

**EMILY S. BREMER**  
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## **EDUCATION**

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### **New York University School of Law**

Juris Doctor, May 2006

*NYU Journal of Law & Liberty*, Executive Notes Editor

*International Journal of Constitutional Law*, Student Editor

### **Boston College Law School**

Matriculated August 2003 – May 2004

Top 10% of First-Year Class

*Boston College Law Review*, Invitation Extended

### **New York University**

Bachelor of Arts in Politics, *magna cum laude*, May 2003

Dean's List

College of Arts and Science Presidential Scholar

## **CLERKSHIP**

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### **The Honorable Andrew J. Kleinfeld, 2007 – 2008**

United States Court of Appeals for the Ninth Circuit, Fairbanks, AK

## **PROFESSIONAL EXPERIENCE**

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### **Administrative Conference of the United States, Washington, DC**

*Attorney Advisor*, September 2010 – present

Design, conduct, and support studies of administrative law and process for a free standing federal agency that operates as an in-government think tank. Work with Conference members (101 from federal departments and agencies, law firms, think tanks, businesses, and academia) to craft and implement recommendations designed to make government work better.

### **Wiley Rein LLP, Washington, DC**

*Associate*, Appellate and Telecommunications Litigation Group

September 2006 – July 2007, September 2008 – September 2010

Litigated administrative law, communications, constitutional, federal jurisdiction, and preemption issues before trial and appellate courts. Represented clients before the FCC and drafted amicus curiae briefs for federal appellate courts and the U.S. Supreme Court.

**Institute for Justice, Washington, DC**

*Law Clerk, Summer 2004 and Summer 2005*

Researched and analyzed states' interpretations of constitutional public use requirement for exercise of eminent domain to support petition for certiorari in *Kelo v. City of New London*, 545 U.S. 469 (2005). Supported other litigation by researching issues of statutory interpretation, due process, equal protection, and abstention.

**University of Colorado School of Law, Boulder, CO**

*Research Assistant, Professor Robert Nagel, Summer 2003*

**New York University School of Law, New York, NY**

*Research Assistant, Professor Pasquale Pasquino, Fall 2001 and Fall 2002*

**PUBLICATIONS**

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**Articles:**

*Incorporation by Reference in an Open-Government Age*, 36 HARV. J.L. & PUB. POL'Y 131 (2013).

*The Dynamic Last-in-Time Rule*, 22 IND. INT'L & COMP. L. REV. 27 (2012).

**Report:**

*The Need to Reform 28 U.S.C. § 1500*, A Report to the Administrative Conference of the United States (2011), available at [http://www.acus.gov/wp-content/uploads/downloads/2012/11/Section-1500-Report\\_Final.pdf](http://www.acus.gov/wp-content/uploads/downloads/2012/11/Section-1500-Report_Final.pdf) (with Jonathan R. Siegel).

**Other Writing:**

*Standards, Regulations and Incorporation by Reference: An Interview with Emily Bremer of the Administrative Conference of the United States*, STANDARDIZATION NEWS, Nov./Dec. 2012, at 18.

**WORKS IN PROGRESS**

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*The Unwritten Administrative Constitution*

*A Field Guide to Federal Rulemaking*

*Loan Repayment Assistance Programs*, in ACCESS TO CIVIL JUSTICE FOR AMERICANS OF AVERAGE MEANS (Samuel Estreicher and Joy Radice eds.).

## PRESENTATIONS

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Panelist, *Towards Greater Government and Industry Cooperation*, Addressing National Priorities Through Standards, Consumer Electronics Association & American National Standards Institute, Arlington, VA (Dec. 11, 2012).

Instructor, *Incorporation by Reference in Federal Regulations*, SES Webinar, Society for Standards Professionals (Nov. 15, 2012).

Moderator, *Legal Issues Forum*, World Standards Week, American National Standards Institute, Washington, DC (Oct. 10, 2012).

Panelist, *Legal/Regulatory Concerns in Standardization*, Building the Future Through Standards, The 61st Annual Conference of the Society for Standards Professionals, New Orleans, LA (Aug. 20, 2012).

Panelist, *Incorporation by Reference*, Brown Bag Lunch Program, ABA Section of Administrative Law & Regulatory Practice, Washington, DC (July 25, 2012).

Panelist, *Historical Overview of Incorporation by Reference*, Public Workshop To Discuss Implementing Incorporation by Reference Requirements of Section 24 of the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011, Pipeline and Hazardous Materials Safety Administration, Washington, DC (July 13, 2012), *see* 77 Fed. Reg. 37,472 (June 21, 2012).

Panelist, *Incorporation by Reference*, Office of Management and Budget (Executive Office of the President) Workshop on Federal Participation in the Development and Use of Voluntary Consensus Standards and in Conformity Assessment Activities, National Institute of Standards and Technology, Gaithersburg, MD (May 15, 2012), *see* 77 Fed. Reg. 19,357 (Mar. 30, 2012).

Panelist, *Incorporation by Reference*, IBR-IRC Implementation Summit, Administrative Conference of the United States & U.S. Chamber of Commerce (May 1, 2012).

Presenter, *Overview of the Administrative Conference of the United States and its Current Projects*, Administrative Codes and Records Section of the National Association of Secretaries of State, 2012 Winter Meeting (Feb. 24, 2012) (with Reeve T. Bull).

Speaker, *Incorporation by Reference*, Small Business Labor Safety (OSHA/MSHA) Roundtable, SBA Office of Advocacy, Washington, DC (Jan. 20, 2012).

Panelist, *Incorporation by Reference*, Administrative Law Conference, ABA Section of Administrative Law & Regulatory Practice, Washington, DC (Nov. 18, 2011).

Panelist, *ACUS 2.0: The First Recommendations to Emerge from the Reconstituted Administrative Conference of the United States*, Influencing and Improving the Regulatory Process: The Seventh Annual National Institute of the ABA Section of Administrative Law & Regulatory Practice, Washington, DC (May 3, 2011).

**TEACHING INTERESTS**

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Administrative Law, Civil Procedure, Constitutional Law, Property, Legislation, Torts, Business Associations, Communications, Local Government, Professional Responsibility, Trade Regulation

**BAR MEMBERSHIPS**

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Virginia Bar (2006)

District of Columbia Bar (2009)

United States Court of Appeals for the Ninth Circuit (2008)