

# AMERICAN UNIVERSITY LAW REVIEW

---

---

VOLUME 72

OCTOBER 2022

NUMBER 1

---

---

## LETTER FROM THE EDITOR

Dear Reader,

Thank you for your support as we usher in the seventy-second volume of the *American University Law Review*. It is with great honor and pleasure that I write this letter, signifying the transition into another volume.

The *Law Review* publishes six issues per volume. Amidst a global pandemic and a myriad of polarized legal discourse, the *Law Review* strives to publish thought-provoking scholarship that pushes the boundaries of how we analyze the law while showing us how much we have yet to learn. We encourage you to keep an open mind and engage with our work. In this book, you will find pieces ranging from environmental to administrative law. These articles were carefully selected and edited by our staff. We hope you enjoy them.

We begin with Theresa Gabaldon's article on the ability of the Securities and Exchange Commission to seek disgorgement of unlawfully obtained profits, an analysis which based on multiple Supreme Court decisions. Next, we have the work of the legendary Oliver Houck, as he continues his legacy with the *Law Review* in predicting the future of environmental law. Third, you will find Desiree LeClercq's article on how administrative decisions during the COVID-19 pandemic compared to those made during other trying times for our nation and the world. Our final article is by Deborah Weissman and argues for the reconfiguration of criminal justice responses to harmful behaviors using desistance theories with applications to gender violence. The issue concludes with a student comment written by Volume 72's Executive Editor, Laura C. Powell. This publication would not be possible without the amazing work and talent of our esteemed authors. Thank you for all that you do.

With these pages, we begin our six-issue journey together. On behalf of the entire *Law Review* staff, we hope you will enjoy our selected articles and comment. Be sure to visit [aulawreview.org](http://aulawreview.org) to see our online companion, the *American University Law Review Forum*.

Welcome to the first issue of Volume 72.

With Respect and Gratitude,  
Shahnoor Kamal Khan  
Editor-in-Chief, *American University Law Review*