

University of Dayton School of Law

Gilvary Symposium 2020

January 31, 2020

*Location: Keller Hall Courtroom, 300 College Park
Dayton, OH 45469*

***Building a Green New Deal in the Rust Belt:
Legal, Policy and Democratic Challenges***

This conference focuses on the challenges of building a Green New Deal (GND). By using the phrase *building a Green New Deal* our goal is to raise two key questions about the growing call in the United States and around the world for transforming our political economic systems in a way that can truly address the existential threat of climate change and the devastating impact it is now having on human and non-human life on earth. First, is creating the infrastructure of law, policy, and democracy that is necessary to institutionalize a Green New Deal even practically feasible? Or, in an age of eco-social catastrophe, can *failing* to build such legal, policy, and democratic infrastructure be anything other than impractical (or outright nihilistic)? Second, what could or should legal, policy, and democratic intervention for a Green New Deal look like in the more specific setting of the Rust Belt region of the United States, given the unique environmental justice challenges it faces and the particular place it holds within the broader national and international economy and imagination. Of course, in raising these questions, we recognize that the Rust Belt is highly varied internally, comprising (parts of) states as diverse as New York, Pennsylvania, West Virginia, Ohio, Indiana, Iowa, Illinois, Michigan and Wisconsin. Likewise, we recognize that every region of the world today is necessarily interconnected in hopelessly complex ways through broader global currents. To focus on the Rust Belt, however, is not to narrow our view but to deepen it. Indeed, while the metaphor of a 'New Deal' is likely the best that our historical vocabulary in the United States gives us for reckoning with the idea of transformative political economic change, the truth is that the massive unaccounted for externality of climate change speaks not only to the recurring pattern of systemic failures in market capitalism but now on a scale that is completely unprecedented. With little in our past experience that prepares us to address the true scope of the problem the world now faces, the only way to begin moving forward is by scaling our response to multiple levels at once. Therefore, even as we prioritize the level at which our particular region in the United States sits, the conversation we will be joining should resonate with individuals and communities far beyond the Rust Belt.

**INTRODUCTIONS:
8:30am-8:45am**

Andrew Straus, Dean and Professor of Law, University of Dayton School of Law
(astrauss1@udayton.edu)

Shelley Inglis, Executive Director, University of Dayton Human Rights Center
(singlis1@udayton.edu)

Ben McCall, Professor of Physics and Chemistry; Executive Director of Hanley Sustainability Institute, University of Dayton (bjmccall@udayton.edu)

Sara French, 3rd Year Law Student Representative for the Human Rights Awareness and Advocacy Group, University of Dayton School of Law; Human Rights Graduate Fellow, University of Dayton Human Rights Center (sfrench1@udayton.edu)

I. MORNING SESSIONS:

***FRAMING THE GREEN NEW DEAL: BETWEEN PRAGMATISM AND UTOPIANISM?*
8:45am-12:00pm**

A. Panel I: *Economic Realities: Can we Afford a GND? How can we Not Afford a GND?* 8:45am-10:15am

Moderator: Rebecca Potter, Associate Professor; Director of Sustainability Program; Hanley Sustainability Institute Director of Curriculum, University of Dayton
(rpotter1@udayton.edu)

Panelist 1: Robert Pollin, Distinguished Professor, Department of Economics; Co-Director, Political Economy Research Institute, University of Massachusetts Amherst
(pollin@econs.umass.edu)

Panelist 2: Nathan Tankus, Research Scholar, Modern Money Network
(nathantankus@gmail.com)

Respondent: Shuang-Ye Wu, Professor & Chair, Department of Geology, University of Dayton (swu001@udayton.edu)

Brief Description of Panel: From two different angles, the panelists for the opening session will look at the question of economic affordability that hangs over any call for a Green New Deal. One of the nation's most distinguished heterodox economists, Pr. Robert Pollin's recent work has focused on designing state level Green New Deal policies for states like New York and Washington. At

the same time, he has also been considering how a Green New Deal framework for climate justice compares to an economics of de-growth in a world of limited planetary resources. While many ecologically-minded economists contend that de-growth is necessary if we are to truly avoid climate catastrophe, others warn of such an agenda merely becoming a pretext for imposing austerity on society and obscuring how in an age of runaway inequality the great many survive in a state of material deprivation rather than excess. As a prominent policy analyst and media presence, Nathan Tankus has taken a leading role in advocating for the affordability of a Green New Deal from the perspective of the school of post-Keynesian economics known as Modern Monetary Theory. In his talk, Mr. Tankus will argue that the true constraint on domestic GND spending comes not from the difficulty of financing such a large program but from the availability of the physical resources to be mobilized through such a program. By calling for a focus on physical resource availability as the primary bottleneck to be managed, Mr. Tankus will emphasize non-fiscal ways of ‘paying for’ spending, as through restrictive financial regulation capable of reducing aggregate demand, redirecting resource availability, and eliminating the ability of traditional monetary policy to increase interest rates and thereby make spending appear unaffordable and only sustainable on the basis of unpopular tax increases. The Respondent for the panel, Pr. Shuang-Ye Wu will turn our attention to a very different perspective from which to assess different views about the political feasibility and economic affordability of a GND: namely, the perhaps most important one of all that can only be offered by an earth scientist. She will thus ask us to broaden our perspective by considering whether our planet can afford our ongoing failure to act.

Coffee Break 1: 10:15am-10:30am

B. Panel 2: *Can we Legally Implement a GND? If we don't will there be anything left to govern?* 10:30am-12:00pm

Moderator: Shelly Inglis, Executive Director, University of Dayton Human Rights Center (singlis1@udayton.edu)

Panelist 1: Alice Kaswan, Professor and Associate Dean for Faculty Scholarship, University of San Francisco School of Law (kaswan@usfca.edu)

Panelist 2: William Burns (via remote), Co-Director & Professor of Research, Institute for Carbon Removal Law & Policy, American University School of International Service (wburns@american.edu)

Respondent: Dalindyabo Shabalala, Assistant Professor, University of Dayton School of Law (dshabalala1@udayton.edu)

Brief Description of Panel: The panelists for this session will consider the legal feasibility of instantiating a Green New Deal. Pr. Alice Kaswan will begin the panel by briefly addressing the opportunities and limitations of federal legislation in the United States and will then highlight the role of the states in pushing legal change, using California as an example. Pr. William Burns will then drill down into the complexities of one component of certain GND proposals—relating to carbon dioxide removal (CDR). He will contextualize the suspicion with which CDR has often been greeted by those concerned with climate change (especially when confused with carbon capture and sequestration) before turning to the difficulties of building CDR mechanisms and goals into our legal architecture. Finally, Pr. Dalindyabo Shabalala will ask us to focus on the challenge of connecting any domestic GND agenda to the international legal system. In specific, Pr. Shabalala will focus on whether our discussion of the GND has sufficiently broached the need to create norms for compensating the highly maldistributed ‘loss and damage’ climate change is producing around the planet. Given that for decades, and even centuries, the world’s carbon budget has been confiscated by today’s rich countries, robust loss and damages norms at the international level will be pivotal to the feasibility of those most affected—in developing countries—to pursue GND-style programs in their own right, to prevent ongoing climate colonialism, and ultimately to ensure the well-being of the planet as a whole.

II. LUNCH & KEYNOTE ADDRESS:

Financing the Green New Deal and Institutional Reform **12:00pm-1:00pm**

Introduction: Kevin Leske, Professor of Law, University of Dayton School of Law
(kleske1@udayton.edu)

Keynote Speaker: Robert C. Hockett, Edward Cornell Professor of Law, Cornell Law School
(rch37@cornell.edu)

Brief Description of Keynote: Over the course of his career, Pr. Hockett has focused on organizational, financial, and monetary law and economics in both their positive and normative, as well as their national and transnational, dimensions. His guiding concern in these fields has been with the legal and institutional prerequisites to a just, prosperous, and sustainable economic order. In his keynote, Pr. Hockett will revisit themes raised in the first two panels while also giving us a glimpse into his in progress book, which is entitled *Financing the Green New Deal*. More specifically, the first part of his keynote will be devoted to addressing what a GND finance plan must do, focusing on what he argues are seven key overall aims. In the second part of his talk, he will then turn to three key legal-institutional reforms that are necessary if we are to optimize the possibility of fulfilling the larger aims of any plan for financing a GND.

III. AFTERNOON SESSIONS:

GREENING THE RUST BELT: PERSPECTIVES FROM ENVIRONMENTAL JUSTICE ADVOCACY AT THE LOCAL/STATE/REGIONAL LEVEL

1:00pm-5:30pm

C. Panel 3: Powering the GND: Labor and Energy, 1:00pm-2:30pm

Moderator: Anya Galli Robertson, Assistant Professor of Sociology,
Department of Sociology, Anthropology, & Social Work, University of Dayton
(agallirobertson1@udayton.edu)

Panelist(s) 1: Dwayne Thomas (via remote), President, United Mineworkers of America,
Local Southwestern Pennsylvania (president@pennretiredamericans.org) in tandem
with Heaven Sensky, Community Organizer, Center for Coalfield Justice
(heaven@coalfieldjustice.org)

Panelist 2: Cheryl Johncox, Beyond Dirty Fuels Organizer, Sierra Club
(cheryl.johncox@sierraclub.org)

Respondent: Bob Sisco, North American Board of Certified Energy Practitioners
(NABCEP) Certified Photovoltaic (PV) Installation Professional, Ohio Power Solutions
(bsisco@ohiopowersolutions.com)

Brief Description of Panel: This panel will consider the idea of ‘powering’ a GND agenda at the regional level of the Rust Belt through bringing together expertise on labor and clean/sustainable energy. Speaking from labor and community organizing perspectives, together, our first set of panelists come to us from Pennsylvania coal country and include the president of the Southwestern Pennsylvania local of the United Mineworkers of America, Dwayne Thomas, and Heaven Sensky who is an organizer with the Center for Coalfield Justice. Jointly, they will raise the rarely discussed idea that within America’s coalmines—where Mr. Thomas, himself, worked for almost four decades—there is a passion for a better and more just environmental future for one and all, rather than, simply, the cliched supposition that media makes of an opposition to it. Our second panelist will then extend the conversation by turning to the wider realities of our energy system and its addiction to fossil fuels. Coming to us from Columbus, Ohio, as an organizer with the Sierra Club’s Beyond Dirty Fuels campaign Cheryl Johncox will also help us better understand how one of the nation’s most well-known environmental advocacy organizations is working to facilitate a clean energy transition not only at the federal and regional but also state and local levels, even as it urges us to broaden our environmental consciousness through supporting the global call for a Feminist Green New Deal. Finally, our respondent for the panel, Bob Sisco, brings a perspective from his day-to-day expertise in working

in industry to help facilitate a cleaner energy future. An NABCEP-certified photovoltaic installation professional and now with Ohio Power Solutions, Mr. Sisco has been in the construction business since 2005. Having started out building homes and major room additions, kitchens, and baths he began doing PV installations five years later. It was this work that led to the formation of Ohio Power Solutions, a family-owned and operated business that has done over 250 installations ranging from 3kW to 2MW. Mr. Sisco will help tie together the panel by sharing his experience and expertise, having seen first-hand what kinds of jobs are necessary to help make a cleaner energy transition a reality in this part of the country.

Coffee Break 2: 2:30pm-2:45pm

D. Panel 4: *The GND and Urban Policy: Combatting Environmental Racism*, 2:45pm-4:00pm

Moderator: Matt Currie, Managing Attorney, Advocates for Basic Legal Equality, Dayton, OH; Adjunct Professor of Law, University of Dayton School of Law (mcurrie@ablelaw.org)

Panelist 1: Aaron Bartley, Lawyer, Co-Founder and past Director, People United for Sustainable Housing Buffalo (bartley1975@gmail.com)

Panelist 2: Donele Wilkins, Founding Partner and CEO, Detroit's Green Door Initiative (donele@greendoorinitiative.org)

Respondent: Ericka Curran, Assistant Professor of Lawyering Skills, University of Dayton School of Law (ecurran1@udayton.edu)

Brief Description of Panel: This panel will turn from the foundations of a GND at the regional level in its labor and energy program to how a GND agenda can enliven and be enlivened by struggles around environmental justice and the right to the city. With the panelists having been actively working for a green jobs and infrastructure transition in two of the Rust Belt's most storied urban centers, the link to the previous panel should thus be more than clear. At the same time, because both panelists' environmental justice work has been steeped in building power among poor and working class people as well as immigrants and people of color, they will further introduce into our conversation explicit questions about the vital role of democratic mobilization if any kind of Green New Deal agenda is to become a legal and social reality. More specifically, the panel will feature a view from Buffalo, as we hear from Aaron Bartley, an attorney who has dedicated his career to non-traditional lawyering strategies and life to working with working class people. Having been situated at the intersection between law, labor and community organizing for some two decades, most recently Mr. Bartley has been

the founding director of Buffalo's People United for Sustainable Housing (PUSH), a membership-based organization of urban residents fighting for sustainable neighborhoods with quality affordable housing, green jobs, and next-generation infrastructure. The panel will then turn westward to Detroit, as we hear from Donele Wilkins, who for more than twenty years has been working on the front-lines of the environmental justice movement both at the urban and state levels. This has included Ms. Wilkins' role as one of the architects behind Michigan's state Environmental Justice Policy, which was set in motion by former Governor Jennifer M. Granholm's 2007 Executive Order charging the state's Department of Environmental Quality with developing and implementing a new legal framework for promoting environmental justice. It has extended to her various other roles as well: whether as a principal exponent of Detroit's first Green Jobs Training Program; a citizen involved in Brownfield Redevelopment campaigns; or now, of course, as CEO of Detroit's Green Door Initiative. Finally, our respondent for the panel, Pr. Ericka Curran, will help tie together the perspectives of our panelists by approaching questions of law and environmental racism from the vital angle of immigrant urbanism in the United States. An expert in immigration law who previously directed the Immigrant and Human Rights Clinic at the Florida Coastal School of Law before coming to Dayton, Pr. Curran's understanding of the law, policy, and sociology of migration here in the Rust Belt is grounded in a much more extended sense of the routes those from outside of the continental United States travel before reaching and so often sustaining its urban places. Therefore, through her multiple geographical perspectives, she will help return us to themes raised in Panel 2 by giving us a glimpse into how the United States is inherently connected to the wider world, regardless of whether immigration law, itself, is made to function as an ongoing *obstacle* to versus *facilitator* of equity for those being pushed out of their home territories by climate chaos.

Coffee Break 3: 4:00pm-4:15pm

E. Panel 5: *The GND and Exurban Policy: Combatting Suburban Inertia, Agribusiness Dominance, and the Erosion of Tribal Sovereignty*, 4:15pm-5:30pm

Moderator: Blake Watson, Professor of Law; Samuel A. McCray Chair, University of Dayton School of Law (bwatson1@udayton.edu)

Panelist 1: Brenda Jo McManama, Save Our Roots Campaign Organizer, Indigenous Environmental Network (bjmcmama@ienearth.org / saveourroots@ienearth.org)

Panelist 2: Stephen Bartlett, Director, Sustainable Agriculture of Louisville, Kentucky & Board Member, Family Farm Defenders, Madison, Wisconsin (estebanbartlett@gmail.com)

Respondent (via remote): Steph Tai, Professor of Law, University of Wisconsin School of Law (tai2@wisc.edu)

Brief Description of Panel: In this final panel we will turn to a range of issues connected to environmental justice beyond the urban core, in the exurban spaces of inner ring suburbs, more rural agricultural exteriors, and the sovereign spaces of Native America. Even as we advance to these other issues, as with Panel 4, the link back to Panel 3 will be more than evident in the way questions about labor, the energy system, and the centrality of popular democratic mobilization will be inherent throughout. Accordingly, the first panelist will invite us to think about what questions of environmental justice and the challenges of climate chaos mean from the standpoint of the diverse communities and sovereign territories of Native America, where both historically, and, in important ways today, often quite different forms of law and political economy have been in existence and actively conceptualized. For over 25 years and now most recently in her work with the Indigenous Environmental Network, Brenda Jo McManama has been a deeply committed advocate for environmental justice for peoples, both indigenous and of non-native descent, in West Virginia, among other Rust Belt states. As someone who throughout her adult life has been a dedicated leader of various public education efforts around indigenous and environmental issues, Ms. McManama will also return us to some of themes of earlier panels by raising questions about how appropriate our framing idea of a Green New Deal *really is*. In doing so, she will help us understand the discussions that are now actively transpiring within some quarters of the United States' Native American territories and communities about whether truly tackling the climate crisis will not instead require that we frame our concern in terms of the demands of a *Red* New Deal. Our second panelist, Stephen Bartlett, will then introduce us to the work that small farmers in Wisconsin and Rust Belt-adjacent states like Kentucky are doing to fight agribusiness dominance of our food system and its accompanying deleterious effects on exurban ecology. As a Kentucky-based farmer himself as well as through his work with the Wisconsin-based Family Farm Defenders, Mr. Bartlett will also help remind us that amidst the despair the climate crisis can inspire, we must also seek ways, as he puts it, to “create a joyous, diverse, and sustainable community of well-nourished people.” With an expertise in the connections between environmental law, the health sciences, and the food system, the respondent for the panel, Professor Steph Thai, will help further ground the panel’s conversation in the many competing concerns that must be balanced when thinking about land use planning beyond the Rust Belt’s urban cores, focusing especially on the significantly greater attention that has been paid to agriculture and the food system in the Green New Deal-style proposals that have emerged to date from Europe as compared to the United States.

Closing Remarks and Thank-You’s: 5:30-5:35pm

Faisal Chaudhry, Assistant Professor of Law & History, University of Dayton School of Law (fchaudhry1@udayton.edu)

Biographies of Panelists and Respondents
(in alphabetical order by last name)

Stephen Bartlett, Director, Sustainable Agriculture of Louisville, Kentucky & Board Member, Family Farm Defenders, Madison, Wisconsin
(estebanbartlett@gmail.com)

Stephen Bartlett is a farmer, the Director of Sustainable Agriculture of Louisville (a board member of the Madison, Wisconsin-based Family Farm Defenders, and a founding member of the US Food Sovereignty Alliance. With Sustainable Agriculture of Louisville he helps to “create a joyous, diverse, and sustainable community of well-nourished people and well-compensated farmers and food workers” (www.salouisville.org). With the US Food Sovereignty Alliance he works to create a broader organizational home “for food justice, anti-hunger, labor, environmental, faith-based, and food producer groups to uphold the right to food as a basic human right and to work to connect local and national struggles to the international movement for food sovereignty” (<http://usfoodsovereigntyalliance.org/>). And through his work with Family Farm Defenders, he helps to foster “a farmer-controlled and consumer-oriented food and fiber system, based upon democratically controlled institutions that empower farmers to speak for and respect themselves in their quest for social and economic justice. To this end, FFD supports sustainable agriculture, farm worker rights, animal welfare, consumer safety, fair trade, and food sovereignty. FFD has also worked to create opportunities for farmers to join together in new cooperative marketing endeavors and to bridge the socioeconomic gap that often exists between rural and urban communities.” More generally, Mr. Bartlett is a committed internationalist and polyglot who seeks to build bridges between those working on social, economic and racial justice and the food sovereignty sectors. In this last respect, he has served as Kentucky field organizer for the Farm Labor Organizing Committee in order to advance immigrant and farmworker rights as well to spotlight land rights issues across the Americas.

Closer to home, Mr. Bartlett is also a farmer and forester, himself, and he sees “agrarian issues as key to defending Mother Earth and her prodigal species, human ‘two-leggeds.’” A proud father to three grown children, he lives with his wife Ada Asenjo in Louisville, KY.

Aaron Bartley Lawyer, Co-Founder and past Director, People United for Sustainable Housing Buffalo (bartley1975@gmail.com)

Aaron Bartley is the cofounder of People United for Sustainable Housing (PUSH) Buffalo and served as its executive director for 12 years. PUSH mobilizes residents to create sustainable neighborhoods with quality affordable housing, green jobs, and next-generation infrastructure. PUSH's Green Development Zone, which combines green housing, job training, stormwater management, and urban agriculture in a district on Buffalo's West Side, was named the winner of the global Sustainable Housing competition sponsored by the Rockefeller Foundation, the Brazilian Ministry of Cities, and the U.S. Department of Housing and Urban Development. Prior to his work with PUSH Buffalo Mr. Bartley spent years as a lawyer and labor organizer working with custodial and other low wage service workers through Jobs with Justice and the Services Employees International Union, where he was devoted to working with rank and file janitors on major strike campaigns.

Named one of Bill Moyers "Activists to Watch," Bartley earned his law degree at Harvard Law School, where he cofounded the Harvard Living Wage Campaign, which resulted in \$10 million in annual wage and benefit increases for the low-income campus workers it represented as well a nationally unprecedented agreement by a major university to commit to a parity wage policy to eliminate the pay gap between directly employed and outsourced service workers. More than a decade later it has is now recognized to have reversed the race to the bottom effects of outsourcing without producing the deleterious job shedding effects that are usually alleged to be likely to result from pay equity and livable wage measures. Before studying law Bartley studied political and social theory at Swarthmore College. Throughout, Bartley's career has embodied the spirit of thinking globally and acting locally. After his on the East Coast, Bartley's cofounding of PUSH was also a return to his native city of Buffalo, where he grew up and attended Buffalo Public Schools and in relation to which he was also appointed by Governor Andrew Cuomo to the WNY Regional Economic Development Council.

Selected Commentary Pieces:

["An Open Letter to the Leaders of Rust Belt Cities,"](#) *Huffington Post*, Sep. 19, 2017.

["How Our Cities Will Save Us from Trump,"](#) *Huffington Post*, Feb. 1, 2017.

["What Housing Organizers in Buffalo Learned from the '70s,"](#) *Yes: Journalism for People Building a Better World*, Oct. 13, 2014.

["Realizing Mayor Lumumba's Promise,"](#) *Huffington Post*, June 21, 2015.

["Green Infrastructure and the Path to Recovery,"](#) *Huffington Post*, Aug. 28, 2013.

["Rust Belt Cities and the New Urban Agrarianism,"](#) *Huffington Post*, Aug. 22, 2012.

Ericka Curran, Assistant Professor of Lawyering Skills, University of Dayton School of Law (ecurran1@udayton.edu)

Ericka Curran joined the University of Dayton School of Law in August 2019 as an Assistant Professor in the Legal Professions department. Professor Curran comes to UD after a twelve-year background in clinical and experiential legal education with a focus on immigration and human rights.

Prof. Curran received her law degree from Seattle University School of Law and went on to practice Immigration Law. Professor Curran has served on the Board of Directors of the American Immigration Lawyers Association Central Florida Chapter and has chaired numerous committees. Professor Curran also served on the Executive Committee for the North East Florida Human Trafficking Coalition and also served for 6 years on the City of Jacksonville's Mayor's Victim Assistance Advisory Council.

Before joining UDSL, Professor Curran was the Director of Experiential Learning at Florida Coastal School of Law and taught Immigration Law, International Human Rights, Human Trafficking and the Law and ran the Immigrant and Human Rights Clinic. In practice, professor Curran focused on the representation of detained immigrants, immigrant children, immigrant survivors of violent crime and human trafficking victims.

Selected Publications:

E Curran & E Bonthuys, "Customary Law and Domestic Violence in Rural South African Communities," 21 *S. African Journal of Human Rts.* 607-635 (2005).

Robert C. Hockett, Edward Cornell Professor of Law, Cornell Law School
(rch37@cornell.edu)

Robert Hockett is the Edward Cornell Professor of Law at Cornell Law School, Visiting Professor of Finance at Georgetown University's McDonough School of Business, and Senior Counsel at Westwood Capital, LLC. He specializes in the law, economics, and philosophy of money, finance, and enterprise organization in their theoretical and practical, their positive and normative, and their local, national, and transnational dimensions. His guiding concern in these fields is to ascertain and help put into place the institutional prerequisites to a just, prosperous, and sustainable economic order. He has previously worked at the International Monetary fund and the Federal Reserve Bank of New York, and serves on the Board of the Public Banking Institute and as a founding member on the Boards of both the Digital Fiat Currency Institute and the Occupy Money Cooperative. He divides his time primarily between New York and Washington, where in addition to teaching and writing he assists local, state, and federal legislators to develop and draft legislation that implicate his fields of expertise. Recent work along these lines includes the original white paper and the finance plan for the Green New Deal, the Empire State Inclusive Value Ledger payment platform for the State of New York, the eminent domain plan for underwater mortgage loans pursued by cities across America from 2011-2014, and multiple pieces of legislation for U.S. Representative Ocasio-Cortez, Senator Bernie Sanders, and Senator Elizabeth Warren, among other officials. He also does regularly commissioned work for the Century Foundation, the New America Foundation, and the Open Society Foundation.

Selected Publications:

w/Roy Kreitner, [“Just Prices.”](#) *Cornell Journal of Law and Public Policy* 771 (2018).

w/Saul Omarova, [“The Finance Franchise.”](#) 102 *Cornell L. Rev.* 1143 (2017).

[“A Fixer-Upper for Finance.”](#) 87 *Washington University Law Review* 1213 (2010).

w/Daniel Alpert and Nouriel Roubini, [“The Way Forward: Moving from the Post-Bubble, Post-Bust Economy to Renewed Growth and Competitiveness,”](#) New America Foundation (2011).

Cheryl Johncox, Beyond Dirty Fuels Organizer, Sierra Club
(cheryl.johncox@sierraclub.org)

A member of the national staff of the Sierra Club and a key member of the leadership of its Ohio chapter, Cheryl Johncox is also a proud native of the state who is currently based in Columbus . She received her Bachelor's degree in Natural Resources management and policy from The Ohio State University. She has spent more than 10 years working to protect Ohioans and our land, air, and water from polluters. In her current role as part of Sierra Club's National Beyond Dirty Fuels team, Cheryl works to move Ohio and Pennsylvania beyond fossil fuels. Originally from the Cuyahoga County area, Cheryl, and her family live in rural Union County. Cheryl was a candidate for Ohio's 86th House District in 2012. In 2005, Cheryl was the recipient of the National Conservation Achievement Award, from the National Wildlife Federation for her work on International Sustainable Development.

Alice Kaswan, Professor and Dean's Circle Scholar, University of San Francisco School of Law: (kaswan@usfca.edu)

Professor and Associate Dean for Faculty Scholarship Alice Kaswan is an expert on climate change and on environmental justice. She has written and spoken widely about climate federalism, addressing the appropriate roles of federal, state, and local governments in mitigating and adapting to climate change. Her work also explores the intersection between environmental justice and climate change policy, with special emphasis on the environmental justice implications of climate adaptation strategies and of cap-and-trade programs for greenhouse gases. Kaswan is an elected member of the American Law Institute, a member of the Board of Directors for the Center for Progressive Reform, and a past Chair of the Association of American Law Schools' Environmental Law Section.

Selected Publications:

["A Broader Vision for Climate Policy: Lessons from California,"](#) 9 *San Diego Journal of Climate & Energy Law* 83 (2017-2018).

"Energy, Governance, and Market Mechanisms," 72 *University of Miami Law Review* 476 (2018). Available at [SSRN](#)

"Untapped Potential: The Carbon Reductions Left Out of EPA's Clean Power Plan," *Center for Progressive Reform*(2016). Available at [SSRN](#)

"Climate Adaptation and Land Use Governance: The Vertical Axis," 39 *Columbia Journal of Environmental Law* 390 (2014). Available at [SSRN](#)

["Climate Change Adaptation and Land Use: Exploring the Federal Role,"](#) 47 *John Marshall Law Review* 509 (2014). (Symposium Issue) /

"Controlling Power Plants: The Co-Pollutant Implications of EPA's Clean Air Act § 111(d) Options for Greenhouse Gases," 32 *Virginia Journal of Environmental Law* 173 (2014). Available at [SSRN](#)

"Climate Change and Environmental Justice: Lessons from the California Lawsuits," 5 *San Diego Journal of Climate and Energy Law* 1 (2014). Available at [SSRN](#)

"Environmental Justice and Environmental Law," 24 *Fordham Environmental Law Review* (2012-2013). (Re-printed in *Law and Ethics in the Business Environment* (Stamford, Conn.: Cengage Learning, 8th Ed., 2013) Available at [SSRN](#)

"Seven Principles for Equitable Adaptation," XII *Sustainable Development Law & Policy Journal* 41 (2013). Available at [SSRN](#)

Brenda Jo McManama, Save Our Roots Campaign Organizer, Indigenous Environmental Network (bjmcmamana@ienearth.org / saveourroots@ienearth.org)

(Seneca/Welsh) Brenda Jo has been involved with Indigenous and environmental issues for over 25 years. Beginning in the early 1990s working with West Virginia State agencies on the Native American Graves Protection and Repatriation Act (NAGPRA), opposition to mountaintop/strip coal mining & public education. For the past 14-plus years she has contributed to the Indigenous Environmental Network's mission in different capacities ranging from graphic design and web administration to media coordinator and campaign organizing. Ms. McManama was a member of two Indigenous cultural delegations who traveled to the jungles of Peru and central Mexico to meet with Indigenous community leaders. The focus of these exchanges was to share cultural information and current shared mitigation, restoration, and subsistence challenges centered on forest and aquatic regions. Ms. McManama is also a member of the Campaign to Stop GE Trees steering committee and works closely with both Indigenous and Front Line community organizations on forest protection, climate justice, and subsistence rights. When not working on national and global environmental issues, Ms. McManama participates with local organizations whose focuses include maintaining food security and safety, and protecting water resources and forests from encroaching extractive industries.

Robert Pollin, Distinguished Professor, Department of Economics & Co-Director, Political Economy Research Institute, University of Massachusetts Amherst (pollin@econs.umass.edu)

Robert Pollin is Distinguished Professor of Economics and Co-Director of the Political Economy Research Institute (PERI) at the University of Massachusetts-Amherst. He is also the founder and President of PEAR (Pollin Energy and Retrofits), an Amherst, MA-based green energy company operating throughout the United States. His books include *The Living Wage: Building a Fair Economy* (co-authored 1998); *Contours of Descent: U.S. Economic Fractures and the Landscape of Global Austerity* (2003); *An Employment-Targeted Economic Program for South Africa* (co-authored 2007); *A Measure of Fairness: The Economics of Living Wages and Minimum Wages in the United States* (co-authored 2008), *Back to Full Employment* (2012), *Green Growth* (2014), *Global Green Growth* (2015) and *Greening the Global Economy* (2015). He has worked recently as a consultant for the U.S. Department of Energy, the International Labour Organization, the United Nations Industrial Development Organization and numerous non-governmental organizations in several countries on various aspects of building high-employment green economies. He has also directed projects on employment creation and poverty reduction in sub-Saharan Africa for the United Nations Development Program, and has worked with many U.S. non-governmental organizations on creating living wage statutes at both the statewide and municipal levels. He is presently a member of the Scientific Advisory Committee of the European Commission project on Financialization, Economy, Society, and Sustainable Development (FESSUD). He was selected by Foreign Policy magazine as one of the “100 Leading Global Thinkers for 2013.”

Selected Publications: Books and Long Form Reports

Greening the Global Economy (MIT, 2015).

Back To Full Employment (MIT, 2012).

A Measure Of Fairness: The Economics of Living Wages and Minimum Wages in the United States (Cornell, 2008).

An Employment-Targeted Economic Program For South Africa (Edward Elgar, 2007).
Green Recovery (Center for American Progress 2008).

Selected Publications: Articles and Long Form Policy Documents/Reports

[“How Do We Pay for a Zero-Emissions Economy?”](#) *The American Prospect*, Dec. 5, 2019.

[A Green Growth Program for Colorado](#) (PERI, 2019)

[A Green New Deal for Washington State](#) (PERI, 2017)

["De-Growth vs. A Green New Deal,"](#) 112 *New Left Review* (Jul-Aug 2018).

["Austerity is Not a Solution: Why the Deficit Hawks are Wrong,"](#) *Challenge* (2010).

"U.S. Government Deficits and Debt Amid the Great Recession," *Cambridge Journal of Economics* (2012).

"Public Policy, Community Ownership and Clean Energy," *Cambridge Journal of Regions, Economy and Society* (2013).

Heaven Sensky, Community Organizer, Center for Coalfield Justice (in tandem with Dwayne Thomas) (heaven@coalfieldjustice.org)

Heaven Sensky is a Community Organizer with the Center for Coalfield Justice. The Center is an organization based in the southwestern Pennsylvanian city of Washington that works with area residents through engaging with local values and knowledge about the area land, waterways, and communities. It provides community members with detailed information about proposed projects and potential impacts so they can make informed decisions on individual or collective actions. And it recognizes that local expertise must be grounded in the belief that people who live with the daily impacts of fossil fuel extraction should be treated with the utmost respect. Therefore, the Center's work is informed and directed by how local people think these industries should be held accountable for impacts. By blending organizing and legal work, it seeks to create an expanded set of options for achieving justice than might be produced by following solely a legal or organizing approach.

Born and raised on a small family farm in Eighty-Four, Pennsylvania, Ms. Sensky has been an active community member in advocacy and nonprofit work since she was 13 years old. As a first generation college graduate, her passion to pave the way for others in her community encouraged her to pursue college in Washington, DC to study public policy and social structures. Heaven is a recent graduate of American University, where she studied Communications, Law Studies, Economics, and Government in addition to Women, Gender and Sexualities studies. She previously interned for The Women and Girls Foundation of Southwestern Pennsylvania, The American University Center for Diversity and Inclusion, United States Senator Bob Casey, and The Personal Office of Michelle and Barack Obama. After her years in college, Heaven has now devoted herself to work aimed at protecting and defending Appalachia.

Dalindyebo Shabalala, Assistant Professor, University of Dayton School of Law
(dshabalala1@udayton.edu)

Dalindyebo Shabalala is an Assistant Professor at the University of Dayton Law School. His primary teaching responsibilities are in Contracts, as well as Intellectual Property and Business Law. Prof. Shabalala's research focuses on the interaction of intellectual property law, especially patent law, with the rights of indigenous peoples and climate change law. He conducts research on the rights of indigenous peoples and traditional communities to their traditional knowledge and culture and the role of international intellectual property treaties in enabling or preventing the realization of those rights. Prof. Shabalala also conducts research on the interaction of patent law with climate change, focusing on the role of technology licensing and transfer in enabling the technology goals of the climate change convention (UNFCCC).

His current research in this area is a long-term collaboration with researchers in India, Brazil, China and South Africa to identify technology transfer and licensing measures that these countries have taken that may or may not be in compliance with their obligations under the TRIPS Agreement. He is a member of the Climate Action Network Technology Working Group and serves as the Environmental NGO representative to the UNFCCC Technology Executive Committee's Task Force on Innovation, Research, Development and Demonstration. He continues to provide advice on patent law and technology licensing to developing countries and civil society organizations in climate change negotiations. Prof. Shabalala participates in the Program on Law and Technology (PILT) at the law school. He has a partial appointment as Assistant Professor of International Economic Law (Intellectual property) at Maastricht University in the Netherlands. He teaches European and Comparative Intellectual Property at the Masters level and is a fellow in the Institute for Globalisation and International Regulation (IGIR) (www.igir.org). Previously, Prof. Shabalala was Visiting Assistant Professor at Case Western Reserve University School of Law teaching Business Associations and International Intellectual Property. Prof. Shabalala was Managing Attorney of the Center for International Environmental Law's Geneva office, and Director of CIEL's Intellectual Property and Sustainable Development Project. He focused on issues at the intersection of intellectual property and climate change, human health, biodiversity and food security, as well as addressing systemic reform of the international intellectual property system. He is now a member of CIEL's Board of Trustees.

Selected Publications:

"Climate Change, Human Rights, and Technology Transfer: Normative Challenges and Technical Opportunities" in Molly K. Land and Jay D. Aronson (eds.) *New Technologies for Human Rights Law and Practice* Cambridge University Press, 2018. Available at [SSRN](https://ssrn.com/abstract=3281111).

"Intellectual Property, Traditional Knowledge, and Traditional Cultural Expressions in Native American Tribal Codes" 51 *Akron Law Review* 1125 (2017).

"Access to Trade Secret Environmental Information: Are TRIPS and TRIPS Plus Obligations a Hidden Landmine?" 55(3) COLUM.J.TRANSNAT'L.L. 648 (2017).
["Intellectual Property, Climate Change and Development,"](#) 8(1) WIPO J. OF INTELL. PROP. 64 (2016).

D Shabalala "Technology Transfer for Climate Change and Developing Country Viewpoints on Historical Responsibility and Common but Differentiated Responsibilities" In J Sarnoff (ed.) *Research Handbook on Intellectual Property and Climate Change* Edward Elgar 2016. Available at [SSRN](#).

Bob Sisco, North American Board of Certified Energy Practitioners (NABCEP) Certified Photovoltaic (PV) Installation Professional, Ohio Power Solutions
(bsisco@ohiopowersolutions.com)

Bob Sisco spent the first 20-plus years of his career holding senior management positions in software engineering and telecommunications. He then left the 'corporate world' to pursue a more hands-on occupation. He has been in the construction business since 2005, building homes and major room additions, kitchens, and baths. In 2009, Sisco Construction started doing PV installations. Once the business started focusing entirely on Solar, Ohio Power Solutions was formed. Ohio Power Solutions is family owned and operated, installing over 250 installations ranging from 3kW to 2MW.

Seeing renewable energy as the way of the future, more generally Ohio Power Solutions offers various kinds of renewable energy solutions, including solar and wind power to residential, agricultural and commercial clients. In doing the work it does, the company prides itself on being able to handle the installation of everything from a solar hot water heater, to Generac home generators, to LED lights for in room use. Ultimately, its goal is thus to help residents near Dayton, Ohio reduce their carbon footprint and go green.

Nathan Tankus, Research Scholar, Modern Money Network (nathantankus@gmail.com)

Nathan Tankus is a research scholar with the Modern Money Network. Previously, he was a research assistant at the University of Ottawa and a visiting researcher at the Fields Institute. His current research interests include the history of economic thought, economic history, financial instability and crises, the evolution of monetary systems, public and private planning, balance of payments economics, the economics of accounting, real estate political economy among many others. Most recently, Mr. Tankus has served as lead author on a major new report entitled “Monetary Policy for a Green New Deal,” which discusses how contractionary financial regulation can be used as a policy tool for making resources available to fund Green New Deal programs. Mr. Tankus’ commentary has appeared on the websites for *Naked Capitalism*, the *Institute for New Economic Thinking* and through *JSTOR Daily*. He can also be found micro-blogging on twitter.

Selected Commentary Pieces & Articles:

w/Rohan Gray, and Scott Fullwiler, [“An MMT Response on What Causes Inflation,”](#)
Financial Times Alphaville, March 1, 2019.

w/Raúl Carrillo, Andrés Bernal, “The Green New Deal will be Tremendously Expensive. Every Penny should go on the Government's Tab,” *Business Insider*, Sep. 23, 2019.

w/Sanjukta Paul, “The Firm Exemption and the Hierarchy of Finance in the Gig Economy” (July 24, 2019). [Available at SSRN.](#)

Steph Tai, Professor of Law, University of Wisconsin School of Law (tai2@wisc.edu)

Steph Tai's scholarly research examines the interactions between environmental and health sciences and administrative law. These include the consideration of scientific expertise and environmental justice concerns by administrative and judicial systems, and as well as the role of scientific dialogues in food systems regulation, and the ways in which private governance incorporates scientific research. Her teaching interests include administrative law, environmental law, food systems law, environmental justice, risk regulation, contracts (especially private governance and supply chains!), and comparative Asian environmental law. Raised in the South by two chemists, Professor Tai decided to combine their chemistry background with a legal education to improve the use of science in environmental protection. After graduating from Georgetown, Professor Tai worked as the editor-in-chief of the *International Review for Environmental Strategies*, a publication by the Institute for Global Environmental Strategies in Japan. Professor Tai has also served as a judicial law clerk to the Honorable Ronald Lee Gilman on the U.S. Court of Appeals for the Sixth Circuit and as an appellate attorney in the Environment and Natural Resources Division of the U.S. Department of Justice, briefing and arguing cases involving a range of issues, from the protection of endangered cave species in Texas to the issuance of dredge and fill permits under the Clean Water Act. From 2013-2014, Professor Tai served as a U.S. Supreme Court Fellow as a researcher in the Federal Judicial Center. Professor Tai continues to pursue her practice interests by actively representing amici in federal circuit court and Supreme Court cases. During the summer before joining the Wisconsin Law School faculty, for example, Professor Tai teamed up with several other law professors to work on a Supreme Court amicus brief in *Environmental Defense v. Duke Energy Corp.*, No. 05-0848. More recently, she has represented commercial fishers in *Entergy Corp. v. Environmental Protection Agency*, Nos. 07-588, 07-589, 07-597; organic farmers in *Monsanto v. Geertson Seed Farms*, No. 09-475; former senior environmental agency officials in *Decker v. Northwest Environmental Defense Center*, Nos. 11-338, 11-347; and prominent climate scientists in *West Virginia v. Environmental Protection Agency*, D.C. Cir. Nos. 15-1363 et al.

Selected Publications

Steph Tai, "Legalizing the Meaning of Meat," *Loyola University Chicago Law Journal*, (forthcoming). [Available at SSRN](#).

Steph Tai, "Food Sustainability in the Age of Complex, Global Supply Chains," *71 Ark. L. Rev.* 465. [Available at SSRN](#).

Steph Tai, "Private Environmental Governance and the Trans-Pacific Partnership," *29 Georgetown Environmental Law Review* 111 (2016). [Available at SSRN](#).

Steph Tai, "Whole Foods: The FSMA and the Challenges of Defragmenting Food Safety Regulation," *41 American J. of Law and Medicine* 447 (2015); [Available at SSRN](#).

Dwayne Thomas, President, United Mineworkers of America Local Southwestern Pennsylvania, (in tandem with Heaven Sensky) (president@pennretiredamericans.org)

Dwayne Thomas a retired mine worker, born and raised and currently residing in Fayette County. He was an Auto Worker for 9 years before becoming a member of the United Mine Workers for 37 years before retirement. He was Treasurer of Maple Creek Local 1248, and is now the President of the Southwestern Pennsylvania local of the United Mineworkers of America. He is also a member of the Pennsylvania Alliance of Retired Americans. As the New York Times has noted in a recent discussion with him, “For generations, in mines and the nearby steel mills that coal made possible, his family, like many others, has relied on jobs in the fossil fuel industry. Mr. Thomas knows the sacrifices that come with the work. His father, Elmer, died of black lung in 1995. His brother Robert was killed in an accident at the Maple Creek Mine in Bentleyville, Pa., in 1996. Despite having a sense of patriotism and longstanding pride in the role that miners have played in American history, he’s also aware that his region’s dependence on fossil fuel jobs needs to end.” Mr. Thomas role in fighting for climate justice and a better future for working people in the United States was part of a recent feature in [the New York Times, available here](#).

Donele Wilkins, Founding Partner and CEO, Detroit's Green Door Initiative
(donele@greendoorinitiative.org)

Leader, visionary, result-oriented, Donele Wilkins has demonstrated servant leadership in her hometown Detroit for nearly 20 years. First by leading the local movement for environmental justice on the front-lines, and secondarily expanding to achieving true sustainability for all. Her leadership style has motivated many to take their place in a truly transforming movement. Her achievements include participating in the development and adoption of an Environmental Justice Policy in the state of Michigan, and conceiving and launching the first Green Jobs Training Program in the city! She's been an advocate for citizen involvement in Brownfield Redevelopment as well as other environmental policies, placing environmental stewardship on the agenda of many community leaders and decision makers. Ms. Wilkins is noted for inspiring young people to take a lead in their communities. As the founder of The Green Door Initiative, Donele plans to take not only the city of Detroit to the next level of environmental stewardship but the nation. GDI stands out as a national model for sustainable living through civic engagement for everyone.

As CEO of the Green Door Initiative, Ms. Wilkins heads an organization devoted to working toward a world where everyone enjoys clean air, toxic free communities, access to trusted transportation, and healthy food. The more specific program areas in which the Green Door Initiative works include: Workforce Development (operating a comprehensive jobs training program designed to prepare residents for the green economy); Improved Environmental Health (through undertaking Community Based Participatory Research practices that apply proven intervention strategies to reach optimum health goals in vulnerable communities); Champions Owning Detroit's Environment (CODE)-Green (which is a youth led environmental leadership program) and Climate Organizers Leading Detroit (which facilitates young leaders in actually influencing and participating in the development and implementation of policy solutions to climate change locally and abroad).

Shuang-Ye Wu, Professor & Chair, Department of Geology, University of Dayton
(swu001@udayton.edu)

Dr. Wu received her Ph.D. from Cambridge University in 2000 where she studied environmental geography. She joined UD's Geology department in 2004 after completing three-year post-doctoral research at Pennsylvania State University and a one-year visiting assistant professor appointment at Gettysburg College. Dr. Wu teaches a variety of courses mainly in the field of environmental geography, including physical and human geography, Geographical Information Systems, and the Dynamic Earth. Her research interests focus on assessing potential impacts of climate change on the hydrological cycle, particularly on extreme precipitation and flood risks.

Selected Publications

- S.-Y., Hou, S., Xu, Z., & Lu, H. (2019) NDVI-based assessment of climate change impact on vegetation growth in the humid-arid transition zone in northern China during 1982-2013. *International Journal of Climatology*. DOI: [10.1002/joc.6172](https://doi.org/10.1002/joc.6172)
- Bedaso, Z. K., Wu, S.-Y., Johnson, A. N., & McTighe, C. (2019). Assessing groundwater sustainability under changing climate using isotopic tracers and climate modelling, southwest Ohio, USA. *Hydrological Sciences Journal*, 1-10. DOI:[10.1080/02626667.2019.1606429](https://doi.org/10.1080/02626667.2019.1606429)
- Wu, S.-Y., Wu, Y., & Wen, J. (2019). Future changes in precipitation characteristics in China. *International Journal of Climatology*, 39(8), 3558-3573.
- Wu, Y., Ji, H., Wen, J., Wu, S.-Y., Xu, M., Tagle, F., Duan, W., Li, J. (2018). The characteristics of regional persistent heavy precipitation events over eastern monsoon China during 1960-2013. *Global and Planetary Change*, 172, pp.414-427.
- Wu, S.-Y., Hou, S. (2017). "Impact of icebergs on the net primary productivity of the Southern Ocean." *The Cryosphere*, 11, 707-722.
- Wu, Y., Wu, S.-Y., Wen, J., Tagle, F., Wu, M., Tan, J. (2016). Future changes in mean and extreme monsoon precipitation in the Middle and Lower Yangtze River Basin, China in the CMIP5 Models. *Journal of Hydrometeorology*, 17(11), 2785-2797.
- Wu, Y., Wu, S.-Y. (2015). Changing Characteristics of Precipitation in China during 1951-2013. *International Journal of Climatology*. DOI: [10.1002/joc.4432](https://doi.org/10.1002/joc.4432)
- Wu, S.-Y. (2015). Changing characteristics of precipitation in conterminous USA." *Climatic Change*. DOI: [10.1007/s10584-015-1453-8](https://doi.org/10.1007/s10584-015-1453-8)