”
— Recipient of the 2021 Vanderbilt Political Science Best Graduate Student Paper Award.

“The Workforce Capacity of the United States Bureaucracy, 1998-2020.” (Under Review)

“The Right to Administrative Capacity.”

“Agency Policymaking Among Appointees, Actings, and Vacancies.” (with Chris Piper).

“Presidential Investments in the Administrative State” (with David E. Lewis).

“Presidential Regulatory Priorities” (with Sharece Thrower and Chris Piper).

“Policy Implementation and the Judiciary” (with Sharece Thrower and Paul Gardner).

GRANTS, HONORS, AND AWARDS

| | |
|--|-----------|
| 2021 Vanderbilt Political Science Best Graduate Student Paper Award Vanderbilt University | Nov. 2021 |
| Prestage-Cook Travel Award (Declined) Southern Political Science Association | Nov. 2021 |
| J. Leiper Freeman Memorial Award Vanderbilt University | June 2020 |
| Graduate School Travel Grant Vanderbilt University | Dec. 2019 |
| Lockhart Award for Excellence in Scholarship, Leadership, and Service University of Minnesota Law School (Faculty Selected) | May 2016 |

| | |
|--|-----------|
| Student Service Award Minnesota Justice Foundation | May 2016 |
| Order of the Coif University of Minnesota Law School | May 2016 |
| Book Award: Great Cases University of Minnesota Law School (Professor Robert Stein) | Dec. 2016 |
| Volume 35/36 Note and Comment Award Minnesota Law Review | Mar. 2015 |
| Human Rights Center Fellowship University of Minnesota Human Rights Center | May 2014 |
| Book Award: Constitutional Law University of Minnesota Law School (Professor Fred Morrison) | Dec. 2013 |

PRESENTATIONS

| | |
|--|-----------|
| “Bureaucratic Capacity in the Administrative Presidency” 2022 Southern Political Science Association | Jan. 2022 |
| “Presidential Investment in the Administrative State” 2022 Southern Political Science Association | Jan. 2022 |
| “Bureaucratic Resilience and Capacity.” Center for the Study of Democratic Institutions Vanderbilt University | Apr. 2021 |
| “ <i>Chevron</i> and the Department of Justice.” 2021 Annual <i>Duke Law Review</i> Symposium Duke Law School | Feb. 2021 |
| “Does Insulation Matter?: Agency Rulemaking During Presidential Transitions.” 2020 Southern Political Science Association Meeting | Jan. 2020 |
| “Justifying Delay.” 2018 <i>Journal of Regulatory Compliance</i> Symposium Loyola University Chicago School of Law | Feb. 2018 |

TEACHING EXPERIENCE

| | |
|--|---|
| Game Theory (Undergraduate and Graduate Students) Graduate Student Teaching Assistant (Peter Bils) Grader (Alan Wiseman) | Vanderbilt University Fall 2021 Fall 2019 |
| Statistics II (Graduate Students) Recitation Instructor/Teaching Assistant (Brenton Kenkel) | Vanderbilt University Spring 2021 |
| Statistics I (Graduate Students) Recitation Instructor/Teaching Assistant (Jennifer Larson) | Vanderbilt University Fall 2020 |

Vanderbilt Math Camp (Graduate Students)
Instructor

Vanderbilt University
Fall 2020, Fall 2021

Administrative Law (Law Students)
Teaching Assistant (Kristin Hickman)

Online
Summer 2016

PROFESSIONAL AND UNIVERSITY SERVICE

University Service:

Graduate Student Council: Symposium Coordinator.

Conference Organization:

2021 Vanderbilt Graduate Idea Symposium.

2015 *Minnesota Law Review* Symposium.

Journal Editor:

Minnesota Law Review: Lead Articles Editor (Vol. 100); Staff Member (Vol. 99).

Peer Reviewer:

Presidential Studies Quarterly.

Research Assistant:

Kristin Hickman (Administrative Law, Bureaucracy); David Lewis (Bureaucracy); Stephen Meili (Immigration Law, Human Rights); Brad Smith (Formal Theory); Robert Stein (Rule of Law, Supreme Court History); Sharece Thrower (Judicial Review of Executive Action).

RESEARCH AFFILIATIONS

Georgetown University – Department of Government
Affiliate Researcher

Washington, D.C.
Since 2021

Center for the Study of Democratic Institutions
Affiliate Researcher

Nashville, TN
Since 2019

PROFESSIONAL MEMBERSHIPS

American Bar Association
Member

Since 2013

American Political Science Association
Member

Since 2018

Midwest Political Science Association
Member

Since 2018

Southern Political Science Association
Member

Since 2018

LEGAL AND PROFESSIONAL EXPERIENCE

Chief Judge John R. Tunheim, U.S. District Court
Judicial Law Clerk

Minneapolis, MN
Aug. 2017 – Aug. 2018

Judge Tracy M. Smith, Minnesota Court of Appeals

St. Paul, MN

| | |
|---|--|
| Judicial Law Clerk | Aug. 2016 – Aug. 2017 |
| Myers Thompson P.A. Summer Associate | Minneapolis, MN May 2015 – Aug. 2015 |
| Immigration & Human Rights Clinic Certified Student Attorney | Minneapolis, MN Sept. 2014 – May 2015 |
| Advocates for Human Rights Refugee and Immigrant Program Law Clerk | Minneapolis, MN June 2014 – Aug. 2014 |

BAR ADMISSIONS

State of Minnesota

U.S. District Court for the District of Minnesota