Abbreviations used below:

MMS    Mashaw, Merrill, Shane, et al., Administrative Law (7th ed.)
SM     Supplementary Materials
APA    Administrative Procedure Act (see MMS App. C)

III. What Do Administrative Agencies Do?

A. Adjudication

Constitutional Constraints

What Process is Due?

16. Review your notes on *Goldberg v. Kelly*
   MMS 419-427
   MMS 394 (last ¶) - 402
   MMS 428-432
   *Mathews v. Eldridge*
   And pay attention to briefly noted case of *Brock v. Roadway Express*, MMS 431-432

When is Process Due?

17. SM 67-69
   MMS 448 (last ¶) - 466 (1st ¶)
   *Londoner v. Denver*
   *Bi-Metallic Investment Co. v. State Board of Equalization*
   *Board of Regents of State Colleges v. Roth*
   *Perry v. Sindermann*

18. MMS 466-478
   *Cleveland Bd. of Education v. Loudermill*
Statutory Constraints

19. MMS 485-493
   SM 70-74
   APA §§ 553(c), 554(a)
   United States v. Florida East Coast Ry. Co.
   Califano v. Yamasaki

20. MMS 501-518
    APA §§ 556, 557
    Richardson v. Perales

Adjudication and Bureaucracy

21. MMS 518-522, 528-550
    SM 75-77
    Nash v. Califano

22. MMS 550-570
    SM 78-80
    Heckler v. Campbell (SM 78-79 goes with this case)
    Air Line Pilots Ass’n v. Quesada (SM 81 goes with this case)
    Review your notes on Storer Broadcasting and FPC v. Texaco

B. Rulemaking

Authority to Make Rules

23. MMS 577-589
    SM 81-82
    National Petroleum Refiners Ass’n v. FTC

Choice of Regulatory Techniques

24. MMS 755-770 (1st ¶)
    SEC v. Chenery Corp.
    (And pay close attention to the condensed cases of NLRB v. Wyman-Gordon Co. and
    NLRB v. Bell Aerospace Co.)

25. MMS 770-782
    SM 83-87
    Morton v. Ruiz
    Public Citizen v. NRC
Formal Rulemaking

26.  a. MMS 594-600
This part of the assignment will be discussed only briefly in class. Note that the assignment continues below.

Informal Rulemaking

b. APA §§ 553, 706
MMS 687-702 (1st ¶)
Optional: MMS 702-712
United States v. Nova Scotia Food Products Corp.

27. MMS 600-604, 629-640
SM 88-90
Pacific States Box & Basket Co. v. White
FCC v. Fox Television Stations

Other Rulemaking Procedures

28.  a. “Hybrid” Rulemaking
MMS 712-723
Vermont Yankee v. NRDC
(Assignment continues below!)

   b. Even-Less-Than-Informal Rulemaking
MMS 649-668
General Electric Co. v. EPA
Center for Auto Safety v. NHTSA
And pay attention to the condensed case of American Mining Congress v. Mine Safety & Health Administration

Politics, Ex Parte Contacts, and Bias

29.  MMS 723-742, 752-755 (1st ¶)
Sierra Club v. Costle
Association of National Advertisers v. FTC