ARTICLES

Trump v. Mazars USA, LLP: The Case of the Chief Justice and the Congressional Subpoenas

Congress Can Delegate Authority, But Not Responsibility: Accountability for the Domestic Use of the Armed Forces

Limits on the Unitary Executive: The Special Case of the Adjudicative Function

Rolling Back and Losing Ground: EPA Regulation and Enforcement in the Trump Era

VERMONT LAW REVIEW NOTE COMPETITION WINNER

FDA, Just Say No: Why Using Beta-Agonist Drugs in Animals for Consumption Requires New FDA Regulations

Ashely Monti
ARTICLES

Trump v. Mazars USA, LLP: The Case of the Chief Justice and the Congressional Subpoenas  
Rodger D. Citron  

Congress Can Delegate Authority, But Not Responsibility: Accountability for the Domestic Use of the Armed Forces  
Richard K. Sala  

Limits on the Unitary Executive: The Special Case of the Adjudicative Function  
Harold J. Krent  

Rolling Back and Losing Ground: EPA Regulation and Enforcement in the Trump Era  
Joel A. Mintz  

VERMONT LAW REVIEW NOTE COMPETITION WINNER

FDA, Just Say No: Why Using Beta-Agonist Drugs in Animals for Consumption Requires New FDA Regulations  
Ashely Monti  

1
12
24
86
124
155
VERMONT LAW SCHOOL

2021-2022

ADMINISTRATION

Beth McCormack, A.B., J.D., Interim President and Dean and Professor
Cynthia W. Lewis, B.A., J.D., M.L.I.S., Vice Dean for Faculty and Professor
Joseph Brennan, B.A., J.D., Vice Dean for Students and Professor
Shirley A. Jefferson, B.S., J.D., Associate Dean for Student Affairs and Diversity and
Associate Professor
Jennifer K. Rushlow, B.A., M.P.H., J.D., Associate Dean for Environmental Programs, Director of the
Environmental Law Center, and Professor

FACULTY

Abigail Andre, B.F.A., J.D., Staff Attorney at the Environmental Advocacy Clinic, Assistant Professor
Susan B. Apel, B.A., J.D., Professor Emerita
Margaret Martin Barry, B.A., J.D., Professor Emerita
Matthew Bernstein, B.A., M.A., J.D., Assistant Professor
Laurie J. Beyranevand, B.A., J.D., Director of the Center for Agriculture and Food Systems and Professor
Richard O. Brooks, B.A., M.A., LL.B., Ph.D., Professor Emeritus
Amy Laura Cahn, B.A., J.D., Director of the Environmental Justice Clinic and Visiting Professor
Jared Carter, B.A., J.D., Assistant Professor
Stephanie Clark, B.A., J.D., Director of the Center for Justice Reform and Assistant Professor
Liz Ryan Cole, B.A., J.D., Professor Emerita
Michelle Donnelly, B.A., J.D., Staff Attorney at the South Royalton Legal Clinic and Professor
Michael Dworkin, B.A., J.D., Professor Emeritus
Stephen Dycus, B.A., LL.B., LL.M., Professor Emeritus
John Echeverria, B.A., M.F.S., J.D., Professor
Jeannette Eicks, B.A., J.D., Director of the Center for Legal Innovation and Research Professor
Paul S. Ferber, B.A., J.D., Professor Emeritus
David B. Firestone, B.S., J.D., Professor
Catherine Fregosi, B.A., J.D., Assistant Professor
Clara Gimenez, J.D., Associate Professor
Oliver R. Goodenough, B.A., J.D., Research Professor
Donald Hayes, J.D., Director of the General Practice Program, Staff Attorney at the South Royalton
Legal Clinic, and Assistant Professor
Hillary Hoffmann, B.A., J.D., Professor
Erin Jacobsen, B.A., J.D., Director of the South Royalton Legal Clinic and Professor
Greg Johnson, B.A., J.D., Director of the Legal Writing Program and Professor
Kevin Jones, B.S., M., Ph.D., Director of the Institute for Energy and the Environment and Professor
Nicole Killoran, B.S., J.D., Professor
Kenneth R. Kreiling, B.A., M.A., J.D., LL.M., Professor Emeritus
Sophia Kruszewski, B.S., J.D., Clinic Director of the Center for Agriculture and Food Systems and
Assistant Professor
Siu Tip Lam, B.A., J.D., Director of the U.S.-Asia Partnerships for Environmental Law and
Associate Professor
Mark Latham, B.S.N., J.D., Professor Emeritus
Yanmei Lin, B.A., M.A., LL.M., Associate Director of the U.S.-Asia Partnerships for Environmental
Law and Associate Professor
Beth Locker, A.B., J.D., Professor
Reed Elizabeth Loder, A.B., M.A., Ph.D., J.D., Professor
James C. May, B.A., M.A., J.D., Professor Emeritus
Philip Meyer, B.A., M.F.A., J.D., LL.M., Professor
Marc Mihaly, B.A., J.D., Professor Emeritus
Janet Milne, B.A., J.D., Director of the Environmental Tax Policy Institute and Professor
Jim Murphy, B.A., J.D., LL.M., Director of the Environmental Advocacy Clinic and Assistant Professor
Jeannie Oliver, B.A., B.L., J.D., Staff Attorney at the Institute for Energy and the Environment and
Professor
Margaret Olnek, B.A., J.D., Assistant Professor
Mason Overstreet, B.S., J.D., Staff Attorney at the Environmental Advocacy Clinic and Assistant Professor
Patrick Parenteau, B.S., J.D., L.L.M., Senior Counsel to the Environmental Advocacy Clinic, Senior Counsel to the Institute for Energy and the Environment, and Assistant Professor
Lindsey Pointer, B.A., Ph.D., Assistant Director of the National Center on Restorative Justice and Assistant Professor
Brian Porto, B.A., Ph.D., J.D., Assistant Director of the Legal Writing Program and Professor
Sarah M. Reiter, B.S., M.S., J.D., Assistant Professor
Jonathan Rosenthal, B.Arch and B.F.A., J.D., L.L.M., Professor
Jillian Rudge, B.A., J.D., Immigration Staff Attorney and Assistant Professor
Christine Ryan, B.A., M.S., M.A., Environmental Law Librarian and Associate Professor
Richard Sala, B.A., M.E.L.P., M.B.A., J.D., Director of the Online Learning Program and Assistant Professor
Robert L. Sand, B.A., J.D., Founding Director of the Center for Justice Reform and Professor
Linda O. Smiddy, B.A., M.A.T., J.D., L.L.M., Professor Emerita
Emily Spiegel, B.S., J.D., Senior Fellow of the Center for Agriculture and Food Systems and Assistant Professor
Pamela J. Stephens, B.A., J.D., Professor Emerita
Rachel Stevens, B.A., M.E.L.P., J.D., L.L.M., Staff Attorney at the Environmental Advocacy Clinic, Staff Attorney at the Environmental Justice Clinic, and Professor
Peter R. Teachout, B.A., M.A., J.D., Professor
Pamela Vesilind, B.A., J.D., L.L.M., Assistant Professor
Joan E. Vogel, B.A., M.A., J.D., Professor
Stephanie J. Willbanks, B.A., J.D., Professor
Jane Woldow, B.S., J.D., M.L.S., Director of the Julien and Virginia Cornell Library and Professor
L. Kinvin Wroth, B.A., LL.B., Professor Emeritus
Margaret York, B.A., J.D., Staff Attorney at the South Royalton Legal Clinic and Assistant Professor
VERMONT LAW SCHOOL

BOARD OF TRUSTEES
2021–2022

OFFICERS

Interim President and Dean
Beth McCormack

Chair
Glenn Berger ‘78

Vice-Chair
Constance J. Neary ‘89

Secretary
Sheppard A. Guryan

Treasurer
Scott M. Cullen ‘97

MEMBERS

Richard E. Ayres
Stephen F.W. Ball, Jr. ‘07
Olaseni A. Bello, Jr. ‘06
Caryn J. Clayman ‘83
Amy M. Davenport
Charles E. DiLeva ‘78
Brian S. Dunkiel ‘96
Janice Forgays ‘85
Marion McCollom Hampton
J.B. Kittredge
Catherine MacKenzie
Jessica L. Olson ‘07
Jill Pfenning ‘07
Mark Sciarrotta ‘96

Alumni Trustees
Richard Johnson ‘97
J. Patrick Kennedy ‘93

Student Trustees
Fito Andre ‘22
James Brien ‘23

Staff Representative
Katie Merrill

Faculty Representative
Jeannie Oliver

Trustees Emeriti
J. Scott Cameron ‘80
Ann T. DeBevoise
R. Allan Paul
Rick Shafer ‘77
VERMONT LAW REVIEW
SUBSCRIPTIONS

*Vermont Law Review* is published quarterly each academic year: Fall, Winter, Spring, and Summer. If you wish to order a yearly subscription to *Vermont Law Review*, please complete and mail the form below or call *Vermont Law Review* at (802) 831-1253.

---

**Vermont Law Review**
Subscription Order Form

Mail subscription to:
Name (firm or individual)  
Address  

Check (payable to Vermont Law School) enclosed for:
$35.00 (domestic)  
$40.00 (foreign)

*Vermont Law Review*  
Vermont Law School  
P.O. Box 96  
South Royalton, Vermont 05068
VERMONT LAW REVIEW
CALL FOR ARTICLES

Vermont Law Review seeks articles, commentaries, essays, and book reviews concerning recent developments in state, federal, Native American, or international law. Interested authors are encouraged to forward their submissions to:

Vermont Law Review
Vermont Law School
Attn: Senior Articles Editor
P.O. Box 96
South Royalton, Vermont 05068

For electronic submissions or submissions questions, please e-mail our Senior Articles Editor for 2021–2022, Simeon Brown, at VLRSeniorArticlesEditor@vermontlaw.edu, or call the Vermont Law Review at (802)-831-1253. Vermont Law Review encourages double-sided printing of mailed submissions when possible.