

# **EXHIBIT M**

**NEW YORK UNIVERSITY  
SCHOOL OF LAW**



Institute for  
**Policy Integrity**  
NEW YORK UNIVERSITY SCHOOL OF LAW

**Institute for Policy Integrity at NYU School of Law**  
**Supporting Strong Environmental Safeguards – Overview**  
**Proposal to the Audi CO<sub>2</sub> Cy Pres Settlement Fund**

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**Executive Summary**

The Institute for Policy Integrity at NYU School of Law is a non-partisan think tank and advocacy organization dedicated to improving the quality of government decisionmaking. Over the next four years, Policy Integrity intends to help shape key environmental policy debates by contributing economic and legal analysis on such topics as the proper consideration of greenhouse gas impacts, modernization of energy regulations, and methods to account for climate-related financial risk. \$5 million in funding for these projects will support us in advocating for strong environmental safeguards at the federal and state levels.

**About the Institute for Policy Integrity at NYU School of Law**

The Institute for Policy Integrity at NYU School of Law (Policy Integrity) is a non-partisan think tank and advocacy organization dedicated to improving the quality of government decisionmaking. Policy Integrity's primary focus is climate and energy policy. The Institute contributes original research in the fields of economics, administrative law, and public policy, and advocates for reform before courts, legislatures, and executive agencies. Through partnerships with non-governmental organizations, Policy Integrity also facilitates their effective participation in the regulatory process. Policy Integrity occupies a distinctive role in many critical environmental policy debates. Our expertise on economic and legal matters, combined with our academic standing, allow us to make arguments that sometimes cannot be made effectively by environmental advocacy groups.

Policy Integrity consists of members of NYU Law School's world-class faculty; a team of staff and fellows; and a board of advisors composed of leaders in government, business, and policy. The Institute was established in 2008 by Richard L. Revesz and Michael A. Livermore. Revesz, who continues to direct the Institute, is one of the nation's leading voices in environmental and regulatory law and policy. He has published 10 books and more than 80



articles on these topics, and testified before Congress on major policy issues. Policy Integrity is operating under a budget of roughly \$3 million in FY 2022.

Policy Integrity has contributed to several notable policy achievements in recent years. Our amicus briefs in cases before the Supreme Court and other federal courts have been discussed and referenced in several major court rulings that strengthened environmental protections. We have also played an influential role in vehicle emissions regulatory proceedings; provided analysis to help states incorporate climate impacts into their energy policy decisionmaking; and influenced debates around the federal natural resource leasing practices. More detail on our past accomplishments is available at [policyintegrity.org](https://policyintegrity.org).

## **Project Overview**

The United States will need to adopt numerous, significant policy changes in order to bring the country onto the low-greenhouse gas emission pathway necessary to meaningfully address climate change. These policy changes offer enormous benefits for society, reducing pollution and improving public health outcomes. The Institute for Policy Integrity is well suited to advocate for these changes due to our expertise on key legal, economic, and regulatory policy issues.

We plan to help bring about some of these policy changes, focusing largely on five key areas:

- We will provide analytical support for well-designed and robustly justified Clean Air Act regulations that benefit the public and reduce emissions, particularly in the transportation and power sectors.
- To help decarbonize the energy system, we will engage in regulatory proceedings to promote carbon pricing in wholesale electricity markets, encourage necessary expansions in electric transmission, and limit development of new natural gas infrastructure.
- We will work to improve the quantification of greenhouse gas impacts and encourage decisionmakers to use metrics like the Social Cost of Carbon when evaluating policies, so that the benefits of reducing emissions are fully considered in decisionmaking processes.
- We will work to promote a management plan for U.S. public lands and waters that accounts for climate change, with major reductions in onshore and offshore fossil fuel extraction.
- To improve private-sector efforts to account for climate risk, we will advocate for more rigorous disclosure requirements and related methodological improvements.



We are seeking \$5 million over four years to help support these projects and expand our capabilities in key areas. With this additional funding, we could make our efforts far more robust by hiring new staff members with expertise in:

- Economic analysis of the transportation sector
- Economic analysis of the energy sector
- Energy market modeling
- Analysis of distributional effects and environmental justice
- Monetizing new categories of regulatory benefits

We believe we can make a major impact in these efforts in the coming years, and these new funds would meaningfully enhance our effectiveness. The accompanying proposal and budget provide more details. We are grateful for your consideration.



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## **Institute for Policy Integrity at NYU School of Law**

### **Supporting Strong Environmental Safeguards**

### **Proposal to the Audi CO<sub>2</sub> Cy Pres Settlement Fund**

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#### Table of Contents

<i>About the Institute for Policy Integrity at NYU School of Law</i> .....	<b>1</b>
<i>Context and Rationale</i> .....	<b>2</b>
<i>Strategies and Upcoming Plans</i> .....	<b>3</b>
<i>Plans to Expand Our Work</i> .....	<b>10</b>
<i>Staff Biographies</i> .....	<b>11</b>
<i>Advisory Board Biographies</i> .....	<b>19</b>



## **About the Institute for Policy Integrity at NYU School of Law**

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Policy Integrity consists of members of NYU Law School's world-class faculty; a team of staff and fellows; and a board of advisors composed of leaders in government, business, and policy. The Institute was established in 2008 by Richard L. Revesz and Michael A. Livermore. Revesz, who continues to direct the Institute, is one of the nation's leading voices in environmental and regulatory law and policy. He has published 10 books and more than 80 articles on these topics, and testified before Congress on major policy issues. Policy Integrity is operating under a budget of roughly \$3 million in FY 2022.

Policy Integrity has contributed to several notable policy achievements in recent years:

- Our amicus briefs in cases before the Supreme Court and other federal courts have been discussed and referenced in several major court rulings that strengthened environmental protections, including the affirmation of EPA's authority to regulate greenhouse gases in *UARG v. EPA*, and the Seventh Circuit's support for federal agencies' use of the Social Cost of Carbon.
- Our lawsuit and advocacy efforts have helped modernize the federal government's leasing practices for onshore and offshore energy resources, initiating changes that will limit or delay fossil fuel extraction.
- Many of our recommendations on the proper valuation of zero-emissions energy generation and the analysis of resilience investments were adopted by the New York State Public Service Commission.
- Several moderate states, including Nevada, Virginia, and Colorado, have relied on our input in deciding to account for climate impacts in key energy policies.
- Our input was heavily cited in a ruling ordering California utilities to quantify the climate and air pollution benefits of distributed energy resources, as part of a societal cost test. This approach could influence other policies around the country, boosting the growth of clean energy sources.

More detail on our past accomplishments is available at [policyintegrity.org](https://policyintegrity.org).



## **Context and Rationale**

The principal focus of Policy Integrity's efforts is U.S. environmental and energy policy, with a particular emphasis on climate change. We see significant opportunities to strengthen both federal and state-level policies in the coming years, and we plan to work aggressively to help support these policy changes.

Policy Integrity is dedicated to balanced and empirically grounded analysis of policies, and related advocacy efforts. Our active projects include building the economic case for action on climate change, especially by ensuring that the full benefits of greenhouse gas reductions are reflected in public policies. We also advocate using existing regulatory powers under the Clean Air Act to control greenhouse gases in a flexible, cost-effective, and comprehensive manner. Additional efforts include promoting more rational energy policies, modernizing federal natural resource policies, and laying the intellectual foundation for future legislative interventions on climate change.

Our distinct position as a think tank and public policy organization housed in a leading academic institution allows us to:

**Build high-impact advocacy campaigns around top-level academic scholarship and research.** Policy Integrity benefits greatly from being part of one of the world's leading law schools and from the distinction of NYU's environmental law faculty. We believe that our advocacy work is most effective when it flows from rigorous academic scholarship.

**Integrate economic and legal arguments into direct advocacy before agencies and courts.** Traditional environmental groups have long ceded the debate over cost-benefit analysis and regulatory economics to the anti-regulatory camp. Policy Integrity enters that debate by combining its legal and policy expertise with an economic perspective designed to persuade both agencies and courts.

**Policy Integrity occupies a distinctive role in many critical environmental policy debates. Our expertise on economic and legal matters, combined with our academic standing, allow us to make arguments that sometimes cannot be made effectively by environmental advocacy groups.** Using this comparative advantage and collaborating closely with partner organizations, we have had impressive success in our work to promote sensible environmental and energy policies at the federal and state level.



## **Strategies and Upcoming Plans**

Policy Integrity intends to play a key role supporting effective environmental policy approaches at both the federal and state levels.

To make progress in addressing climate change and reducing other forms of air pollution, the federal government will need to promulgate new standards and safeguards. These rules will only survive court challenges if they are designed to be firmly cost-benefit justified and statutorily permissible. Policy Integrity's deep knowledge of cost-benefit analysis, administrative law issues, and environmental regulatory dynamics allows us to play an important role in these processes. We can help inform the design of rules through our comments in regulatory proceedings. And our amicus briefs have often played an influential role in regulatory litigation.

As many states adopt or consider new climate and energy initiatives, there is an acute need for analytical tools to inform the design of intelligent decarbonization policies. In both progressive and moderate states, Policy Integrity has established a track record of providing useful input for policymakers. We have been a primary advocate for state-level use of the Social Cost of Greenhouse Gases to inform decisionmaking and policy design. And our analysis of such issues as distributed energy resource policy and the valuation of air pollution reductions has been pivotal in key policy proceedings.

We also regularly author scholarship, reports, and op-eds on important and emerging issues in environmental policy. These insights help influence the public conversation on climate and energy policy and serve as resources to policymakers who help set the agenda on key matters.

Due to our highly relevant expertise and status as a non-partisan, scholarly organization, Policy Integrity is well positioned to advocate for important environmental regulations and policies in courts, policy proceedings, and other contexts.

**We are seeking funds to cover general support for our projects that fall under the umbrella of "supporting strong environmental safeguards." With an additional \$5 million over four years, we could pursue new hiring and projects to significantly expand our capabilities in key areas, making our efforts far more robust. We believe we can make a major impact in these efforts in the coming years, and these new funds would meaningfully enhance our effectiveness.**

An overview of our projects can be found below, followed by a section detailing how we would allocate these additional funds in order to expand our capabilities.





### *Vehicle Emissions Standards and Other Clean Air Regulations*

We plan to continue our active role in supporting strong Clean Air Act regulations and helping them withstand judicial scrutiny. Our economic and legal expertise allow us to provide valuable analytical support to strengthen the design and justification for regulations.

We have a thriving amicus brief practice and have participated as an amicus curiae in every major Clean Air Act case heard by the D.C. Circuit or Supreme Court for nearly a decade, as well as significant suits in other federal appellate courts. [Our influence to date has been clear](#); for example, in the Supreme Court’s review of the Mercury and Air Toxics Standards, an argument put forward in our brief occupied roughly half of the discussion at oral argument.

We also have extensive experience participating in pre-litigation regulatory proceedings, both through official channels—like the submission of petitions for rulemaking and official comments on proposed regulations—and less formal means—like the release of regulatory reports, policy briefs, and op-eds. We intend to comment on rulemaking proposals to preserve the arguments that we would subsequently make in litigation. We expect to be especially active in providing analysis to support regulations for the transportation sector and the power sector.

*Transportation Sector* – In recent years, we have played a pivotal role in fighting against the weakening of Clean Car Standards, the [withdrawal of California’s waiver](#), and the reduction of [NHTSA penalties](#) for fuel-economy violations. Our analysis underpinned the petition for reconsideration of the rollback of the Clean Car Standards, filed by the Union for Concerned Scientists. And during oral argument in a case challenging NHTSA’s weakened penalties, the petitioners’ attorneys [relied on our modeling](#) to show how much the rule could cost consumers. We will continue our work in litigation on these rules if these cases proceed. For example, we anticipate that the Environmental Protection Agency will rescind the withdrawal of California’s waiver in the coming months and we plan to be involved in subsequent litigation. We also plan to devote extensive resources to help shore up the economic and legal justification for strengthened Clean Car Standards during the administrative process, and then in litigation.

*Power Sector* - With respect to the power sector, we will continue our involvement in ongoing litigation over the Mercury and Air Toxics Standards, and other regulations if the cases continue. If the decision by the D.C. Circuit court striking down the Affordable Clean Energy Rule is appealed, we will [continue to engage](#) in those proceedings by filing an amicus brief. In addition to our work on litigation, we are in regular discussion with a group of experts to help develop guidance on crafting greenhouse gas regulations for the power sector. We will encourage appropriate legal/regulatory strategies on this front and help provide related analytical support during the rulemaking process for all relevant regulations.



### *Modernizing Electricity Policy and Energy Infrastructure*

Our electricity policy work will focus mainly on three projects, each of which can play a significant role in decarbonizing this sector. A cleaner electric grid will be enormously important for reducing U.S. emissions, especially as electrification of vehicles and buildings advances.

First, we are engaged in a long-term effort to [promote carbon pricing in wholesale energy markets](#) and secure Federal Energy Regulatory Commission (FERC) [approval for carbon-pricing policies](#). Unlike a federal, economy-wide carbon tax, this type of carbon pricing in energy markets does not require new legislation. Our academic paper on FERC's authority to implement carbon pricing lays a foundation for how carbon pricing could work at the wholesale energy market level. We are building upon this scholarship with additional analysis and advocacy. For instance, we have been one of the most vocal advocates for the New York ISO's carbon pricing proposal, clarifying its economic benefits in op-eds in the [Wall Street Journal](#) and the [Albany Times Union](#). New York State's approval of the proposal could pave the way for other grid operators to implement similar schemes.

FERC recently held a technical conference on carbon pricing and released a proposed policy statement on the issue. Our work was cited extensively in conference-related materials and discussions. We have also been in communication with FERC staff and other stakeholders about these issues, and we will continue to engage on this issue regularly going forward.

Second, we are encouraging [FERC reforms to improve infrastructure planning](#) and approvals in a manner that is consistent with decarbonization. Achieving net-zero goals cost-effectively requires building new transmission infrastructure that can carry renewable generation, which is usually location constrained, to load centers. But there are many regulatory barriers that hinder speedy transmission development. At the same time, continued expansion of natural gas infrastructure must be halted.

FERC reforms are key to advancing these goals. We will leverage our economic and legal expertise on energy regulation in advocacy efforts to help improve regulatory decisionmaking. We will encourage cost-effective transmission expansion, which is necessary for a clean grid. We plan on advocating before FERC, ISOs/RTOs, and relevant state agencies to help improve regulations related to transmission projects. Similarly, we will advocate for economic analysis of proposed natural gas infrastructure projects to include their greenhouse gas impacts. This change would help prevent the permitting of any new pipelines, unless they are truly necessary.

Finally, decarbonization requires reforms not only at the federal level but also at the state level. Cost-effective electrification will require fundamental changes to natural gas



distribution infrastructure and related utility business models. However, existing state laws and regulatory frameworks currently stand in the way of a speedy transition. New frameworks should be technology neutral, and policymakers should use holistic cost-benefit analyses that look at the electricity and gas sectors together and account for emissions. We will develop analytical approaches to address these challenges, and work with state public utility commissions, their staff, and other stakeholders to help encourage reforms in these areas.

### *Improving the Quantification of Greenhouse Gas Impacts*

For the past decade, we have worked to [encourage proper quantification of greenhouse gas impacts](#) as a way to improve policy decisionmaking. The newly reconvened Interagency Working Group on the Social Cost of Greenhouse Gases recently released interim values for these metrics along with a technical support document that cites a variety of our work. As the Working Group continues its calculation of final values, set to be released in January 2022, we will continue to push for appropriate updates to these metrics. In response to the Working Group's June 2021 public comment deadline, we [submitted a series of reports](#) that have helped inform consideration of the following topics:

- The appropriateness of using the Social Cost of Greenhouse Gas metrics for matters beyond regulatory impact analysis, such as in NEPA analyses and evaluations of infrastructure projects.
- The robust legal and economic arguments for using a discount rate below 3% in calculating the central values of these metrics.
- How expert elicitation studies can be used to inform the calibration of several components of the models, including discount rates, damage functions, and assumptions about tipping points and abatement costs.
- The legal and economic basis for using a global value for the metrics, and guidance on how a more complete domestic estimate should be calculated for certain limited uses.
- Responses to arguments made by some state attorneys general in a recent lawsuit seeking to undermine the Social Cost of Greenhouse Gas metrics.

We will also advocate for the use the Social Cost of Carbon (and related metrics) in all relevant federal regulatory impact analyses and environmental reviews under the National Environmental Policy Act; advocate for more states to incorporate the Social Cost of Carbon into their energy policy decisions; and engage with congressional staff on federal legislative proposals to mandate the use of these metrics in other relevant contexts.

To build the legal foundations of the quantification of greenhouse gas impacts, we will continue to track all uses or non-uses of the social cost of greenhouse gases and coordinate



joint public comment efforts. We continue to lead a coalition of major NGOs in commenting on climate impact quantification for all relevant regulatory proceedings. We author these comments and manage the coalition of co-signers, which typically includes the Environmental Defense Fund, Natural Resources Defense Council, Sierra Club, Union of Concerned Scientists, and several other groups. We will also build on this existing network to enhance our advocacy at the state-level.

We will continue to submit amicus briefs in significant litigation to argue for the need to use the Social Cost of Carbon in environmental reviews and regulatory analyses. We have had significant successes in this area. For instance, our briefs played a prominent role in a court decision supporting the Department of Energy's [use of the Social Cost of Carbon in rulemakings](#), and a ruling that Trump's Interior Department was [wrong to use flawed, "domestic-only" Social Cost of Carbon values](#) instead of global values based on the best available science and economics.

To improve the completeness and accuracy of the metrics and help support their legal defense, we will continue to publish academic research and policy reports that strengthen the case for a global valuation (rather than a domestic-only valuation), a low or declining discount rate, consideration of option value and uncertainty, and other improvements. In the past, we have published influential articles on climate impact valuation, including one that was co-authored with Nobel Prize winner Kenneth Arrow. In March 2021, we released a new [survey of economists](#) who have published on climate change, helping gauge expert consensus on key issues in climate economics and policy. The survey builds on past [academic publications](#) on the Social Cost of Carbon and it garnered significant [media interest](#).

### *Advancing Natural Resources Policy*

We will work to encourage a transformation of public lands and waters management to account for climate change. The Department of the Interior has yet to develop a comprehensive plan to accurately account for, manage, and mitigate emissions that result from the extraction and combustion of fossil fuels from public lands and waters.

In recent years, we have pushed for more comprehensive climate change analysis in federal fossil fuel projects on public lands; and worked to limit oil, gas, and coal leasing through legal and regulatory channels as well as public-facing commentary. These efforts have paid off, as federal courts have increasingly found the environmental review process inadequate for many emissions-intensive projects. Our analysis and policy recommendations were also prominently cited in the Obama administration's issuance of a moratorium on federal coal leasing.



The Biden administration has a key opportunity to [modernize natural resources management](#). We have deep expertise in the governing laws and policies in this space and we plan to advocate for efficient, durable changes that would achieve emissions reductions and accelerate renewable energy development on public lands.

In August 2021, we published a [report](#) detailing the methodological tools that the Department of the Interior can use to support its overhaul of the federal oil and gas program, including accounting for climate impacts, assessing the benefits of delaying leasing, and analyzing and mitigating distributional impacts on local communities. Over the next year, we will also provide guidance and support on further efforts to reform the oil and gas leasing program, including through comments on pragmatic assessments, proposed regulations and resource management plans and leasing proposals.

We have also years of experience advocating for the Interior Department to vastly reduce or eliminate *offshore* leasing, in part by more fully considering climate change effects and other environmental costs. Our efforts have helped lead to meaningful reforms such as the consideration of "option value," or the informational value of delay, in offshore leasing decisions. We will continue pushing for improvements that highlight the costs of offshore drilling, as well as regulations that increase protective standards, such as the Well Control Rule.

### *Supporting Improved Corporate Climate Risk Disclosure*

The accurate pricing of climate risk is crucial for a smooth transition to a climate-resilient, low-carbon economy. Accounting firms, rating agencies, stock analysts, asset managers, corporate boards, and insurance companies all must rapidly develop their expertise on the financial impacts of climate change. As yet, most of these private actors are not moving quickly enough. Through research and advocacy, we plan to push for near-term action, supported in part by improved corporate disclosure. The Biden transition team has signaled an interest in pursuing new changes in this area, and we believe our efforts can help contribute to a greatly improved disclosure regime.

Through publications and prominent events, we have already begun to advance the conversation on corporate climate risk. [Our recent report](#) on the topic generated significant attention and was highlighted in a [recent Congressional hearing](#). In October 2020, we hosted a [prominent conference on private-sector climate risk and disclosure](#) that featured Nobel Prize winning economist Robert Engle, former SEC Commissioner Robert Jackson, leaders from the business community, scholars, and advocates. At our 2019 annual conference, an executive from BlackRock and the California insurance commissioner each discussed their



cutting-edge work assessing investment portfolio exposure to underpriced climate related risks.

We have engaged in advocacy to push for appropriate consideration of climate risks in financial disclosures and other scenarios. In the past year, we have filed public comments on SEC shareholder proposal regulations; SEC regulation S-K and climate risk; the Commodity Futures Trading Commission's Climate-Related Market Risk Subcommittee, Labor Department rules related to ESG investing and shareholder rights; and New York Public Service Commission disclosures for operating utilities.

In June 2021, we [filed a letter in response to the SEC's request for comment on potential new climate disclosure policies](#). More generally, we will engage, through comments and other advocacy, with any forthcoming regulatory proposals related to climate risk disclosure from the SEC or other federal financial regulators. We expect that the Biden Administration's recent [executive order on climate risk](#) will spark several such regulatory proceedings over the next year. In the coming months, we will publish a report on how the SEC can conduct a legally resilient cost-benefit analysis for new climate risk disclosure regulations.

We have engaged with partners on many of these efforts, at times working closely with the Environmental Defense Fund, Union of Concerned Scientists, Montana Environmental Information Center, and others. In June 2021, we helped launch the Initiative on Climate Risk and Resilience Law (ICRRL), a partnership between Policy Integrity, Environmental Defense Fund, the Sabin Center for Climate Change Law at Columbia University, and Vanderbilt University School of Law. The new entity is focused on driving recognition of climate risk and resilience through scholarship, practitioner resources, and legal filings.





## **Plans to Expand Our Work**

We are currently seeking additional funding with the aim of expanding our capabilities in key areas. We hope to hire new staff members (and in some cases work with subcontractors/subgrantees) with expertise on topics including:

- **Economic analysis of the transportation sector** – Vehicle emissions standards, transportation infrastructure investments, and other policy decisions often rest on complex economic projections of topics like vehicle scrappage, technology changes, and market effects. We hope to expand our expertise in these areas by hiring an additional economist with deep knowledge of the transportation sector and related modeling issues.
- **Economic analysis of the energy sector** – To improve our analysis and advocacy for both federal and state energy policy issues, we hope to hire an additional economist with knowledge of such topics as grid expansion policies, energy substitution effects, electricity pricing schemes, and capacity market reforms.
- **Energy market modeling** – A variety of energy market models are prominently used in policy contexts. We hope to expand our capabilities in analyzing model assumptions and designing/running these models, in order to improve our advocacy efforts. This could involve hiring a new economist with modeling expertise and/or working with outside modelers on particular projects.
- **Analysis of distributional effects and environmental justice** – The costs and benefits of regulations and other policies are not borne equally by different communities and regions. We aim to improve understanding of these distributional outcomes through more granular analysis, and encourage policymakers to use improved analysis to guide their decisionmaking. This work is crucial for improving environmental justice outcomes, and we hope to hire a senior lawyer and/or economist to help expand our work in this area.
- **Monetizing new categories of regulatory benefits** – Some categories of regulatory benefits, such as avoided mortality from reductions in particulate matter pollution, are well understood and have long been monetized in federal regulatory analysis. But many other critical categories of benefits remain unquantified and unmonetized. As a result, these benefits are likely undercounted in policymaking. We hope to conduct new valuation studies in order to advance these monetization efforts. This work would likely involve issuing some sub-grants to outside researchers.

We believe this expansion of our capabilities would allow us to make our research and advocacy efforts far more robust. If we are able to secure funding for these new staff members and projects, we anticipate a significant increase in our policy influence.



## **Staff Biographies**

Our staff has undergone a number of changes in FY21. We are pleased to share that Jayni Hein and Avi Zevin have joined the Biden administration with senior positions at the Council on Environmental Quality and the Department of Energy, respectively. Hein is now Senior Director for NEPA and Counsel, and Zevin is Deputy General Counsel for Energy Policy. Bethany Davis Noll, our former Litigation Director, was tapped to lead the State Energy & Environmental Impact Center at NYU Law, replacing David Hayes, who is now special assistant to President Biden for climate policy. Madison Condon, previously an attorney at Policy Integrity, is now a tenure-track professor at Boston University School of Law; she continues to influence legal thinking on climate risk in financial markets and works closely with us on several projects. We maintain close relationships with all of our alumni, many of whom now act as affiliated scholars.

We continue to work with some of the brightest young lawyers and economists through our fellowship program. To assist with our growing slate of projects, we have hired two new attorneys and several fellows who will join our staff in September.

### **Richard L. Revesz, Director**

Richard L. Revesz, the Lawrence King Professor of Law and Dean Emeritus at NYU Law School, is one of the nation's leading voices in environmental and regulatory law and policy. At NYU, he directs the Institute for Policy Integrity, a think tank and advocacy organization focusing in these areas. Revesz received a BS summa cum laude from Princeton University, an MS in civil engineering from MIT, and a JD from Yale Law School, where he was editor-in-chief of the Yale Law Journal. After judicial clerkships with Chief Judge Wilfred Feinberg of the U.S. Court of Appeals for the Second Circuit and Justice Thurgood Marshall of the US Supreme Court, Revesz joined the NYU faculty in 1985 and served as Dean from 2002-13. Revesz is the director of the American Law Institute, the leading independent organization in the U.S. producing scholarly work to clarify, modernize, and otherwise improve the law; a senior fellow of the Administrative Conference of the United States; and a fellow of the American Academy of Arts and Sciences.

### **Jayni Foley Hein, Natural Resources Director** *(on leave while serving as serving as Senior Director for NEPA and Counsel at the White House Council on Environmental Quality)*

Jayni Foley Hein is the Natural Resources Director at the Institute for Policy Integrity at NYU School of Law, where she serves as an Adjunct Professor of Law and teaches Natural Resources Law & Policy. She has authored numerous reports and academic articles on natural resources and climate change topics. From 2011 to 2014, she served as Executive





Director of UC Berkeley School of Law's Center for Law, Energy & the Environment. Previously, she served as an attorney at Latham & Watkins LLP in San Francisco, where her practice focused on environmental and regulatory law. She has testified before U.S. Congress on federal mineral leasing, and before the California legislature on environmental and transportation regulation. Her writing and commentary has appeared in diverse media outlets including The Los Angeles Times, National Geographic, The New York Times, The Wall Street Journal, and The Washington Post. She earned her J.D., Order of the Coif, from UC Berkeley School of Law, and her B.A., with highest distinction, from the University of Virginia.

**Peter Howard**, Economics Director

Peter Howard is the economics director at Policy Integrity, and a former economic fellow. Much of his work focuses on the social cost of carbon and integrated assessment models. He is the lead researcher for the Cost of Carbon Pollution Project, a collaboration with the Environmental Defense Fund (EDF) and the Natural Resource Defense Council (NRDC). He holds a Ph.D. in Agricultural and Resource Economics from the University of California, Davis, where his research focused on climate change, environmental policy, and agricultural policy. Howard also holds a Bachelor of Arts from Bard College.

**Jack Lienke**, Regulatory Policy Director

Jack Lienke is the regulatory policy director at the Institute for Policy Integrity and an adjunct professor at NYU School of Law, where he co-teaches the Regulatory Policy Clinic. Jack is a co-author, with Richard L. Revesz, of *Struggling for Air: Power Plants and the 'War on Coal'* (Oxford University Press 2016). His writing has also appeared in a variety of news outlets, including The New York Times, The Washington Post, The Los Angeles Times, Salon, Mother Jones, The Hill, and Grist. Before joining Policy Integrity, Jack worked as a litigation associate at Davis Polk & Wardwell LLP in Manhattan and as a law clerk to the Honorable Janet C. Hall of the U.S. District Court for the District of Connecticut. Jack holds a J.D., cum laude, from NYU School of Law, and a B.A., with general honors, from Vassar College.

**Jason Schwartz**, Legal Director

Jason A. Schwartz is the legal director at Policy Integrity and has taught the Regulatory Policy Clinic and the Advanced Regulatory Policy Clinic at NYU School of Law. Schwartz's work at Policy Integrity focuses on climate change, administrative law and the regulatory process, cost-benefit analysis, and job impact analysis. He has twice been chosen as a consultant to the Administrative Conference of the United States, preparing reports and draft recommendations for best agency practices on petitions for rulemaking and



marketable permits. Schwartz first joined Policy Integrity with the inaugural class of fellows in 2008. Previously, as an associate with Pillsbury Winthrop Shaw Pittman LLP, Schwartz provided strategic counsel to municipalities and foreign governments in their pursuit of appropriations, favorable international trade policies, and homeland security assistance from the federal government. Schwartz graduated magna cum laude from New York University School of Law where he was an articles editor for the NYU Environmental Law Journal.

**Derek Sylvan**, Strategy Director

Derek Sylvan is the strategy director at the Institute for Policy Integrity and an adjunct professor of Environmental Studies at NYU. He previously worked as a senior consultant with Context Group, advising multinational companies on sustainability issues. He has authored reports on climate and energy issues for the Brookings Institution and the League of Conservation Voters. Additionally, Sylvan has more than eight years of experience in media and journalism. His writing has appeared in *The Wall Street Journal*, *Politico*, *The Hill*, and other outlets. Sylvan has a master's degree in public policy from Columbia University's School of International and Public Affairs as well as a bachelor's degree from Wesleyan University.

**Burcin Unel**, Energy Policy Director

Dr. Burcin Unel is the Energy Policy Director at the Institute for Policy Integrity at New York University School of Law. She is an expert in utility regulation, and environmental and energy policy. Dr. Unel has authored over 80 papers, policy briefs, public comments, and reports to improve the quality of governmental decisionmaking in numerous energy and environmental policy areas. Her articles on how to design policies for the future of the grid have been selected by the Environmental Law Institute as one of the year's top five environmental law articles, each year from 2017 to 2019. She leads Policy Integrity's stakeholder involvement both at the federal and state level in front of regulatory agencies such as public utility commissions and FERC. She also oversees Policy Integrity's involvement in multiple carbon pricing initiatives around the country, both in energy market settings, such as in NYISO and PJM, and in cap-and-trade settings, such as RGGI, Transportation and Climate Initiative, and New York City's Local Law 97. Her policy work in New York and California led to state utility commissions adopting more robust frameworks for valuing emissions, helping achieve the respective states' goals of increasing clean energy and distributed energy resource deployment. Before joining Policy Integrity, Dr. Unel held faculty positions at the Department of Pharmaceutical Outcomes and Policy at the University of Florida, and the Department of Economics at Bogaziçi University in Turkey. She also taught as an adjunct faculty member at the City College of New York and



NYU's Wagner Graduate School of Public Service. She received a B.A. in Economics from Bogaziçi University, and a Ph.D. in Economics from the University of Florida.

**Justin Gundlach**, Senior Attorney

Justin Gundlach joined Policy Integrity in April 2019. His work focuses on state-level energy and climate policy. He is the co-editor, along with Michael Burger, of *Climate Change, Public Health, and the Law* (Cambridge University Press, 2018), and the author of numerous articles, book chapters, white papers, and amicus briefs on legal and policy issues related to the impacts of energy use on the climate and of climate change on infrastructure and public health. Before joining Policy Integrity, Justin was a member of the Policy Development team at the New York State Energy Research and Development Authority (NYSERDA), a Staff Attorney at the Sabin Center for Climate Change Law at Columbia Law School, a Staff Attorney and Clinical Teaching Fellow at Georgetown University Law Center's environmental litigation clinic, and an associate at Crowell & Moring LLP. He received an L.L.M. with distinction from Georgetown University Law Center, a J.D. cum laude from NYU School of Law, an M.Sc. from the London School of Economics, and a B.A. magna cum laude from Wesleyan University.

**Max Sarinsky**, Senior Attorney

Max Sarinsky is an attorney at Policy Integrity, where he previously served as a legal fellow. Prior to joining Policy Integrity, Max clerked for the Honorable Pamela A. Harris of the Fourth Circuit Court of Appeals. He also previously served as an Assistant Corporation Counsel with the Administrative Law Division of the New York City Law Department, where he defended local policies promoting public health and reducing the city's carbon footprint. Max received his J.D. magna cum laude from the New York University School of Law, and his B.A. cum laude from Georgetown University. Prior to attending law school, he worked as a technical science writer for an immigration law firm, helping professors and post-doctoral researchers obtain permanent residency and other immigration benefits.

**Dena Adler**, Attorney

Dena Adler joins Policy Integrity as an Attorney in September 2021. She completed a joint JD/MEM degree program at Yale Law School and Yale School of Forestry and Environmental Studies. At Yale, Dena's research focused on galvanizing new legal opportunities to advance climate change solutions, especially by coordinating and connecting policies across local, national, and international jurisdictions. In the lead up to the 2015 international climate change negotiations, she worked with the Yale Climate Change Dialogue and the City of Paris on designing a political declaration linking mayors, governors, and other sub-national leaders to the UN's Paris Agreement. During her time in



law school she worked on policy issues related to the Clean Power Plan at the Environmental Defense Fund, on legal campaigns to protect national forests and the Arctic at the Earthjustice Juneau, AK office, and with the Council on Environmental Quality in the Executive Office of the President. Prior to beginning her degrees at Yale, she worked at Union of Concerned Scientists conducting climate change outreach to citizens and scientists. Dena graduated from Brown University in 2011, with honors in environmental studies for her thesis exploring policy strategies to manage climate change impacts in the American West by framing issues to engage broader stakeholder support.

### **Meredith Hankins, Attorney**

Meredith Hankins joins Policy Integrity in July 2021 as an Attorney. She was the Shapiro Fellow in Environmental Law and Policy at UCLA School of Law for 2017-2019. She previously clerked for the Honorable Michael D. Wilson of the Supreme Court of Hawai'i. Hankins earned her B.S. in Chemical Engineering from USC, and her J.D. from UC Davis School of Law. At UC Davis, she was elected to the Order of the Coif and received certificates in Environmental Law and Public Interest Law. She also served as Co-Editor in Chief of *Environs Environmental Law and Policy Journal*, Co-Chair of the Environmental Law Society, and as a research and teaching assistant. Prior to law school, she worked as an air quality engineer for the South Coast Air Quality Management District, where she worked on petroleum refinery permitting and enforcement programs under the Clean Air Act and other federal, state, and local air quality regulations.

### **Sarah Ladin, Attorney**

Sarah Ladin is an attorney at Policy Integrity. Prior to joining Policy Integrity, Sarah was a fellow at Environmental Defense Fund and clerked for the Nuclear Regulatory Commission's Atomic Safety and Licensing Board Panel. Sarah received her J.D. cum laude from the University of Michigan Law School, and her B.A. magna cum laude from the Ohio State University.

### **Iliana Paul, Senior Policy Analyst**

Iliana Paul joined Policy Integrity in September 2016. She received her Master of Public Administration from NYU's Robert F. Wagner Graduate School of Public Service in May 2016 with a specialization in International Development Policy. Before starting at Policy Integrity, Iliana focused on global climate and sustainability issues; she was the Program Officer for the Global Gender and Climate Alliance (GGCA), interned for the United Nations World Food Programme, and was a fellow at the Women's Environment & Development Organization. She has also been an adjunct lecturer and teaching assistant for undergraduate and graduate courses on public policy and the environment at NYU's



College of Arts and Sciences and NYU Wagner. Iliana received her BA, magna cum laude, in International Relations and French from Mount Holyoke College, holds an International Program Certificate from Sciences Po – Paris, and is a member of Phi Beta Kappa.

**Laura Figueroa**, Legal Fellow

Laura Figueroa joins Policy Integrity in September 2021 as a Legal Fellow. Laura is a graduate of the New York University School of Law, where she also worked as a Research Assistant at Policy Integrity. Laura is passionate about international economic development and the ways that the legal profession can serve the world's poor through insights on effective governance. She came to law school after completing her service as a Peace Corps volunteer in Coronel Oviedo, Paraguay. Laura is originally from Puerto Rico and was raised between the island and her second home in Orlando, Florida. She graduated from Stanford University with degrees in Economics and International Relations and minored in Modern Languages in Korean and German. She was also a JusticeCorps fellow for the San Mateo courthouse in California.

**Bridget Pals**, Legal Fellow

Bridget Pals joins Policy Integrity in September 2021 as a Legal Fellow. She is a graduate of the New York University School of Law, where she was Editor-in-Chief of the NYU Environmental Law Journal. She was a Research Assistant with Policy Integrity during 2019-2020. She is passionate about environmental issues and is particularly interested in increasing the sustainability of the urban environment and in alleviating the impacts of climate change. Previously, Bridget worked with a community development bank that strives to provide financial services to unbanked and underbanked individuals on Chicago's south and west sides. She received her BA from the University of Chicago in Physics and Economics.

**Rachel Rothschild**, Legal Fellow

Rachel Emma Rothschild is a legal fellow at the Institute for Policy Integrity. She holds a J.D., cum laude, from NYU School of Law, where she was a Furman Academic Scholar, and a Ph.D. in history from Yale University, where she was a National Science Foundation Graduate Research Fellow. She earned her B.A., magna cum laude, from Princeton University. From 2015 to 2017, she was an assistant professor and faculty fellow at NYU's Gallatin School of Individualized Study. Rothschild's scholarship sits at the intersection of law, history, and policy. She is the author of *Poisonous Skies: Acid Rain and the Globalization of Pollution* (University of Chicago Press, 2019), and has written numerous articles and essays on pollution problems for academic journals and media outlets. Her recent research examines climate change litigation as well as the past and present



regulation of toxic substances. While at NYU School of Law, Rothschild worked for the Natural Resources Defense Council's litigation and environmental justice teams as well as the Institute for Policy Integrity's regulatory policy clinic. She will be clerking for Judge Allyne R. Ross of the Eastern District of New York for term 2022.

**Alex Song**, Legal Fellow

Alex Song is a Legal Fellow at Policy Integrity. During law school, he interned at Legal Aid Chicago, where he helped defend public housing tenants and Housing Choice Voucher recipients against eviction. Prior to attending law school, he taught economic policy analysis as a teaching assistant at the Sanford School for Public Policy and conducted research on sustainable urban development as an intern at a Seattle-based nonprofit. Alex received his J.D. with high honors from The University of Chicago Law School, and his B.A. magna cum laude from Duke University. He will be clerking for Judge Alison J. Nathan of the Southern District of New York for term 2022 and Justice Leondra R. Kruger of the Supreme Court of California for term 2023.

**Andrew Stawasz**, Legal Fellow

Andrew joins Policy Integrity in September 2021 as a Legal Fellow. He is a graduate of Harvard Law School, where he also worked as a Student Attorney at the Harvard Animal Law & Policy Clinic. Prior to law school, Andy studied Industrial and Labor Relations at Cornell University and worked for about three years as a Research Associate at Data for Decisions near Boston.

**Amanda Zerbe**, Legal Fellow

Amanda Zerbe joins Policy Integrity in September 2021 as a Legal Fellow. Amanda is a graduate of Stanford Law School and completed a joint master's in Stanford's Emmett Interdisciplinary Program in Environment and Resources (E-IPER). During the summer of 2020, she was a law clerk at Earthjustice's California Regional Office. She previously graduated from Stanford with bachelor's degrees in earth systems and international relations. As a research consultant for UN Global Pulse, an innovation initiative of the United Nations, she managed the Data for Climate Action challenge, and attended the United Nations climate change conferences in Paris and Bonn. Amanda was also a consultant for the Flora Family Foundation.

**Bridget Pals**, Legal Fellow

Bridget Pals joins Policy Integrity in September 2021 as a Legal Fellow. She is a graduate of the New York University School of Law, where she was Editor-in-Chief of the NYU





Environmental Law Journal. She was a Research Assistant with Policy Integrity during 2019-2020. She is passionate about environmental issues and is particularly interested in increasing the sustainability of the urban environment and in alleviating the impacts of climate change. Previously, Bridget worked with a community development bank that strives to provide financial services to unbanked and underbanked individuals on Chicago's south and west sides. She received her BA from the University of Chicago in Physics and Economics.

**Chelsea Pardini**, Economic Fellow

Chelsea Pardini joins Policy Integrity in September 2021 as an Economic Fellow. She graduated from Washington State University with a Ph.D. in Economics. Prior to that, she also completed a Master's in Applied Economics and a B.A. in Economics with Mathematics. In the past, she has worked as a Graduate Research Assistant and a Lead Instructor.

**Minhong Xu**, Economic Fellow

Minhong Xu joins Policy Integrity in September 2021 as an Economic Fellow. She was an assistant professor at the Institute of Urban Development, Nanjing Audit University. Her research interests include Environmental and Natural Resources Economics, Regional and Urban economics, and Real Estate economics. She previously earned a Ph.D. in Agricultural and Applied Economics from the University of Illinois at Urbana-Champaign in 2018, and an M.S. in Economics from Tufts University in 2013.

**Megan Abron**, Operations Manager

Megan joined the Institute for Policy Integrity as the Operations Manager in March 2021. She is a recent graduate of a MSc program at the University of Birkbeck, London where she studied the Politics of Population, Migration and Ecology. Previously, she worked in operations, development and event planning at the NYC Mayor's Office of Immigrant Affairs and the New York Immigration Coalition. She received BAs in Global Liberal Studies and Spanish and Latin American Literature and Culture from NYU in 2015.

**Anna Kasradze**, Policy and Communications Associate

Anna joined Policy Integrity in July 2021. She is enthusiastic about bridging research and advocacy for climate action and environmental justice and previously worked at this intersection for the Environmental Law Institute and the Sierra Club. She graduated from Duke University with a B.A. in English in 2021.



## **Advisory Board Biographies**

We benefit enormously from regular input from our esteemed Advisory Board. We are pleased to share that three Advisory Board members were selected for significant roles in the Biden administration. Julissa Reynoso, who also served in 2008-09 as one of our first legal fellows, is Assistant to the President and Chief of Staff to the First Lady; Brenda Mallory has been confirmed to Chair the White House Council on Environmental Quality; and Tomás Carbonell was named EPA Deputy Assistant Administrator for Stationary Sources at the Office of Air and Radiation.

### **Boris Bershteyn, Advisory Board Chair**

Boris Bershteyn is a partner at Skadden, Arps, Slate, Meagher and Flom, LLP. He served as acting Administrator of the Office of Information and Regulatory Affairs in 2012 and 2013, and as General Counsel of the Office of Management and Budget (OMB) starting 2011. In 2010 and 2011, Bershteyn served as Special Assistant to the President and Associate White House Counsel, focusing on legal issues in regulatory, economic, health, and environmental policy. In 2009 and 2010, he served as the Deputy General Counsel of OMB. He also served as a law clerk to Justice David H. Souter of the U.S. Supreme Court and Judge José A. Cabranes of the U.S. Court of Appeals for the Second Circuit. He holds a B.A. in Economics and Political Science from Stanford University and a J.D. from Yale Law School. Bershteyn serves as the Chair of the Institute for Policy Integrity's Board of Advisors.

### **Norman Bay**

Norman C. Bay is a partner and head of the energy regulatory and enforcement group at Willkie Farr & Gallagher LLP in Washington, D.C. He was Chairman of the Federal Energy Regulatory Commission (FERC), as well as a former Director of the Office of Enforcement. He was integral in shaping FERC's policy and conducting stakeholder outreach on a wide variety of issues relating to the wholesale electricity and natural gas markets, including energy storage and distributed energy resources. Bay was previously a Professor at the University of New Mexico School of Law and the U.S. Attorney for the District of New Mexico. He is currently a non-resident Senior Fellow with Duke University and a member of the Advisory Board of the Irving Institute for Energy and Society at Dartmouth College.

### **Marcia Bystryn**

Marcia Bystryn served as the president of the New York League of Conservation Voters for nearly 20 years. Previously, she was the Senior Business Manager for Economic Development and Senior Corporate Policy Manager for the Environment at The Port Authority of New York and New Jersey, where she focused on the revitalization of the port





and the many interwoven environmental issues. She also served as Assistant Commissioner for Recycling at New York City's Department of Sanitation, where she integrated a comprehensive recycling program as part of the City's solid waste management policy.

### **Jonathan Cannon**

Jonathan Z. Cannon is the Blaine T. Phillips Distinguished Professor of Environmental Law and director of the University of Virginia Law School's Environmental and Land Use Law Program. Before arriving at the University of Virginia, he held several positions at the Environmental Protection Agency during the Reagan, George H.W. Bush and Clinton administrations, including general counsel (1995-98). He also served on President Obama's EPA transition team. He has written numerous articles on environmental law and policy, including several on relationships among the EPA and the White House, Congress and the courts.

### **Tomás Carbonell**

Tomás Carbonell is Senior Counsel and Director for Regulatory Policy in the U.S. Clean Air Program at Environmental Defense Fund, where he specializes in climate change and clean air issues. Based in EDF's Washington, D.C. office, Carbonell engages in litigation, regulatory proceedings, and policy analysis and advocacy on a variety of federal climate and clean air matters. He also serves as an Adjunct Instructor at Howard University School of Law, and as a member of the Environmental Protection Agency's Clean Air Act Advisory Committee. Prior to joining EDF in July 2012, Carbonell practiced energy and environmental law as an associate at Van Ness Feldman, LLP. Carbonell is a 2008 graduate of Yale Law School, and completed master's degrees in development economics and environmental management at Oxford University in 2005. He received bachelor's degrees in chemical engineering, economics, and multidisciplinary studies from North Carolina State University in 2002.

### **Inimai Chettiar**

Inimai Chettiar is the Legislative and Policy Director for the Coalition for Public Safety. She previously directed the justice program at the Brennan Center for Justice. Prior to joining the Brennan Center in 2012, Ms. Chettiar worked as a legal fellow at the Institute for Policy Integrity at NYU School of Law, where she led legal and policy initiatives using economic analysis to reform federal criminal justice and public health laws. Ms. Chettiar has published extensively on economic and fiscal policy as well as criminal law reform, and is listed in the national directory as a Top Wonk in criminal justice, economic policy, and race and economics. She holds a B.A. cum laude in political science and psychology from Georgetown University and a J.D. cum laude from the University of Chicago School of Law, where she served as Comment Editor of *The Law Review*. She is a member of the Society for Benefit Cost Analysis and American Correctional Association, and sits on the U.S. Department of Justice Pretrial Justice Task Force and the American Law Institute Model Penal Code Committee.



### **Gail Conenello**

Gail Conenello is a partner at K&L Gates. Her environmental practice is focused in the areas of CERCLA and Spill Act remediations and liability actions, private cost recovery actions, environmental justice actions, RCRA, environmental insurance coverage actions, due diligence for corporate and real estate transactions, and various environmental remediation, permitting, compliance, regulatory and enforcement matters. Ms. Conenello has spoken before various trade associations on topics including environmental equity regulations and industry best practices on issues of social responsibility and community involvement. She holds a B.A. with honors from Rutgers University and a J.D. from New York University School of Law.

### **E. Donald Elliott**

E. Donald Elliott is a leading academic expert on improving the relationship between law and science, specializing in environmental law and chemical regulation. He is currently Adjunct Professor of Law, Yale Law School and Georgetown University Law Center, where he teaches a course comparing chemical regulation in the U.S. and E.U. He has been on the Yale Law School faculty since 1981, and is the author of over 70 articles. He is also senior of counsel in the Washington D.C. office of Covington & Burling LLP, practicing in the firm's Environmental Practice Group. Prior to joining Covington in 2013, he was a partner in Willkie Farr & Gallagher LLP, chairing the firm's worldwide Environment, Health and Safety Department. Formerly Elliott was Assistant Administrator and General Counsel, U.S. Environmental Protection Agency, 1989-91, where he was EPA's primary liaison to OIRA. He is the author of "TQM-ing OMB: Or What Is Wrong With Executive Order 12291 and What President Clinton Should Do About It in Law and Contemporary Problems" (1994), which was one of the first academic articles suggesting reforms of the OIRA process.

### **Matthew Feldman**

Matthew A. Feldman is a partner and Co-Chair of the Business Reorganization and Restructuring Department of Willkie Farr & Gallagher LLP in New York and serves on the firm's Executive Committee. In 2009, Mr. Feldman was recruited to serve as Chief Legal Advisor to the Obama administration's Task Force on the Auto Industry, helping to develop the overall strategy to restructure and recapitalize General Motors Corporation and Chrysler LLC. Mr. Feldman has been significantly involved in numerous complex chapter 11 cases and non-judicial restructurings, both U.S. and cross-border matters.

### **Adam Finkel**

Adam Finkel is one of the nation's leading experts in the evolving field of risk assessment and cost-benefit analysis. He has 25 years of experience in improving methods of analysis and making risk-based decisions to protect workers and the general public from environmental hazards, including five years of service as Director of Health Standards



Programs at the U.S. Occupational Safety and Health Administration (OSHA). From 2008 to 2017, he was Executive Director of the Penn Program on Regulation at the University of Pennsylvania Law School. Dr. Finkel is currently Clinical Professor of Environmental Health Sciences at the University of Michigan School of Public Health.

### **Arvin Ganesan**

Arvin Ganesan works on public policy at Apple, specifically focused on environmental and energy issues. Prior to joining Apple, Arvin was the Vice President for Federal Policy at Advanced Energy Economy, a trade association focused on making the electricity system more clean, secure and affordable. Arvin spent a decade in government, serving at the Environmental Protection Agency in several posts, including Deputy Chief of Staff for Policy to EPA Administrator Gina McCarthy, and Associate Administrator for Congressional and Intergovernmental Relations to EPA Administrator Lisa Jackson. Before these appointments, Arvin served as the senior policy adviser on energy and environmental issues to the late Senator Frank R. Lautenberg of New Jersey. Arvin did his undergraduate work in Economics at the University of Massachusetts at Amherst and obtained his Master of Public Administration degree from George Washington University.

### **Michael Gergen**

Michael Gergen is a partner at Latham & Watkins in Washington, D.C., where he is a member of the Energy Regulatory and Markets and Project Finance Practices. He has extensive experience developing practical applications of economics, finance and regulatory law to assist clients involved in the electric, natural gas and other network industries. Mr. Gergen has assisted clients on a wide range of transactional, controversy, policy and legislative matters and has represented clients both in commercial negotiations and before various federal and state regulatory agencies, including the Federal Energy Regulatory Commission and various state public utility commissions, and numerous federal and state courts and arbitral bodies. He also has served as an economist for an investor-owned public utility, as well as an economic consultant for a state energy commission. Mr. Gergen is listed as a leading energy attorney in Chambers USA, has given a variety of speeches on energy regulatory and policy matters, and was selected for inclusion in The Best Lawyers in America 2012 as a recommended attorney in Energy Law.

### **Richard Horsch**

Richard Horsch is a recently retired partner at White & Case LLP in New York City. He represented clients in environmental and toxic tort litigation and advises on all aspects of environmental law and Climate Change matters in the U.S. and internationally. Horsch also counseled clients on compliance with key environmental regulations including the Clean Water Act, the Resource Conservation and Recovery Act, the Clean Air Act, the National Environmental Policy Act, the Endangered Species Act and the Toxic Substances Control Act. He has written and lectured frequently on environmental issues, and is currently



-serving as an Adjunct Professor of Environmental Law at Seton Hall University School of Law and as an Adjunct for Columbia University’s Master of Science Program on Sustainability Management. Prior to joining White & Case, from 1980-1981, Horsch clerked for the Hon. Frederick B. Lacey, U.S. District Judge, District of New Jersey, Judge, Temporary Emergency Court of Appeals.

### **Paul Joskow**

Paul L. Joskow is a professor of economics at Massachusetts Institute of Technology. He previously served as President of the Alfred P. Sloan Foundation from 2008 to 2017, where he deepened the Foundation’s investment in science and economics research. He served as Head of the MIT Department of Economics from 1994 to 1998, and was director of the MIT Center for Energy and Environmental Policy Research from 1999 through 2007. His research areas include industrial organization, energy and environmental economics, competition policy, and government regulation of industry. Professor Joskow has published six books and about 150 articles and papers in these areas. He is currently a director of Exelon Corporation and previously served as a director of the New England Electric System, National Grid plc, and TransCanada Corporation. He received a B.A. from Cornell University in 1968 and a Ph.D. in Economics from Yale University in 1972.

### **Sally Katzen**

Sally Katzen is a Professor of Practice and Distinguished Scholar in Residence at New York University School of Law. During the Clinton Administration, Katzen was the Administrator of the Office of Information and Regulatory Affairs in the Office of Management and Budget (OMB), Deputy Director of the National Economic Council, and Deputy Director for Management at OMB. She also served on the Obama-Biden transition team, as part of the Agency Review Working Group.

### **Nat Keohane**

Nathaniel Keohane is President of the Center for Climate and Energy Solutions (C2ES). He was previously Senior Vice President at the Environmental Defense Fund, where he led the climate program and helps to shape the organization’s advocacy for environmentally effective and economically sound climate policy. An economist with expertise in energy and environmental policy, Dr. Keohane also holds a position as Adjunct Professor of Law at New York University, where he teaches a seminar on climate change policy. Previously, Nat served in the Obama Administration as Special Assistant to the President for Energy and Environment in the National Economic Council and Domestic Policy Council, where he helped to develop and coordinate administration policy on a wide range of energy and environmental issues. Before joining the Administration, he directed economic policy and analysis at EDF, playing a lead role in the efforts to enact comprehensive cap-and-trade legislation in Congress. Prior to EDF, Dr. Keohane was an Associate Professor of Economics at the Yale School of Management. His research in environmental economics has appeared



in prominent academic journals, and he is the co-author of *Markets and the Environment* (Island Press, 2007), and co-editor of *Economics of Environmental Law* (Edward Elgar, 2009). He received his Ph.D. from Harvard University in 2001, and his B.A. from Yale College in 1993.

### **Rubén Kraiem**

Rubén Kraiem, a partner at Covington & Burling LLP, leads the firm's Latin American practice, and was a co-founder of its Clean Energy and Climate Industry Group. He has been an adjunct professor at Fordham Law School (2006-2009), where he co-taught a course on Climate Change Law & Policy, and serves as an advisor to the Coalition for Rainforest Nations in the UNFCCC negotiations. He is an honorary trustee of the Natural Resources Defense Council (having actively served on the Board of Trustees from 1994 to 2009) and a member of the Board of Directors of Resources for the Future, where he is the Chair of the Board's Audit & Compliance Committee. Mr. Kraiem serves also on the Board of Directors of Blacksmith Institute / Pure Earth, and is a member of the governing committee of the Cyrus R. Vance Center for International Justice (at the NYC Bar Association), the advisory board of the Theodore C. Sorensen Center for International Peace and Justice (at the CUNY Law School) and the Council on Foreign Relations. He is a graduate of Yale University, where he was awarded his B.A. degree in 1978, *summa cum laude*, and of Harvard Law School, where he received his J.D. degree in 1981, *cum laude* and was an Articles Editor for *The Harvard International Law Journal*. Before joining Covington in 2004, Mr. Kraiem was a partner at the Paul Weiss law firm in New York. In 2002-2003, he was a Distinguished Scholar in Residence at the New York University Law School.

### **Thomas Melone**

Thomas Melone is a founder of Allco Renewable Energy, where he has been involved in a range of cutting edge renewable energy development projects. He has also served as a tax partner at the law firm of Hunton & Williams. In 1995, Mr. Melone led Allco Finance Corporation to a pre-eminent position in the large asset finance market. Prior to joining Hunton & Williams in 1991, Mr. Melone was Director, European Leasing for Chase Investment Bank in London, practiced law at Cravath, Swaine & Moore, and served as a Revenue Agent with the U.S. Internal Revenue Service.

### **Nik Mittal**

Nik Mittal is an Adjunct Professor of Finance at NYU Stern School of Business and an inactive partner at JANA Partners LLC, an investment firm with a focus on shareholder activism where he spent 12 years, becoming a partner in 2012. Mittal's passion is the fight against climate change and efforts to decouple economic growth from environmental degradation. He completed a Certification in Sustainable Finance at Columbia University and is currently pursuing solar project development in New York State. He received his J.D./M.B.A. in 1998 from NYU School of Law and NYU Stern School of Business, where he





was a Stern Scholar, and his B.A. in economics, with honors and distinction, from the University of North Carolina at Chapel Hill in 1993. Mittal is a member of the NYU School of Law Board of Trustees, the Carolina Angel Network, the Advisory Committee for the Iraq and Afghanistan Veterans Association, and the Asia Society's Asia21 network. He is a founding board member of Success Academy Harlem 5 charter school and a published contributor to the New York Times.

### **Albert Monroe**

Albert Monroe is an economist with wide-ranging environmental, energy, natural resources, land use, criminal justice, housing, governmental (federal, state, and local), disaster preparedness, and defense experience and expertise. He is a published academic and expert on the Clean Air Act, energy efficiency, and climate change. Dr. Monroe has a Ph.D. from Harvard in economics and a J.D. from Yale Law School. He has served as Chief of Staff of the Connecticut Department of Energy and Environmental Protection and as a professor at the Quinnipiac School of Law and the Thomas Jefferson School of Law. Dr. Monroe currently works as an economist in the Environmental Protection Agency's Office of Pollution Prevention and Toxics, where he conducts use and economic analyses for chemical risk evaluations and regulations.

### **Ignacia S. Moreno**

Ignacia S. Moreno has practiced environmental and natural resources law for over 30 years. She is the Chief Executive Officer and a founding Principal of the iMoreno Group, PLC, where she provides legal services and strategic counseling on environmental and natural resources matters. In 2009, Ignacia was confirmed by the U.S. Senate in a 93 to 0 vote to serve as the Assistant Attorney General of the Environment and Natural Resources Division of the U.S. Department of Justice (Division). She headed the Division from 2009 to 2013, where she was recognized for her outstanding service in leading the Division's response to the Deepwater Horizon Oil Spill, defending government actions to combat climate change, negotiating historic settlements in tribal trust litigation, and working with government agencies, communities, and industry to consider and integrate environmental justice principles into the resolution of cases and matters handled by the Division. From 1994 to 2001, Ignacia served as a presidential appointee in the Division during the Clinton Administration. From 2006 to 2009, she was Counsel for the Northeast/Midwest Regions and International, Corporate Environmental Programs, at the General Electric Company, and previously practiced at two prominent Washington, D.C. law firms, including as a partner.

In 2016, Virginia Governor Terry McAuliffe appointed Ignacia to serve a four-year term on the State Air Pollution Control Board and she was elected Chair of the Board in 2019. In 2018, Virginia Governor Ralph Northam appointed her to serve on the Board of Governors of George Mason University and she was elected to the Executive Committee in 2019 and also serves as Vice Chair of the Audit Committee. Ignacia serves on the Advisory Board of



the New York University School of Law Institute for Policy Integrity where she serves as Chair of the Environmental Justice & Equity Committee. Ignacia serves on the National Board of Directors of the Trust for Public Land where she is Chair of the Advocacy Committee. She has served as President of the Hispanic Bar Association of the District of Columbia and as General Counsel of the Hispanic National Bar Association.

Ignacia earned her Bachelor of Arts degree from New York University in 1986, and a Juris Doctor degree from New York University School of Law in 1990. She was born in Cartagena, Colombia, grew up in New York City, and lives in McLean, Virginia with her family.

### **Richard Morgenstern**

Richard Morgenstern is a Senior Fellow at Resources for the Future. His research focuses on the economic analysis of environmental issues with an emphasis on the costs, benefits, evaluation, and design of environmental policies, especially economic incentive measures. His analysis also focuses on climate change, including the design of cost-effective policies to reduce emissions in the United States and abroad. Immediately prior to joining RFF, Morgenstern was senior economic counselor to the undersecretary for global affairs at the U.S. Department of State, where he participated in negotiations for the Kyoto Protocol. Previously he served at the U.S. Environmental Protection Agency, where he acted as deputy administrator (1993); assistant administrator for policy, planning, and evaluation (1991-93); and director of the Office of Policy Analysis (1983-95). Formerly a tenured professor at the City University of New York, Morgenstern has taught recently at Oberlin College, the Wharton School of the University of Pennsylvania, Yeshiva University, and American University. Dr. Morgenstern received his A.B. from Oberlin College, and his Ph.D. in economics from the University of Michigan.

### **Michael Oppenheimer**

Michael Oppenheimer is the Albert G. Milbank Professor of Geosciences and International Affairs in the Woodrow Wilson School and the Department of Geosciences at Princeton University. Oppenheimer joined the Princeton faculty after more than two decades with The Environmental Defense Fund (EDF), where he served as chief scientist and manager of the Climate and Air Program. He continues to serve as a science advisor to EDF. Oppenheimer is a long-time participant in the Intergovernmental Panel on Climate Change (IPCC), which won the Nobel Peace Prize in 2007. Oppenheimer has been a member of several panels of the National Academy of Sciences and is now a member of the National Academies' Board on Energy and Environmental Studies. He is also a winner of the 2010 Heinz Award and a Fellow of the American Association for the Advancement of Science. Oppenheimer is the author of over 120 articles published in professional journals and is co-author (with Robert H. Boyle) of a 1990 book, *Dead Heat: The Race Against The Greenhouse Effect*.



### **Kevin Poloncarz**

Kevin Poloncarz, a partner at Covington & Burling LLP, represents a broad range of clients on policy, regulatory, litigation, commercial, and enforcement matters involving air quality, climate change, and clean energy. He also co-chairs the firm's Environmental Practice Group and Energy Industry Group. Mr. Poloncarz is among the nation's leading climate change attorneys and California's leading environmental lawyers. He was named an "Energy & Environmental Trailblazer" by the *National Law Journal* in 2017 and was inducted as a Fellow of the American College of Environmental Lawyers in 2018. He has extensive experience with California's Cap-and-Trade Program, Low Carbon Fuel Standard, Renewables Portfolio Standard, and is recognized as a leading advisor on carbon markets and legislative and policy strategies supporting decarbonization. He is a graduate of Hobart College, where he was awarded his B.A. degree summa cum laude, and of the University of Chicago Law School, where he received his J.D. degree.

### **Kathleen Rest**

Kathleen Rest is the Executive Director of the Union of Concerned Scientists, a science-based non-profit working for a healthy environment and a safer world. Prior to that, Dr. Rest spent five years with the National Institute for Occupational Safety and Health in the Centers for Disease Control and Prevention. She also served as the Chairperson of the National Advisory Committee on Occupational Safety and Health. She is the author of numerous journal articles and book chapters on occupational and environmental health issues.

### **Amelia Salzman**

Amelia Salzman is an adjunct professor at NYU School of Law and principal at Lazer's Bight, LLC. Prior, she was Associate Director for Policy Outreach at the Council on Environmental Quality for President Obama. She has also served as Senior Program Officer in charge of biodiversity, climate change, and energy at the Wallace Global Fund, and as a Senior Program Officer in the International Policy Program and World Wildlife Fund US. Ms. Salzman was a trial attorney in the Policy, Legislation and Special Litigation Section of the Environment Division of the U.S. Department of Justice. She holds a J.D. from New York University School of Law.

### **Frederick A. O. Schwarz**

Frederick A. O. ("Fritz") Schwarz, Jr. is a distinguished lawyer whose career spans four decades. He currently serves as a Senior Counsel at Cravath, Swaine & Moore LLP; Chief Counsel at New York University Law School's Brennan Center for Justice; Chair of the Board of Atlantic Philanthropies; and a board member of the Natural Resources Defense Council and the Vera Institute of Justice, both of whose Boards he chaired for almost 20 years. Schwarz has balanced his private practice with a series of critically important public





service assignments, such as serving as Chief Counsel to the Senate Select Committee to Study Governmental Operations with Respect to Intelligence Activity (1975-1976), an inquiry that uncovered decades of abuse by the FBI, CIA and other intelligence agencies; Corporation Counsel of the City of New York (1982-1986); and Chair of the New York City Campaign Finance Board (2003-2008).

### **Paul Segal**

Paul Segal is Chief Executive Officer of LS Power Group. Mr. Segal joined LS Power in 1998 and has undertaken a range of roles spanning the negotiation of power purchase agreements, arranging project debt and equity investments, and selling LS Power's gas fired generation fleet in 2001. In 2002, Mr. Segal founded Luminus Management, a hedge fund which invests across the capital structure of publicly-traded power, energy, utility and related companies. Under his leadership, Luminus grew from \$50 million to over \$1 billion in assets under management. Upon returning to LS Power, Mr. Segal oversaw Asset Management and Renewables. In 2011, Mr. Segal was named LS Power's Chief Executive Officer. Mr. Segal is also a member of the Firm's Management Committee. Mr. Segal began his career at Smith Barney as a generalist in the Mergers and Acquisitions Investment Banking group. Mr. Segal graduated with highest honors from the Rutgers College of Engineering with a B.S. in Bio-Chemical Engineering.

### **Richard Stewart**

Recognized as one of the world's leading scholars in environmental and administrative law, Richard Stewart is University Professor and John Edward Sexton Professor of Law at New York University School of Law. He directs the Guarini Center on Environmental and Land Use Law. Stewart has also served as a Byrne Professor of Administrative Law at Harvard Law School and a member of the faculty of the Kennedy School of Government at Harvard; Assistant Attorney General in charge of the Environment and Natural Resource Division of the U.S. Department of Justice, and Chairman of the Environmental Defense Fund. A prolific author, Stewart has published ten books and more than 80 articles on environmental and administrative law.

### **Susan Tierney**

Susan Tierney is an expert on energy policy and economics, specializing in the electric and gas industries. As a Senior Advisor at the Analysis Group, she has consulted to companies, governments, nonprofits, and other organizations on energy markets, as well as economic and environmental regulation and strategy. Dr. Tierney is a former Assistant Secretary for Policy at the U.S. Department of Energy, state cabinet officer for environmental affairs, and state public utility commissioner. She chairs the Department of Energy's Electricity Advisory Committee as well as the External Advisory Board of the National Renewable Energy Laboratory. She is also a director of the World Resources Institute and Resources for the Future, and serves on other boards. She has published widely, frequently speaks at



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### **Charles Wehland**

Charles T. Wehland is a partner at Jones Day's Chicago office. He focuses his practice on environmental law and climate change, helping clients develop environmental management systems and achieve effective resolutions of enforcement and cleanup issues. He works on matters involving greenhouse gas emission from electric power plants, Clean Air Act permits, and the cleanup of contaminated drinking water wells and river sediments. He has defended clients against government enforcement initiatives directed at electric utilities, petroleum refineries, and sulfuric acid plants. Chuck regularly writes and lectures on environmental subjects. He is active in several bar associations, including the Environmental Law Institute and the Environment, Energy and Resources Section of the ABA.

### **Jonathan Wiener**

Jonathan B. Wiener is Perkins Professor of Law at Duke Law School, and Professor of Environmental Policy and Public Policy at Duke University. He is the co-director of the Rethinking Regulation program within the Kenan Institute for Ethics. In 2008, he served as President of the Society for Risk Analysis. Since 2002, he has been a University Fellow of Resources for the Future. Before coming to Duke in 1994, Wiener served at the White House Council of Economic Advisers, the White House Office of Science and Technology Policy, the U.S. Department of Justice, and the Americorps National Service program, in both the first Bush and Clinton administrations. He attended the Rio Earth Summit and helped draft Executive Order 12866. In 1987-89, he clerked for Judges Stephen G. Breyer and Jack B. Weinstein. He has published extensively on issues of risk regulation, economic incentive instruments, and climate change policy.

### **Katrina Wyman**

Katrina Wyman is Sarah Herring Sorin Professor of Law at New York University School of Law. She serves as director of the Environmental and Energy Law L.L.M. program. Wyman's research interests relate primarily to property and natural resources law and policy. She has undertaken case studies of the evolution of emissions trading, and property rights in fisheries, and taxi licenses. She also has worked on the Endangered Species Act and the policy and legal responses to the possibility that climate change might prompt large-scale human migration.