


**Committee on Energy and Commerce**  
**U.S. House of Representatives**  
Witness Disclosure Requirement - "Truth in Testimony"  
Required by House Rule XI, Clause 2(g)(5)

<b>1. Your Name:</b> Emily Hammond		
<b>2. Your Title:</b> Professor of Law		
<b>3. The Entity(ies) You are Representing:</b> Testifying in individual capacity		
<b>4. Are you testifying on behalf of the Federal, or a State or local government entity?</b>	Yes	No X
<b>5. Please list any Federal grants or contracts, or contracts or payments originating with a foreign government, that you or the entity(ies) you represent have received on or after January 1, 2013. Only grants, contracts, or payments related to the subject matter of the hearing must be listed. None</b>		
<b>6. Please attach your curriculum vitae to your completed disclosure form.</b>		

Signature: \_\_\_\_\_  \_\_\_\_\_ Date: 6/1/15

## **Emily Hammond**

The George Washington University Law School  
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202-994-6024 · ehammond@law.gwu.edu

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### ACADEMIC EMPLOYMENT

**The George Washington University Law School** Washington, DC  
Professor of Law, 2014 – present  
*Courses Offered:* Energy Law, Oil & Gas, Administrative Law, Environmental Law, Torts

**Wake Forest University School of Law** Winston-Salem, North Carolina  
Professor of Law, 2012-14  
*Courses Offered:* Administrative Law; Energy Law; Environmental Law; Risk, Public Policy and Law

**University of Oklahoma College of Law** Norman, Oklahoma  
Associate Dean for Academic Affairs, 2011-12  
Associate Professor of Law, 2007-12  
*Courses Offered:* Administrative Law; Energy Law; Risk, Public Policy and Law; Torts I & II

**Visiting Positions:** University of Texas School of Law (Fall 2013; Oil & Gas); Florida State University College of Law (2012-13 weekend format; Risk, Public Policy & Law; Water Law); University of Georgia School of Law (2006-07; Property I & II)

### RESEARCH

Expertise in administrative law, energy law, nuclear power, environmental law, law & science

#### ***Scholarly Journals:***

*The Regulatory Contract in the Marketplace*, — VAND. L. REV. — (forthcoming 2015) (with David B. Spence)

*Nuclear Power, Risk, and Retroactivity*, – VAND. J. TRANSNAT'L L. – (forthcoming 2015)  
(invited symposium)

*Complexity as Formality in Risk Regulation*, – UTAH L. REV. – (forthcoming 2015) (published in conjunction with Distinguished Young Scholar award)

*Chevron's Generality Principles*, 83 FORDHAM L. REV. 655 (2014)

*Administrative Proxies for Judicial Review: Building Legitimacy from the Inside-Out*, 37 HARV. ENVTL. L. REV. 201 (2013) (with David L. Markell)

*Presidential Control, Expertise, and the Deference Dilemma*, 61 DUKE L.J. 1763 (2012)

*Deference and Dialogue in Administrative Law*, 111 COLUM. L. REV. 1722 (2011)

*Super Deference, the Science Obsession, and Judicial Review as Translation of Agency Science*, 109 MICH. L. REV. 733 (2011)

*Scientific Avoidance: Toward More Principled Judicial Review of Legislative Science*, 84 IND. L. J. 239 (2009)

*Government Liability When Cyclists Hit the Road: Same Roads, Same Rights, Different Rules*, 35 GA. L. REV. 1051 (2001)

***Books and Book Chapters:***

*Linking Legal Framework Design and Risk Theory to Consumer Acceptance of the Smart Grid*, in THE INTERNATIONAL SMART GRID CONFERENCE (Seoul National Univ. Sch. of Law, forthcoming 2015) (translated to Korean) (with Joel B. Eisen)

ENERGY, ECONOMICS, AND THE ENVIRONMENT: CASES AND MATERIALS (Found. Press, 4<sup>th</sup> ed., forthcoming 2015) (with Joel Eisen, Jim Rossi, David Spence, Jacqueline Lang Weaver, and Hannah Wiseman): author of chapter on nuclear energy; co-author of introductory chapter and chapter on externalities of fossil fuel generation)

*Chevron Step One*; and *Chevron Step Two*, in A GUIDE TO JUDICIAL AND POLITICAL REVIEW OF ADMINISTRATIVE AGENCIES (ABA, 2d ed., Richard Murphy and Kathryn A. Watts, eds., forthcoming 2015)

ENVIRONMENTAL PROTECTION: LAW AND POLICY (Aspen, 7<sup>th</sup> ed. 2015) (with Rob Glicksman, Dave Markell, Bill Buzbee, Daniel Mendelker, and Dan Bodansky) (author of chapter *Protecting the Water Resource*)

*Civil Remedies*, in GLOBAL CLIMATE CHANGE AND U.S. LAW (2d ed., Michael B. Gerrard & Jody Freeman, eds.) (with David L. Markell) (2014)

*Energy Sources for Electricity*, in GLOBAL CLIMATE CHANGE AND U.S. LAW (2d ed., Michael B. Gerrard & Jody Freeman, eds.) (with David B. Spence) (2014)

***Shorter Works:***

*Energy Law's Jurisdictional Boundaries: A Call for Course Correction*, GEO. WASH. L. REV. DOCKET (Oct. Term 2014) (Apr. 2015)

*Administrative Law's Asymmetries of Statutory Origin*, 93 TEXAS L. REV. SEE ALSO 75 (2015) (response to Professor Melissa Wasserman)

*Court-Agency Dialogue at the Boundaries of Reviewability*, 82 GEO. WASH. L. REV. ARGUENDO 171 (2014) (response to Professor Chris Walker)

*Nuclear Power in the United States: An Overview*, ENERGY LAW (Moscow State; translated to Russian) (2014)

*Nuclear Power in the United States: An Overview*, ABA Section of Environment, Energy, and Resources (Jan. 2014), available at [http://www.americanbar.org/content/dam/aba/administrative/environment\\_energy\\_resources/resources/hammond\\_nuclear\\_power.authcheckdam.pdf](http://www.americanbar.org/content/dam/aba/administrative/environment_energy_resources/resources/hammond_nuclear_power.authcheckdam.pdf)

*TSCA Reform: Preserving State Tort and Regulatory Approaches*, Center for Progressive Reform Issue Alert (2013) (with James Goodwin, Thomas O. McGarity, Sidney A. Shapiro, Wendy E. Wagner)

Contributor, *Developments in Administrative Law & Regulatory Practice* (energy law) (ABA 2013)

*Dialogue, Deferred and Differentiated*, 112 COLUM. L. REV. SIDEBAR 185 (2012)

*Emerging Trends in Clean Water Act Litigation: Drifting Away from Scientific Principles*, in 2005 National Water Research Symposium: Balancing Water Law and Science, Proceedings: Virginia Polytechnic Institute and State University, Blacksburg, Virginia

*It's About Time: Part-Time Policies and Practices in Atlanta Law Firms* (2004) (with Lisa Vash Herman and Lynn M. Adam)

*State Sovereignty: Zoning, Permitting, and the City-County Relationship*, The Ga. League Report, March 2002, at 7

*Touching the Donkey's Tail in the Dark: How Court-Appointed Scientific Experts Can Shed Light on Scientific Evidence in Georgia*, The Ga. League Report, April 2000, at 35

***Peer-Reviewed Scientific Publications:***

*Hydrogeologic and Water-Quality Data for the Explosive Experimental Area, Naval Surface Warfare Center, Dahlgren Site, Dahlgren, Virginia*: U.S. Geological Survey Open-File Report 95-386 (1995) (with Clifton F. Bell)

*Water-Use in Virginia: Reported Withdrawals in 1992*: U.S. Geological Survey Fact Sheet 94-057 (1994) (with Michael J. Focazio)

*Potentiometric Surface of the Brightseat-Upper Potomac Aquifer in Virginia, 1993*: U.S. Geological Survey Open-File Report 94-370 (1994) (with E. Randolph McFarland and Michael J. Focazio)

*Potentiometric Surface of the Lower Potomac Aquifer in Virginia, 1993*: U.S. Geological Survey Open-File Report 94-373 (1994) (with E. Randolph McFarland and Michael J. Focazio)

*Potentiometric Surface of the Middle Potomac Aquifer in Virginia, 1993*: U.S. Geological Survey Open-File Report 94-3732 (1994) (with E. Randolph McFarland and Michael J. Focazio)

## REPRESENTATIVE PRESENTATIONS & PANELS

*The Ev[rev]olution of the Electricity Sector in Response to Environmental Sustainability Concerns—the Regulatory Contract in the Marketplace*, First Annual Sustainability Conference of American Legal Educators, Tempe, AZ, May 8, 2015

Moderator, *Federalism and the Major U.S. Environmental Statutes*, Book Conference, The Law and Policy of Environmental Federalism: A Comparative Analysis (Kalyani Robbins ed. 2015), Washington D.C., Apr. 24, 2015

Invited Participant, Austin Electricity Conference, Austin, TX, Apr. 9-10, 2015

*The Regulatory Contract in the Marketplace*, Wallace Stegner Center Distinguished Young Environmental Law Scholar, S.J. Quinney College of Law, University of Utah, Salt Lake City, UT, Mar. 12, 2015

*Risk Perception and Stakeholder Engagement*, Downtown CLE, Salt Lake City, UT, Mar. 11, 2015

*Nuclear Power, Risk, and Retroactivity*, Symposium: This is Not a Drill: Confronting Legal Issues in the Wake of International Disasters, Vanderbilt University Law School, Nashville, TN, Feb. 13, 2015

*Discussant*, New Voices in Administrative Law, Association of American Law Schools Annual Meeting, Washington, DC, Jan. 3, 2015

*Interpreting the APA*, American Bar Association Administrative Law Conference, Washington, DC, Oct. 16, 2014

Discussant, Dynamic Environmentalism: Ecology, Economics, and the Law, George Mason University School of Law, Arlington, VA, Oct. 10, 2014

Moderator, J.B. & Maurice C. Shapiro Adaptive Management Workshop, The George Washington University Law School, Washington, DC, Sept. 19, 2014

Invited Participant, Austin Electricity Conference, Austin, TX, Apr. 3-4, 2014

Discussant, New Voices in Administrative Law, New York, NY, Jan. 3, 2014

*Stakeholder Engagement for Nuclear Power*, Seoul National University School of Law, South Korea, Nov. 25, 2013

*Risk Perception and the Smart Grid*, in International Smart Grid Symposium, Seoul National University School of Law, South Korea, Nov. 26, 2013

*Administrative Proxies for Judicial Review: Building Legitimacy from the Inside-Out*, The George Washington University Law School, Washington, D.C., Oct. 30, 2013

*Extending Administrative Proxies for Judicial Review*, University of Washington School of Law Faculty Colloquium, Seattle, WA, Oct. 17, 2013

Moderator, *Exploring Dysfunction in the Administrative State*, Southeastern Association of Law Schools 2013 Annual Conference, Palm Beach, FL, Aug. 5, 2013

Moderator, *What Are the Causes of Regulatory Failure?*, Center for Progressive Reform Annual Meeting, Bethesda, MD, May 15, 2013

Invited Participant, Austin Electricity Conference, Austin, TX, Apr. 18-19, 2013

*Administrative Proxies for Judicial Review: Building Legitimacy from the Inside-Out*, University of Texas School of Law Faculty Colloquium, Austin, TX, Feb. 15, 2013

*Electricity Reliability: Governance Challenges*, Power Plant Conference, University of Texas School of Law Energy Center, Austin, TX, Feb. 15, 2013

*Climate Change and Risk Perception*, Florida State University College of Law, Environmental Law Society, Tallahassee, FL, Oct. 18, 2012

*Specialized Agencies and Courts*, Southeastern Association of Law Schools 2012 Annual Conference, Amelia Island, FL, July 31, 2012

*Petitions, Procedural Justice, and Legitimacy*, Columbia Law School Administrative Law Roundtable, New York, NY, Apr. 13, 2012

*Developing Deference and Dialogue*, Columbia Law Review Author Talk, New York, NY, Apr. 12, 2012

*Presidential Control, Expertise, and the Deference Dilemma*, University of Maryland College of Law Faculty Colloquium, Baltimore, MD, Mar. 29, 2012

Moderator, *Oklahoma's 21<sup>st</sup> Century Water Challenges*, Oklahoma Law Review Symposium, Norman, OK, Mar. 9, 2012

*Presidential Control, Expertise, and the Deference Dilemma*, Duke Law Journal 42d Annual Administrative Law Symposium, Raleigh, NC, Feb. 24, 2012

*Yucca Mountain: A Case Study in Stakeholder Engagement*, Florida State University College of Law Environmental Certificate Seminar, Tallahassee, FL, Feb. 6, 2012

*Political Control, Expertise, and the Deference Dilemma*, Florida State University College of Law Faculty Colloquium, Tallahassee, FL, Feb. 6, 2012

*Climate Change Adaptation: A Risk Perception Perspective*, AALS Section on Natural Resources, AALS Annual Meeting, Washington, DC, Jan. 6, 2012

*Dread Risks, Formal Procedures, and Stakeholder Engagement*, Second Annual Colloquium on Environmental Scholarship at Vermont Law School, South Royalton, VT, Sept. 23, 2011

*Deference and Dialogue in Administrative Law*, Washington University Junior Faculty Workshop, St. Louis, MO, Feb. 11, 2011

*Legal Frameworks for Stakeholder Engagement*, International Atomic Energy Agency Workshop on Strengthening National Competencies in the Area of Stakeholder Dialogue for Radioactive Waste Disposal, Las Vegas, NV, Dec. 6-10, 2010

*Legal Careers in Science*, Women in Science, OKCAST, Oklahoma City, OK, Feb. 9, 2010

*Professional Liability Standards for Civil Engineers*, Foundation Engineering, CEES 4333, Norman, OK, May 4, 2010

*Roadmap for Oklahoma Water Law*, Citizen Potawatomi Cultural Heritage Center, Shawnee OK, May 18, 2009; Sovereignty Symposium, Oklahoma City, OK, June 3, 2009; and Cameron University, Lawton OK, Aug. 15, 2009

*Tribal Water Rights: Resolution and Planning*, Cameron University, Lawton OK, Aug. 15, 2009

*Water Law and Science: A Policy Perspective*, Oklahoma Water Law Conference, CLE International, Oklahoma City, OK, Mar. 30-31, 2009

*Scientific Uncertainty and Climate Change Litigation*, University of Oklahoma MOLA meeting, Norman, OK, Sept. 22, 2008

*Roadmap for Water Law*, Basic Oklahoma Water Law Seminar, Oklahoma City, OK, July 28, 2008

*Scientific Avoidance: Toward More Principled Judicial Review of Legislative Science*, Faculty Colloquium, St. Thomas School of Law, Minneapolis MN, Apr. 28, 2008

*Emerging Trends in Clean Water Act Litigation: Drifting Away from Scientific Principles*, 2005 National Water Research Symposium: Balancing Water Law and Science, Blacksburg VA, Oct. 2005

#### SCHOLARLY ACTIVITIES

Distinguished Young Environmental Scholar, Stegner Center, University of Utah (spring 2015)  
Member Scholar, Center for Progressive Reform (2012 – present)  
Editor, Environmental Law Prof Blog (2012-13)  
Editorial Board Member, ENVTL. L. REV. (United Kingdom) (2010-11)  
Affiliated Researcher, Center for Risk & Crisis Management (2010-12)  
Referee, *Risk, Hazards & Crisis in Public Policy* (2009)

Referee, *Journal of Philosophy, Science and Law* (2007)

### SCHOLARLY & PROFESSIONAL SERVICE

Elected Member, American Law Institute (2013 – present)

Executive Committee, AALS Section on Administrative Law (2012 – present; Chair-Elect, 2015)

Advisory Board Member, Institute for Energy Law (2011-12)

Legal Advisory Board, Norman Area Land Conservancy (2010-12)

Trustee, Energy and Mineral Law Foundation (2010-12)

Hearing Examiner, Oklahoma Water Resources Board (2009 – 14)

### GRANTS

*Pros for Africa Affiliation with OU College of Law*: \$100,000 for student opportunities in Uganda (2011)

*REU Site: Integrated Machine Learning Systems*. NSF Grant # 0755462; Start date: Feb. 1, 2008; Expired Jan. 31, 2011; \$310,952: Faculty mentor for undergraduates interested in legal issues related to machine learning systems

### ACADEMIC SERVICE

#### ***The George Washington University Law School***

Lead Advisor, Sandra Day O'Connor Inn of Court (2014-15); Curriculum Committee (2014-15); GW Law Task-Force on Student Wellbeing (2015-present; Chair, 2015); Faculty Appointments Committee (2015-present)

#### ***Wake Forest University School of Law:***

Board Member, Center for Energy, Environment, and Sustainability (2013-present)

Committees: Faculty Appointments Committee (2012-13); Dean's Advisory Committee (2012-13)

Student Note and Writing Requirement Advisor: Cooper Hawley (2012-13); Laura Schoenthaler (MSL, 2012-13); Maria de Travers (LLM, 2012-13)

#### ***University of Oklahoma College of Law:***

Committees: Curriculum (Chair, 2011-12); Research and Creative Activity (ex officio, 2011- present); International Public Service (2011); Faculty Appointments (2010-11; 2008-09); Academic Probation and Readmission (2010-11); LLM (2009-10); Library (2007-10); Competition Teams (2007-08)

Student Note and Writing Requirement Advisor: James J. Linhardt (2011); Alexandria Polk (2011); Michael May (2011); David Grantham (Ph.D, 2010-11); Courtney Griffin (2010-11); Courtney Bucklin (2010); Sean Wagner (2010); Jessica Kudryk (2010); Grant Sheperd (2010); Emily Remmel (M.S., 2008); Jacqueline Campbell (2008); Madison Carey (2009); Michael Cromwell (2008); Amy Kamp (2008); Jennifer Keitel (2008); Erin Maxwell (2008); Lauren Vanderlip (2008-09); Whitney A. Walstad (2007-08)

Dissertation Committee: Matthew Collier (drought transition)



Faculty Advisor: Oklahoma Law Review (Spring 2010-12); Environmental Law Society (co-advisor, 2008-12)  
Moot Court Coach: co-coached Spong Moot Court team (2007-08)

***University of Oklahoma:***

Oklahoma Water Survey Director Search Committee (2011-12)  
Research Liaison to Office of Vice President of Research (2011-12)  
Vice President for Research Advisory Committee (2008-11)  
Faculty Reviewer, University Strategic Organizations Grant Competition (2011)  
Vice President for Research Awards Selection Committee (2011)  
Norman Campus Conflict of Interest Task Force (2010-12)  
OU Energy Club (2010-12)  
Legal Advisory Panel to Faculty Appeals Board (2010-12)  
“MOLA”: interdisciplinary group studying climate change (2008-12)  
Dean Search Committee for College of Law (2009-10)  
Adopt-A-Prof (2007-08)

***Community:***

The Women’s Fund of Winston-Salem (2013-14)  
Member, Seven Seas Dance Company (2012-14)  
Citizens Public Safety Oversight Committee, City of Norman, OK (2009-12)  
Ruth Bader Ginsburg Inn of Court (faculty liaison, 2009-10)

**OTHER PROFESSIONAL EXPERIENCE**

**Law Clerk to the Honorable Richard W. Story**, U.S. District Court for the Northern District of Georgia, 2002-04

**Bondurant, Mixson & Elmore, LLP** Atlanta, Georgia  
(Associate, 2004-06; Summer Associate, 2001)  
Civil litigation, including: complex business litigation; patent law; copyright, trademark, and trade secrets law; and constitutional law  
Pro bono civil rights work, including: representation of Guantanamo Bay detainee; and representation of plaintiffs in Establishment Clause challenges

**Georgia Municipal Association** Atlanta, Georgia  
(Legal Intern, 2001-02 school year)  
Preparing amicus curiae briefs (zoning and city-county disputes); assisting city attorneys with legal issues

**Southern Environmental Law Center** Atlanta, Georgia  
(Legal Intern, fall 2000)  
Impact litigation under Clean Water Act, Clean Air Act, Coastal Zone Management Act; drafting legislation

**Griffin, Cochrane & Marshall LLP** Atlanta, Georgia  
(Summer associate, 2000)

Complex construction litigation

**Fulton County Court Appointed Special Advocates, Inc.**

(Summer Intern, 2001; Volunteer, 1999-2001)

Atlanta, Georgia

Child advocacy, including: interviewing families and children in deprivation unit of juvenile court system; identifying and obtaining resources; preparing reports for hearings

**Law Engineering and Environmental Services, Inc.**

(Project Engineer, 1999; Staff Engineer, 1998)

Kennesaw,

Georgia Hazardous waste remediation, including: design and implementation of RCRA

Stabilization Measures for polluted soil and groundwater sites; feasibility studies; field

monitoring; and project coordination

Treatment wetland design

Environmental site assessments and compliance audits for industrial corporations

**Consultech Engineering, Inc.**

Norcross, Georgia

(Staff Engineer, 1997-98)

Environmental site assessments; groundwater remediation design and monitoring

**U.S. Geological Survey, Water Resources Division**

Richmond, Virginia

(Student Hydrologist, 1994-96)

Analyzing data on surface- and ground-water use and trends; coordinating Virginia water-use program

Geohydrological research involving contaminated soil sites, wetlands, ground- and surface-water quality monitoring, and borrow pits

EDUCATION

**University of Georgia School of Law, J.D., *summa cum laude*, 2002**

Managing Board, Georgia Law Review; Order of the Coif; Order of Barristers

**Virginia Polytechnic Institute & State University, B.S., *cum laude*, Civil Engineering (Environmental Option), 1996**

Tau Beta Pi National Engineering Honor Society; Phi Kappa Phi National Honor Society

PROFESSIONAL AFFILIATIONS

Georgia Bar Association (inactive); American Bar Association; Energy Bar Association; American Law Institute