

September 2009

Jonathan Baert Wiener

William R. and Thomas L. Perkins Professor of Law, Duke Law School
Professor of Environmental Policy, Nicholas School of the Environment, Duke University
Professor of Public Policy Studies, Sanford School of Public Policy, Duke University

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Director, JD-LLM Program in International & Comparative Law, Duke Law School
Faculty Committee Chair, Nicholas Institute for Environmental Policy Solutions, Duke University

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University Fellow, Resources for the Future (RFF)
Past President & Fellow, Society for Risk Analysis (SRA)

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Education

1987 J.D. *cum laude*, **Harvard Law School**, 1987. Editor, Harvard Law Review, vols. 99-100 (including Co-Chair, Harvard Law Review Centennial, 1987). Best Brief Award, Harvard Defenders Moot Court. Second place, Williston Contracts Competition. Best Individual Speaker, U.S.-Ireland Challenge Debate, 1985 (debate between the national champion teams from the two countries). Assistant Coach, 1985 National Debate Champions.

1984 A.B. *magna cum laude* in Economics, **Harvard College**, 1984. Honors Thesis: "The Impact of Unions on the Pace and Extent of Technological Change in Newspaper Printing," selected as one of three theses published in annual department journal. Member of two-person college debate team ranked 2nd in nation, 1983-84.

Judicial Clerkships

1988-89 Law clerk to the **Hon. Stephen G. Breyer**, U.S. Court of Appeals, First Circuit.

1987-88 Law clerk to the **Hon. Jack B. Weinstein**, Chief Judge, U.S. District Court, Eastern District of New York. Special attention to Agent Orange cases.

Professional Experience

Permanent appointment

1994- **Duke University:**
William R. and Thomas L. Perkins Professor of Law, Duke Law School
William R. and Thomas L. Perkins Professor of Law, 2004-present

Professor of Law, 1999-2004

Associate Professor of Law, 1994-98

Professor of Environmental Policy, Nicholas School of the Environment (secondary appointment), 1994-present (Associate Prof. From 1994-98)

Professor of Public Policy Studies, Sanford School of Public Policy (secondary appointment), 2003-present

Including:

Founding **Faculty Director, Duke Center for Environmental Solutions**, 2000-2005
Chair, Faculty Advisory Committee, **Nicholas Institute for Environmental Policy Solutions**, 2007 –

Director, JD-LLM Program in Comparative and International Law, Duke Law School, 2007 –

Courses taught:

Environmental Law, Property Law, Climate Change and the Law, Mass Torts, Risk Regulation in the U.S. Europe & Beyond, Global Environmental Law, Global Property Regimes.

2002- **University Fellow**, Resources for the Future (**RFF**), Washington DC.

Visiting appointments

2010 **Eli Goldston Visiting Professor of Law, Harvard Law School.** Course taught: Risk Regulation.

2008 **Professeur Invité, Sciences Po**, Paris, France. May. Lectures on « Régulation des Risques ».

2007 **Visiting Professor, University of Chicago Law School.** Spring Quarter. Course taught: Environmental Law.

2005-06 **Professeur Invité**, l'Ecole des Hautes Etudes en Sciences Sociales (**EHESS**), et le Centre International de Recherche sur l'Environnement et le Développement (**CIREN**), Paris, France. Year-long sabbatical with short course in March. Course taught : « Le Débat Transatlantique sur le Risque et l'Environnement: Précaution, Changement Climatique, et l'Avenir de la Politique Publique, » séminaire du Master Economie du développement durable, de l'environnement et de l'énergie (EDDEE).

1999 **Visiting Professor, Harvard Law School.** Spring Term. Courses taught: Environmental Law; Risk Regulation & Its Reform.

Prior experience

1994-95 **Harvard Group on Risk Management Reform.** Helped organize group and draft report for blue-ribbon panel assembled to propose reforms of the federal health, safety and environmental regulatory system (see report citation in "Publications" below).

1993 **White House Office of National Service / Corporation for National & Community Service**, Washington DC. **Chair, Environment Working Group.** Aide to CEO of the new National Service agency; developed environmental component of the new "Americorps" national service program.

- 1992-93 **Council of Economic Advisers**, Executive Office of the President, Washington DC. **Senior Staff Economist/Attorney**, reporting to CEA Chair Michael Boskin and Member David Bradford, and then to Chair Laura Tyson and Members Joseph Stiglitz and Alan Blinder. Responsible for the portfolio of Environment, Natural Resources, and Health & Safety issues, including climate change, global forests, resource subsidies, regulation and risk assessment, biotechnology, market-based incentives for environmental protection. Drafted sections on "Risk" and "Pricing Natural Resources" in 1993 Economic Report of the President. Helped direct "Forests for the Future Initiative," launching innovative conservation partnerships with eight countries in 1992-93. Co-wrote memo analyzing, and recommending that the President sign, water reform legislation enacted in 1992. Member of U.S. delegation to Climate Change Convention negotiations and IPCC meetings. Helped draft Executive Order 12866 (President Clinton's regulatory review order, issued Sept. 1993), Administration's Climate Change Action Plan (issued Oct. 1993), Superfund reform proposal (1993), Northwest forests plan (1993), and international forests conservation strategy (1993).
- 1992 **Office of Science and Technology Policy**, Executive Office of the President, Washington DC. **Policy Counsel**. Special assignment focusing on run-up to UNCED "Earth Summit" held in Rio de Janeiro. Helped develop "Forests for the Future Initiative" (FFI). Attended Rio Earth Summit in June 1992 to advance FFI. Helped develop draft Executive Order on risk assessment (drafted but not issued, 1992). Drafted "Scope" policy statement on risk-based regulation of biotechnology (1992).
- 1989-91 **U.S. Department of Justice, Environment & Natural Resources Division**, Washington DC. **Special Assistant to the Assistant Attorney General** (Richard B. Stewart). Helped conceive, draft and advocate the "comprehensive approach" to climate change policy, which was then incorporated in U.S. policy and in turn in the international Climate Change Convention. Member of U.S. delegation to international Climate Change Convention negotiations and IPCC meetings. Developed and advanced policy approaches on issues including market-based incentives for environmental protection, global climate change, global forests, voluntary disclosure of environmental violations, national energy strategy, biodiversity, biotechnology. Assisted in research and strategy for complex litigation; successfully argued cases in U.S. Courts of Appeals.
- 1988-89 **Hazardous Air Pollutant Strategy Group**, Washington DC. Project rapporteur for bipartisan group chaired by Paul Portney (Resources for the Future) and John Graham (Harvard), aimed at consensus advice to EPA on regulation under sec. 112 of the Clean Air Act.
- 1985-88 **American Law Institute (ALI) Project on Enterprise Liability for Injuries**. Research assistant to Harvard Law Profs. Paul Weiler and David Rosenberg. Analyzed econometrics literature on the success of OSHA regulations, compensating wage differentials, and workers' compensation systems in preventing workplace injuries.
- 1982-84 **National Bureau of Economic Research (NBER)**, Cambridge MA. Researched and edited for Harvard labor economists Richard Freeman and James Medoff's book, What Do Unions Do? (1984), and Medoff's article on "skills mismatches" in Brookings Papers on Economic Activity (1983). Assisted on studies of unionism, skills shortages, employment projection methodologies.
- 1981 **The Hudson Institute**, Croton-on-Hudson NY. Researched and wrote portions of a long-

range study of U.S. energy markets for an architectural-engineering client.

Honors and Awards

William R. and Thomas L. Perkins Professor of Law, Duke University, since July 1, 2004 (Distinguished chaired professorship).

Duke Law School “Blueprint” Award, for work with students and community service, 2008.

Visiting Professor positions:

- Eli Goldston Visiting Professor of Law, Harvard Law School (2010).
- Professeur Invité, Sciences Po, Paris (May 2008).
- Visiting Professor, University of Chicago Law School (Spring 2007).
- Professeur Invité, l’Ecole des Hautes Etudes en Sciences Sociales (EHESS), and le Centre International de Recherche sur l’Environnement et le Développement (CIRED), Paris (2005-06).
- Visiting Professor, Harvard Law School (Spring 1999).

Society for Risk Analysis (SRA):

- President, Society for Risk Analysis (SRA), 2008. Elected by the SRA membership, Dec. 2006, to serve as president from Dec. 2007 – Dec. 2008. First law professor or lawyer to hold this post.
- Fellow of the SRA, inducted December 2008.
- Chauncey Starr Young Risk Analyst Award – conferred by the Society for Risk Analysis (SRA), December 2003, for the most exceptional contributions to the field of risk analysis by a scholar aged 40 or under.
- Member of the governing Council, elected for the term 2001-04.
- President, Research Triangle Chapter (SRA-RTC), 1998.
- Editorial Board member, Risk Analysis: An International Journal (the official journal of the Society for Risk Analysis), 1998-present.

University Fellow, Resources for the Future (RFF), Washington DC, 2002 - present.

John D. MacArthur Lecture in Environmental Policy and Law at Bucknell University (Lewisburg, PA, April 19, 1999) (annual invited lecture sponsored by the MacArthur Foundation).

Hewlett Colloquium Distinguished Visitor, Washington University at St. Louis (February 6-7, 1997) (delivered lectures and conducted meetings with faculty and students to assist in the university’s development of a new multidisciplinary curriculum in environmental studies).

The article “Law and the New Ecology: Evolution, Categories and Consequences,” 22 Ecology Law Quarterly 325 (1995) was selected by a national peer review panel of environmental law faculty as one of the dozen best environmental law articles of 1995 (out of over 400 entries), and reprinted in the annual Land Use and Environment Law Review (1996)).

Law clerk to the Hon. Stephen G. Breyer, U.S. Court of Appeals, First Circuit, 1988-89.

Law clerk to the Hon. Jack B. Weinstein, Chief Judge, U.S. District Court, Eastern District of New York, 1987-88.

Harvard Law Review, vols. 99-100 (1985-1987): Editor; Co-Chair, Harvard Law Review Centennial, 1987.

Best Brief Award, Harvard Defenders Moot Court, 1985.

Second place, Williston Contracts Competition, 1985.

Best Individual Speaker, U.S.-Ireland Challenge Debate, 1985 (debate between the National Champion debate teams from the United States and Ireland).

Assistant Coach, 1985 National Debate Champions.

Books

The Reality of Precaution: Risk Regulation in the United States and Europe (ed., with James K. Hammitt, Michael D. Rogers, and Peter H. Sand) (forthcoming 2010).

New Perspectives on Risk Analysis and Crisis Response, Proceedings of RACR-2009, the Second International Conference on Risk Analysis and Crisis Response (Beijing, 19-21 October 2009) (ed., with Chongfu Huang and Jinren Ni) (Paris: Atlantis Press, forthcoming 2009).

Reconstructing Climate Policy: Beyond Kyoto (Washington DC: American Enterprise Institute Press, 2003) (with Richard B. Stewart), available at http://www.aei.org/publications/bookID.211/book_detail.asp.

Legal Issues Presented by a Pilot International Greenhouse Gas (GHG) Trading System, United Nations Conference on Trade and Development (UNCTAD), Geneva, November 1996 (with Richard B. Stewart and Philippe Sands) (57 pp.), available at http://www.law.duke.edu/fac/wiener/UNCTAD_Greenhouse_Gas_Trading_System.pdf.

Risk vs. Risk: Tradeoffs in Protecting Health and the Environment (Harvard University Press, 1995) (with John D. Graham), available at <http://www.hup.harvard.edu/catalog/GRARIS.html>. Japanese translation: Showado Press, 1999.

Harvard Law Review Centennial Album (1987) (editor).

Articles, Chapters and Papers (most available at www.law.duke.edu/fac/wiener, under “Bibliography”)

“Mechanism Choice,” in Daniel A. Farber & Anne Joseph O’Connell, eds., Public Choice and Public Law (Edward Elgar, forthcoming 2009) (with Barak D. Richman), draft available at <http://ssrn.com/abstract=1408163>.

“Using Decision Analysis to Improve Malaria Control Policy Making,” 92 Health Policy 133-140 (2009) (with Randall Kramer, Katherine Dickinson, Marie Lynn Miranda, & others)

“Property and Prices to Protect the Planet,” 19 Duke Journal of Comparative & International Law 515-34 (2009).

“Engaging China on Climate Change,” RFF Resources magazine (Resources for the Future, Winter/Spring 2009), pp.29-33, at www.rff.org/Documents/Resources/RFF-Resources-171_EngagingChina.pdf .

“Theorizing and Generalizing about Risk Assessment and Regulation through Nested Analysis of Representative Cases,” 31 Law & Policy 236-69 (April 2009) (with Brendon Swedlow, Denise Kall, Zheng Zhou, & James K. Hammitt).

Society for Risk Analysis (SRA), Committee of Past Presidents, “Recommendations to OMB on Regulatory Review” (March 16, 2009) (chair of committee of 18 of the past presidents of SRA), available at http://www.sra.org/OMB_regulatory_review.php .

“Best Cass Scenario,” 43 Univ. Tulsa Law Review 933-46 (2008) (contribution to festschrift symposium issue honoring Prof. Cass Sunstein).

“Radiative Forcing: Climate Policy to Break the Logjam in Environmental Law,” 17 NYU Environmental Law Journal 210-55 (2008) (for the project on “Breaking the Logjam: An Environmental Law for the 21st Century,” NYU Law School); draft available as Working Paper 08-04, Nicholas Institute for Environmental Policy Solutions, Duke University (December 2008), at http://www.nicholas.duke.edu/institute/wp-radiative_forcing.pdf .

“Intellectual Property and Alternatives: Strategies for Green Innovation,” submitted to the Chatham House Project on Climate Change Technologies and Intellectual Property Rights (London, UK, Nov. 10, 2008) (with Jerome Reichman, Arti K. Rai & Richard G. Newell).

“Want a President Who Weighs the Risks Well,” op-ed, Raleigh (NC) News & Observer, Oct. 30, 2008, p.11A, at <http://www.newsobserver.com/opinion/columns/story/1274938.html> .

“President’s Message,” Society for Risk Analysis (SRA) *RISK Newsletter*, one in each of the four Quarterly issues in 2008: 1st Quarter (January), 2nd Quarter (May), 3rd Quarter (August), 4th Quarter (November). Also, “Reshaping SRA Toward a Global Risk Analysis Community,” SRA *RISK Newsletter*, 3rd Quarter 2007; and “Past President’s Message,” SRA *RISK Newsletter*, 1st Quarter 2009. All available at <http://www.sra.org/newsletter.php> .

“Issues in Comparing Regulatory Oversight Bodies,” for the OECD Public Management Directorate, Working Party on Regulatory Management and Reform (Paris: OECD, October 8, 2008).

“Climate Change Policy, and Policy Change in China,” 55 UCLA Law Review 1805 (2008)

“Empirical Evidence for Risk-Risk Tradeoffs: A Rejoinder to Hansen and Tickner,” 11 Journal of Risk Research 485-490 (2008) (with John D. Graham) (further reply to Hansen & Tickner).

“The Precautionary Principle and Risk-Risk Tradeoffs: A Comment,” 11 Journal of Risk Research 465-474 (2008) (with John D. Graham) (reply to Hansen, Krauss & Tickner).

“Precaution Against Terrorism,” in Paul Bracken, David Gordon & Ian Bremmer, eds., Managing Strategic Surprise: Lessons from Risk Management and Risk Assessment ch. 5 (Cambridge Univ. Press, 2008), revised and updated version of article in 9 Journal of Risk Research 393-447 (2006) (with Jessica Stern).

[“Regulatory Externalities, Internalized Askew,” draft May 2007.]

“Think Globally, Act Globally: The Limits of Local Climate Policies,” 155 University of Pennsylvania Law Review 1961-1979 (2007).

“Incentives and Meta-Architecture,” in Robert N. Stavins & Joseph Aldy, eds., Architectures for Agreement: Addressing Global Climate Change in the Post-Kyoto World, ch. 2.2 (Cambridge Univ. Press, 2007).

“Precaution,” in Jutta Brunée, Daniel Bodansky, and Ellen Hey, eds., The Oxford Handbook of International Environmental Law 597-612 (Oxford Univ. Press, 2007).

[“Inspiration réciproque dans le droit de l’environnement et la régulation des risques,” dans la série de l’Attractivité Economique du Droit (Bertrand du Marais, ed.), draft 2006.]

“Better Regulation in Europe,” 59 Current Legal Problems 447-518 (Oxford Univ. Press, 2006). Reprinted in Jane Holder & Donald McGillivray, eds., Taking Stock of Environmental Assessment: Law, Policy and Practice (London: Routledge-Cavendish, 2007).

“Risk and Regulatory Governance,” OECD Public Management Directorate (Paris: OECD, April 2006).

“A Pattern of Parity and Particularity,” The Environmental Forum 52 (March/April 2006) (essay in roundtable on the question “Who’s Ahead in Environmental Protection: The United States or the European Union?”).

“Après 2012,” dans le Rapport de la Mission d’Information sur l’Effet de Serre de l’Assemblée Nationale de la France [“After 2012,” in the Report of the Panel on the Greenhouse Effect of the French National Assembly], Rapport No. 3021, Tome II: Auditions (12 avril 2006), pp.475-479, disponible à www.assemblee-nationale.fr/12/rap-info/i3021-tII.asp (suivant Tome I: Rapport de la Mission, www.assemblee-nationale.fr/12/rap-info/i3021-tI.asp).

Letter responding to Ruth Greenspan Bell (“The Kyoto Placebo,” Issues in Science & Technology, Winter 2006, pp.28-31), Issues in Science & Technology (Spring 2006), pp.9-10 (with Richard B. Stewart, James K. Hammitt, and Daniel J. Dudek).

“Madison and Climate Change Policy,” 311 Science 335-36 (20 January 2006) (letters) (with Richard B. Stewart, James K. Hammitt & Jean-Charles Hourcade).

“Precautionary Regulation in Europe and the United States: A Quantitative Comparison,” 25 Risk Analysis 1215-1228 (2005) (with James K.Hammitt, Brendon Swedlow, Denise Kall, & Zheng Zhou).

Book review of *Catastrophe* by Richard Posner and *Collapse* by Jared Diamond, 24 Journal of Policy Analysis & Management 885-890 (2005).

“Foreword: Global Governance as Administration – National and Transnational Approaches to Global Administrative Law,” 68 Law & Contemporary Problems 1 (Summer/Autumn 2005) (co-author of Foreword, and co-editor of symposium issue, with Richard Stewart, Benedict Kingsbury and Nico Krisch), available at http://www.iilj.org/global_adlaw/LCPGAL.htm.

“ ‘Adverse Effects’ And Similar Terms In U.S. Law,” Report for the Dose Response Specialty Group of the Society for Risk Analysis (SRA) (July 2005) (with Mark Marvelli and Kelsey Stansell), available at www.sra.org/drsg or directly at www.sra.org/drsg/docs/Adverse_Effects_Report.pdf .

“Stopping the Next Flu Pandemic: The Vaccine Shell Game,” op-ed essay, Nov. 2004 (with Laura J. Kornish), available at <http://www.law.duke.edu/features/2004/wiener.html> .

“Making Markets for Global Forests Conservation,” in Jason Shogren & Randall Lutter, eds., Painting the White House Green: Environmental Economics in the White House (Washington DC: RFF Press, 2004).

“The Regulation of Technology, and the Technology of Regulation,” 26 Technology in Society 483-500 (2004) (25th anniversary special issue).

“Hormesis, Hotspots and Emissions Trading,” 23 Human & Experimental Toxicology 289-301 (June 2004), available at <http://het.sagepub.com/cgi/content/abstract/23/6/289> , and in 12 Biological Effects of Low Level Exposures (BELLE) no.1, pp.20-31 (March 2004), available at http://www.belleonline.com/BELLE_03_04pp1_33.pdf .

“Disconnects in Evaluating the Relative Effectiveness of Conservation Strategies,” 18 Conservation Biology no.3, pp.1-3 (June 2004) (Editorial, with Kathryn A. Saterson, Norman L. Christensen, Robert B. Jackson, Randall A. Kramer, Stuart L. Pimm, & Martin D. Smith).

“Convergence, Divergence, and Complexity in US and European Risk Regulation,” in Norman Vig & Michael Faure, eds., Green Giants: Environmental Policies of the United States and the European Union 73-109 (Cambridge MA: MIT Press, 2004).

[“Precaution, Risk and Multiplicity,” presented at Harvard Law School conference on Environmental Law (Oct. 2003), draft (112 pp.).]

“Practical Climate Change Policy,” 20 Issues in Science and Technology no.2, pp.71-78 (Winter 2003) (with Richard B. Stewart), available at <http://www.issues.org/issues/20.2/stewart.html> .

“Whose Precaution After All ? A Comment on the Comparison and Evolution of Risk Regulatory Systems,” 13 Duke Journal of International and Comparative Law 207-262 (2003), available at <http://www.law.duke.edu/shell/cite.pl?13+Duke+J.+Comp.+&+Int%27+L.+0207> .

“Comparing Precaution in the United States and Europe,” 5 Journal of Risk Research 317-349 (2002) (with Michael D. Rogers).

“Precaution in a Multirisk World,” in Dennis Paustenbach, ed., Human and Ecological Risk Assessment: Theory and Practice 1509-1531 (New York: John Wiley & Sons, 2002). Reprinted in John S. Applegate, ed., Environmental Risk, a volume in The International Library of Essays in Environmental Law (London: Ashgate Publishing, 2004).

“Designing Global Climate Regulation,” in Stephen Schneider, Armin Rosencranz & John-O Niles, eds., Climate Change Policy 151-187 (Washington DC: Island Press, 2002).

“Reconstructing Climate Policy: The Paths Ahead,” in Carlo Carraro, ed., Governing the Global Environment 417-422 (Cheltenham: Edward Elgar, 2003) (with Richard B. Stewart).

“Sustainable Governance,” in John Martin Gillroy & Joe Bowersox, eds., The Moral Austerity of Environmental Decisionmaking 131-144 (Durham: Duke University Press, 2002).

“Hormesis and the Radical Moderation of Law,” 20 Human & Experimental Toxicology 162-164 (2001); also appeared in 9 Biological Effects of Low Level Exposures (BELLE) no. 2, pp.40-42 (January 2001) (symposium issue).

“Something Borrowed for Something Blue: Legal Transplants and the Evolution of Global Environmental Law,” 27 Ecology Law Quarterly 1295-1371 (2001).

“Regulatory Improvement Legislation: Judicial Review of Provisions Regarding Risk Assessment and Cost-Benefit Analysis,” 11 Duke Environmental Law & Policy Forum 89-138 (2000) (co-author of report of twelve-member expert panel).

“Principled Standard-Setting Requires Consideration of More than Science,” Brief 00-02, AEI-Brookings Joint Center on Regulatory Studies (Sept. 2000) (Brief Amici Curiae to the U.S. Supreme Court in *Browner v. American Trucking Assns.*, co-authored by Gary E. Marchant, Cary Coglianese, Daniel M. Byrd III, Gail Charnley, Maureen L. Cropper, Donald Kennedy, David L. Faigman, James K. Hammitt, James E. Krier, William Henry Lash III, Roger O. McClellan, Thomas W. Merrill, Lars Noah, Joyce E. Penner, Robert Phalen, Jeffrey J. Rachlinski, Joseph Sanders, Robert N. Stavins, Jonathan B. Wiener, and James D. Wilson), available at <http://www.aei-brookings.org/publications/abstract.php?pid=91> .

“Policy Design for International Greenhouse Gas Control,” Climate Issues Brief No. 6, Resources for the Future (RFF), Washington DC (July 2000) (available at http://www.rff.org/issue_briefs/PDF_files/ccbrf6_rev.pdf); reprinted in Climate Change Economics and Policy: An RFF Anthology 205-215 (Michael A. Toman, ed., 2001).

“Toward Sustainable Governance,” Policy Matters 00-8, AEI-Brookings Joint Center on Regulatory Studies (June 2000) (available at http://www.aei.brookings.org/publications/policy/policy_00_08.asp).

“From Sustainable Development to Sustainable Governance,” paper presented at the 5th Colloquium on Environmental Law & Institutions, Duke University (draft of 4/24/2000 available at <http://www.law.duke.edu/news/colloquium5papers.html>).

“Global Environmental Regulation: Instrument Choice in Legal Context,” 108 Yale Law Journal 677-800 (1999).

“On the Political Economy of Global Environmental Regulation,” 87 Georgetown Law Journal 749-794 (1999). Reprinted in Carlo Carraro, ed., Governing the Global Environment 153-198 (Cheltenham: Edward Elgar, 2003).

“Foreword: The Puzzle of Environmental Politics.” 9 Duke Environmental Law & Policy Forum 1-7 (1998) (with Frank B. Cross) (available at <http://www.law.duke.edu/journals/delpf/>).

“Managing the Iatrogenic Risks of Risk Management,” 9 Risk: Health Safety & Environment 39-82 (1998) (available at <http://www.piercelaw.edu/risk/vol9/winter/wiener.pdf>).

“Risk in the Republic,” 8 Duke Environmental Law & Policy Forum 1-21 (1997) (available at

<http://www.law.duke.edu/journals/delpf/>).

“Global Trade in Greenhouse Gas Control: Market Merits and Critics’ Concerns,” Resources (RFF magazine) Issue No. 129 (Fall 1997), pp.13-16; reprinted in Wallace E. Oates, ed., The RFF Reader in Environmental and Resource Management (Resources for the Future 1999), pp.243-247.

“Designing Global Climate Policy: Efficient Markets vs. Political Markets,” Policy Study No. 143, Center for the Study of American Business (CSAB), Washington University at St. Louis (December 1997) (available at <http://csab.wustl.edu>).

“Designing Markets for International Greenhouse Gas Control,” RFF Weathervane, October 1997, reprinted in The Weathervane Guide to Climate Policy: An RFF Reader (Raymond J. Kopp & Jennifer B. Thatcher, eds., 2000).

“Joint Implementation, Transaction Costs, and Climate Change,” Organisation for Economic Cooperation and Development (OECD), Environment Directorate, OCDE/GE(96)173 (Paris, November 1996) (with Daniel J. Dudek) (available at <http://www.oecd.org/dataoecd/17/33/2392058.pdf>) (59 pp.).

“Beyond the Balance of Nature,” 7 Duke Environmental Law & Policy Forum 1-24 (1996) (available at <http://www.law.duke.edu/journals/delpf/>).

“Law and the New Ecology: Evolution, Categories and Consequences,” 22 Ecology Law Quarterly 325-357 (1995). This article was selected by a national panel of environmental law faculty as one of the 13 best environmental law articles of 1995 (out of over 400 entries), and reprinted in 27 Land Use and Environment Law Review (1996)).

“Confronting Risk Tradeoffs” (with John D. Graham),

“Eating Fish” (with Paul Anderson),

“Seeking Safe Drinking Water “ (with Susan Putnam),

“Recycling Lead” (with Katherine Walker),

“Protecting the Global Environment,”

and “Resolving Risk Tradeoffs” (with John D. Graham),

all chapters in Risk vs. Risk: Tradeoffs in Protecting Health and the Environment (Harvard University Press, 1995) (with John D. Graham).

Japanese translation: Showado Press, 1999.

“Resolving Risk Tradeoffs” reprinted in Richard O. Zerbe, ed., Benefit-Cost Analysis (The International Library Of Critical Writings In Economics, Series Editor Mark Blaug), vol. 2, part IV, chapter 17 (Cheltenham: Edward Elgar, 2008).

Book Review, *Joint Implementation to Curb Climate Change: Legal and Economic Aspects*, O. Kuik, P. Peters and N. Schrijver, eds., 4 Review of European Community and International Environmental Law (RECIEL) no. 2, at 207 (London, Spring 1995).

"Reforming Risk Regulation: Achieving More Protection at Less Cost," Report of the Harvard Group on Risk Management Reform, 1 Human and Ecological Risk Assessment 183-206 (1995) (co-drafted report of expert panel, with John D. Graham).

"Promoting Market-Based Performance Incentives in Regulatory Reform," testimony before Committee on Governmental Affairs, U.S. Senate, March 8, 1995.

"Structuring Incentives for Risk-Superior Environmental Performance," paper for the President's Council on Sustainable Development, Eco-Efficiency Task Force, Economics Cluster, February 16, 1995.

"Forum: Reforming Superfund," 11 Issues in Science and Technology no. 1 (Fall 1994), p. 8.

"Solving the Precautionary Paradox: Policy Approaches to Improve Measurement of Greenhouse Gas Sources and Sinks," in J. van Ham et al., eds., Non-CO₂ Greenhouse Gases (Dordrecht Netherlands: Kluwer Academic Publishers, 1994), pp. 527-531.

"Technology-Based versus Market-Based Approaches," in Philippe Sands, ed., Greening International Law (The New Press, 1994) (with Daniel J. Dudek and Richard B. Stewart), pp.182-209.

"The Comprehensive Approach to Global Climate Policy: Issues of Design and Practicality," 9 Arizona Journal of International & Comparative Law 83-113 (symposium issue) (1992) (with Richard B. Stewart).

"Environmental Policy for Eastern Europe: Technology-Based versus Market-Based Approaches," 17 Columbia Journal of Environmental Law 1-52 (1992) (with Daniel J. Dudek and Richard B. Stewart).

"The Comprehensive Approach, Greenhouse Taxes, and Informal Emissions Trading," in Climate Change: Designing a Practical Tax System (OECD, Paris, 1992).

"The Climate Change Convention," in The Role of Law in the 1992 United Nations Conference on Environment and Development (American Bar Association, Division for Public Services, Washington DC, 1992).

"A Comprehensive Approach to Climate Change," 1 American Enterprise no. 6, pp. 75-80 (November-December 1990) (with Richard B. Stewart).

"Of Sailing Ships and Seeking Facts: Brief Reflections on Magistrates and the Federal Rules of Civil Procedure," 62 St. John's Law Review 429-442 (1988) (with Jack B. Weinstein).

"Essays Commemorating the 100th Anniversary of the Harvard Law Review," 100 Harvard Law Review No. 4 (1987) (Issue Editor).

"Developments in the Law of Toxic Waste Litigation: Bankruptcy and Insurance Issues," 99 Harvard Law Review 1573-1601 (1986) (law review note).

"The Impact of Unions on Technological Change in Newspaper Printing," Harvard College Economist (1984).

Government Reports (principal drafter)

"Report of the Environment Working Group to the Corporation for National and Community Service" (December 1993).

"Forests for the Future: Launching Initial Partnerships" (January 1993).

"Risks to Health, Safety and the Environment" and "Ownership and Pricing of Natural Resources," in Council of Economic Advisers, Economic Report of the President 203-212, 212-223 (1993).

Office of Science and Technology Policy, "Exercise of Federal Oversight Within the Scope of Statutory Authority: Planned Introductions of Biotechnology Products Into the Environment," 57 Federal Register 6753-6762 (February 27, 1992).

Interagency Task Force on the Comprehensive Approach, A Comprehensive Approach to Addressing Potential Climate Change (U.S. Dept. of Justice, February 1991).

Seminars, Lectures, Presentations, Conferences organized

Keynote Address, "Precaution and Oversight in a World of Multiple Risks," at the conference on Risk Analysis & Crisis Response (RACR2009), Peking University (Beijing, China, 19-21 October 2009)

"Opening Welcome"; presentation on "OIRA Internationally: Toward Global Cooperation"; and chair of "Concluding Roundtable: The Future of Regulatory Oversight"; all at the conference on "New Ideas for Risk Regulation" co-sponsored by the Society for Risk Analysis (SRA) and Resources for the Future (RFF) (Washington DC, 22-23 June 2009) (speaker and conference co-chair)

"Climate Change: Act Unilaterally or Multilaterally?" Conference on "The Search for Wise Energy Policy," sponsored by Indiana University (Washington DC, 11 June 2009)

"Toxicity Testing in the 21st Century: Reception by Regulatory and Legal Institutions," panelist at National Academy of Sciences / National Research Council conference on "Toxicity Pathway-Based Risk Assessment: Preparing for Paradigm Change" (Washington DC, 11-13 May 2009)

"Risk Analysis and the Law," Harvard School of Public Health (Boston MA, 17 April 2009)

"Policy Options for Climate Change," Summit on America's Climate Choices, National Academy of Sciences (Washington DC, 31 March 2009)

"Climate Change: What Role for the Clean Air Act?" Duke Law / Harvard Law conference on Environmental Law (Durham NC, 26 March 2009) (moderator of session on Stationary Sources)

"Expert Panels and Agency Science," comments on the paper by Prof. Adrian Vermeule, "The Parliament of Experts," *Duke Law Journal* annual Administrative Law Conference (Durham NC, 20 March 2009)

"Helping Developing Countries Combat Climate Change," conference on "Climate Change and Global Justice," Harvard Law School (Cambridge MA, 5 March 2009)

"Can We Adopt and Implement a Successful Comprehensive Cap-and-Trade Climate Policy? Yes We Can," conference on Climate Policy for the Obama Administration, Washington & Lee University (Lexington VA, 20 Feb. 2009)

“Property and Prices as Instruments for Global Climate Policy,” conference on Local Property, Global Justice, held by *Duke Journal of Comparative and International Law* (Durham NC, 30 January 2009)

President and conference chair, Society for Risk Analysis (SRA) Annual Meeting (Boston, 7-10 December 2008); speaker and chair, annual Awards Luncheon; session chair, "Regulatory Reform in the European Union"; session speaker, “10 Ideas to Improve Regulatory Oversight in the Obama Administration.”

“Risk in an Interconnected World,” International Regulatory Reform Conference (Berlin, 17-18 November 2008) (speaker and session chair)

Keynote Address, “Climate Policy for a Multipolar World,” conference on “International Climate Change: Post-Kyoto Challenges,” Washington University (St. Louis, 30 October 2008)

Concluding Remarks, annual symposium of the *Duke Environmental Law & Policy Forum* (Durham NC, 24 October 2008).

“The Reality of Precaution,” at the conference on “L’Homme et la Société face aux défis des changements climatiques,” organized by the French Presidency of the European Union (Paris, 22-23 September 2008)

"Radiative Forcing," at the conference on “Breaking the Logjam: Reforming Environmental Law,” held at Resources for the Future (RFF) (Washington DC, 16 September 2008)

“The Tragedy of the Uncommons,” at the Conference on Global Catastrophic Risks, Oxford University (Oxford UK, 16-20 July 2008)

“Permis Negotiables et Biens Publics Mondiaux,” [Tradable Permits and Global Public Goods,] à la conférence du Réseau ID, Collège de France (Paris, 1-2 juillet 2008)

“Benefit-Cost Analysis: Lessons from the United States and Europe,” conference on Advancing Social Policy through Benefit-Cost Analysis (Washington DC, 24 June 2008)

Second World Congress on Risk (sponsored by Society for Risk Analysis (SRA), of which I serve as President): Opening welcome, Speaker in session on Global Climate Risks, Chair of plenary session on “Risk and Sustainable Development,” and Chair of “Risk Leaders Summit” (Guadalajara, Mexico, 8-11 June 2008)

“Managing the Regulatory State: Oversight Bodies in the US and EU,” European Risk Forum (Brussels, 21 May 2008)

“Le Rôle des Juges dans la Régulation des Risques,” exposé devant les Juges de la Cour d’Appel de Paris, à Sciences Po (Paris, 20 mai 2008)

“La Régulation des Risques,” deux exposés à Sciences Po dans le programme du Master en Droit Economique (Paris, 15 et 22 mai 2008)

“Climate Change and the Law,” Duke Law Alumni Weekend (Durham NC, 12 April 2008)

“Radiative Forcing: Climate Policy to Break the Logjam in Environmental Law,” Conference on

“Breaking the Logjam,” NYU Law School (New York, 28-29 March 2008)

“Global Cooperation on Global Climate,” Univ. of Toronto Faculty of Law (Toronto, 6 March 2008)

“Policy Insights for Global Climate Modeling,” Energy Modeling Forum (EMF) (Dublin, Ireland, 21-22 February 2008)

“Global Cooperation on Global Climate,” William & Mary Law School Symposium (Williamsburg VA, 2 February 2008)

“Climate Change Policy, and Policy Change in China,” UCLA Law Review Symposium on “Changing Climates: Adapting Law to a Transforming World,” UCLA Law School (Los Angeles, 25 January 2008)

“Risk ‘07: Agents of Analysis,” Society for Risk Analysis annual meeting (San Antonio, 9-12 December 2007) (conference chair and SRA president-elect)

“Radiative Forcing: Climate Policy and the Future of Environmental Law,” seminar series on “Breaking the Logjam,” NYU Law School (New York, 3 December 2007)

“New Thinking on Climate Policy,” AEI-Brookings Joint Center for Regulatory Studies (Washington DC, 26 November 2007)

“A Charged Atmosphere,” Duke Environmental Law & Policy Forum conference on climate change law (Durham NC, 16 November 2007)

“Cap and Trade for Greenhouse Gases,” Duke Environmental Law Society (Durham NC, 14 November 2007)

Guest lectures at Duke: on international climate treaties in course on environmental policy, Prof. Marie Lynn Miranda, 7 November 2007; on property rights and cap & trade systems in PPS 501 (Introduction to PhD in Public Policy), Profs. Phil Cook & Fritz Mayer, 1 November 2007; on environmental law in freshman seminar on environmental science and policy, Prof. Prasad Khasibatla, 25 October 2007.

“Worst-Case Scenarios, Precaution, and Risk,” conference on Cass Sunstein’s new book on Worst-Case Scenarios, Harvard Law School (Cambridge MA, 4 October 2007)

“Climate and Development in the Changing World Order,” conference co-sponsored by Duke University / NIEPS, with CIRED and IDDRI (Paris, 30 September – 1 October 2007) (conference co-organizer and speaker)

“Comparing Risk Regulation in the US and Europe,” Georgetown Law School, Environmental Law Research Seminar (Washington DC, 19 September 2007)

“Better Regulation in Europe and Regulatory Reform in the United States,” Society for Risk Analysis – Europe annual meeting (The Hague, Netherlands, 18-19 June 2007)

“Environmental Law – Junior Scholarship Workshop,” Harvard Law School (Cambridge MA, 13 June 2007) (commenter on papers by junior faculty)

“Differences in Precaution in US and EU Regulatory Approaches,” at “Within REACH: A conference on the European Union (EU) Regulation Providing for Registration, Evaluation and Authorization of Chemicals (REACH),” University of Pittsburgh (Pittsburgh PA, 8 June 2007)

“Regulatory Externalities, Internalized Askew,” Work-in-Progress (WIP) Workshop, University of Chicago Law School (Chicago, 17 May 2007)

“Risk Analysis Under Federal Law,” Harvard School of Public Health (Boston, 13 April 2007)

“Comparing Environment Health & Safety Regulation in the United States and Europe,” General Electric Environmental Practice Group annual meeting (Ft. Myers, FL, 21 February 2007)

Faculty Lives in Public Service, Duke Law School (Durham NC, 18 January 2007)

“Better Regulation in Europe,” at the annual meeting of the Society for Risk Analysis (SRA) (Baltimore, 5 December 2006) (speaker and session chair)

“Adverse Effects under U.S. Law,” in the workshop on “Approaching Adversity,” Dose-Response Specialty Group, Society for Risk Analysis (SRA) (Baltimore, 3 December 2006)

“Closing Comments,” at the symposium on “Responses to Global Warming: The Law, Economics, and Science of Climate Change,” University of Pennsylvania Law School (Philadelphia, 17 November 2006)

“Les Politiques du Risque en Europe et aux Etats-Unis,” Centre du Droit de l’Environnement de Strasbourg (CDES), Université Robert Schuman - Strasbourg (Strasbourg, 25 Octobre 2006)

“Inspiration réciproque dans le droit de l’environnement et la régulation des risques,” dans la conférence “Au delà du Dialogue des Juges: Inspiration Réciproque des Cours Suprêmes et Mondialisation du Droit,” Cycle « Attractivité Economique du Droit, » au Cercle France-Amériques (Paris, 24 Octobre 2006) (conférence des juges Stephen Breyer de la Cour Suprême des Etats-Unis, et Guy Canivet de la Cour de Cassation de la France)

“Perception du risque: Quelles conséquences sur les politiques environnementales aux Etats-Unis et en Europe” Ambassade des Etats-Unis (Paris, 23 Octobre 2006)

“Comment la régulation environnementale américaine concilie intérêt public et impératifs concurrentiels,” Université de Nanterre, Faculté du Droit (Paris, 23 Octobre 2006)

“The Tragedy of the Uncommons: Catastrophic Risks and Institutional Response,” University of Pennsylvania Law School (Philadelphia, 26 September 2006)

“Climate Change Policy: National Interests and International Action,” Transatlantic Dinner Dialogue, at Ecologic (Berlin, 26 June 2006)

“Making Better Regulation Even Better,” conference on Administrative Simplification, Ministère de l’économie, des finances et de l’industrie, Gouvernement de la France (French Ministry of Finance) (Paris, 9 June 2006)

“Can we Reconstruct Climate Policy?” International Energy Agency (IEA) (Paris, 29 May 2006)

“Better Regulation,” University College London, Faculty of Law (London, 25 May 2006)

“Risk and Regulatory Governance,” Organization for Economic Cooperation and Development (OECD), Working Party on Regulatory Management (Paris, France, 24 April 2006)

“L’ACB dans le Droit,” conference sur l’Analyse Coût-Bénéfice, Univ. De Toulouse (Toulouse, France, 4 avril 2006) (conference on benefit-cost analysis)

“La Précaution dans la Régulation des Risques en Europe et aux Etats-Unis,” Sciences Po (Institut des Etudes Politiques) (Paris, France, 23 March 2006)

"Le Débat Transatlantique sur le Risque et l'Environnement: Précaution, Changement Climatique, et l'Avenir de la Politique Publique," séminaire du Master Economie du développement durable, de l'environnement et de l'énergie (EDDEE) (UP 10, Ehess, Inapg, Engref, Polytechnique, Enpc, Ensm), 12 heures, les 22 et 29 mars 2006 (INAPG, amphî B, 16 rue Claude Bernard, 75005 Paris, France) (seminaire avec discutants : Olivier Godard, Ecole Polytechnique ; Marie-Angele Hermitte, EHESS & Univ. Paris-I ; Jean-Charles Hourcade, EHESS)

“La Précaution dans la Régulation des Risques en Europe et aux Etats-Unis,” Ecole Polytechnique (Lozères, France, 15 March 2006)

"Le rôle des modèles dans l'expertise publique aux USA," Colloque International sur "Modèles et Fabrications du Futur: Du débat sur la Croissance au Changement Climatique," Ecole Nationale des Ponts et Chaussées (Paris, France, 2-3 March 2006)

“Après 2012,” présentation à la Mission sur l’Effet de Serre de l’Assemblée Nationale de la France (Paris, France, 22 février 2006) (testimony before the Panel on the Greenhouse Effect of the French National Assembly)

“The Institutional Origins of Transatlantic Discord on Climate Change,” Institut du Développement Durable et des Relations Internationales (IDDRI) (Paris, France, 31 January 2006)

“EU and US Regulatory Environments, Current and Future Priorities, and Federalism and Preemption,” at the US – Europe High-Level Regulatory Cooperation Forum (Brussels, Belgium, 26 January 2006) (meeting of top regulatory officials from the US government and from the European Commission; I was the sole non-government expert invited to speak)

“L’Economie Politique du Changement Climatique et les Relations Transatlantiques,” Centre Internationale de Recherche sur l’Environnement et le Développement (CIRED) (Paris, France, 13 December 2005)

“Precaution Against Terrorism,” Workshop in the Law & Economics Workshop & Lecture Series hosted by Bruno Frey and Gerard Hertig, www.hertig.ethz.ch/LE_2005-06_files/LE_Schedule_WS_2005-06.htm, University of Zurich & ETH Zurich (Zurich, Switzerland, November 23, 2005)

“Comparing Risk Regulation in the US and Europe,” Lecture in the Law & Economics Workshop & Lecture Series hosted by Bruno Frey and Gerard Hertig, www.hertig.ethz.ch/LE_2005-06_files/LE_Schedule_WS_2005-06.htm, University of Zurich & ETH Zurich (Zurich, Switzerland, November 21, 2005)

“Precaution Against Terrorism,” conference on Managing Strategic Surprise convened by the National Intelligence Council (NIC) and Eurasia Group, Yale Club (New York, NY, September 30, 2005)

“Climate Change Policy,” Environmental Summit, Nicholas Institute for Environmental Policy Solutions, Duke University (Durham NC, September 21, 2005)

“Hormesis and Regulation,” Keynote address, Fourth Annual International Conference on Hormesis, University of Massachusetts – Amherst (Amherst MA, June 6, 2005)

“The Making of Environmental Law,” commentary on book and talk by Richard Lazarus, at Resources for the Future (RFF) (Washington DC, May 4, 2005)

“Global Administrative Law,” discussant on papers on environmental and labor law developments, NYU Law School (New York, April 22-23, 2005)

“Beyond Kyoto: Moving Climate Change Policy Forward,” Yale Center for Environmental Law & Policy and School of Forestry and Environmental Studies, Yale University, Bowers auditorium of Sage Hall (New Haven, April 21, 2005)

“Precaution in Single-Risk versus Multi-Risk Models,” Risk Assessment Forum, Yale University (New Haven, April 21, 2005)

“Risk Analysis Under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Washington DC, April 15, 2005)

“Climate Change Policy, Past and Future,” guest speaker in course on global change forecasting (Gabi Hegerl), Duke University (Durham, April 5, 2005)

“Climate Change Policy, Past and Future,” guest speaker in course on international law (Joost Pauwelyn), Duke University (Durham, March 23, 2005)

“Climate Change Policy, Past and Future,” guest speaker in course on atmospheric science (Prasad Kasibhatla), Duke University (Durham, March 21, 2005)

“Precaution in the United States and Europe,” at the conference on “Better Regulation: The EU and the Transatlantic Dialogue,” co-sponsored by the European Policy Centre, the European Commission, and the US Mission to the EU (Brussels, 17-18 March 2005).

“Appraising the New UK Strategy for Risk Management,” remarks to the Plenary Session, annual meeting of the Society for Risk Analysis (Palm Springs CA, December 6, 2004)

“Can Markets Protect the Planet? Prospects for Greenhouse Gas Emissions Trading in the United States and Europe,” Duke Law School (Durham NC, November 16, 2004) (moderator and co-organizer)

Workshop on Basic Concepts of Risk Governance, International Risk Governance Council (Munich, Germany, November 13-14, 2004) (project group member)

“The Reality of Precaution” and “Precaution against Terrorism and WMD,” at “Risk Management

in a Complex World: The Fourth Transatlantic Dialogue on Precaution,” organized by the Duke Center for Environmental Solutions, the European Commission, and the German Marshall Fund-US (Duke University, Durham NC, Sept. 19-21, 2004) (speaker and conference co-organizer)

“Precaution in a Multirisk World,” Resources for the Future (RFF) (Washington DC, April 21, 2004)

“Risk Analysis under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Washington DC, April 16, 2004)

“Tragedy and Comedy in the Climate Change Commons,” University of Chicago Law School (Chicago IL, January 22, 2004)

“Precaution in the US and Europe,” annual meeting of the Society for Risk Analysis (Baltimore MD, December 10, 2003)

“Natural Resources Policy under the Bush Administration,” Duke Law School (Durham NC, November 14, 2003) (conference host/moderator)

“Reconstructing Climate Policy,” course on International Development Law, Duke Law School (Durham NC, November 11, 2003)

“Precaution, Risk and Multiplicity,” Conference on Environmental Law, Harvard Law School (Cambridge MA, November 7, 2003)

“The Future of the Climate Change Negotiations,” MIT Global Change Forum (Cambridge MA, October 10, 2003)

“Risk Analysis and the Precautionary Principle,” World Congress on Risk (Brussels, June 24, 2003)

“The US, the EU, and Precaution,” Third Transatlantic Dialogue on Precaution, organized by the Duke Center for Environmental Solutions, the European Policy Centre, the European Commission, the US Mission to the EU, and the German Marshall Fund (Berlin, Germany, June 20-21, 2003) (speaker and conference co-organizer)

“Reconstructing Climate Policy,” Duke University (May 12, 2003) (speaker and conference organizer)

“Risk Analysis under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Washington DC, May 9, 2003)

“Risk Analysis and Regulatory Policy,” Foundation for American Communications (Atlanta GA, February 18, 2003)

“Comparing Precaution in the United States and Europe,” Sanford Institute of Public Policy, Duke University (Durham NC, January 13, 2003)

“Judicial Review of Risk Science in the U.S. and Europe: The Case of Antibiotics in Animal Feed,” annual meeting of the Society for Risk Analysis (New Orleans LA, December 10, 2002)

“International Experience with Competing Regulatory Approaches,” discussant on session on “Leaded Gasoline,” Resources for the Future (Washington DC, December 5-6, 2002)

“Dealing with Disasters: Prediction, Prevention and Response,” The Second Annual Duke Environmental Leadership Forum (Durham NC, November 19-21, 2002) (conference co-organizer)

“The Malaria-DDT Dilemma: Science, Policy and Law” (Duke University, Durham NC, November 7, 2002) (conference co-organizer)

“Comparing Precaution in the US and Europe,” Second Transatlantic Dialogue on Precaution – The Reality of Precaution: Comparing Approaches to Risk and Regulation, organized by the Duke Center for Environmental Solutions, the European Commission, and the German Marshall Fund (Airlie House, Warrenton VA, June 14-15, 2002) (speaker and conference co-organizer)

“Risk Analysis under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Washington DC, May 10, 2002)

“Precaution,” Vanderbilt University School of Law (Nashville TN, April 4, 2002)

“Reconstructing Climate Policy,” University of Colorado Law School (Boulder CO, March 1, 2002)

“Comparing Precaution in the US and Europe: Evaluating the Conventional Wisdom,” First Dialogue on Precaution – “The US, the EU, and Precaution,” organized by the European Commission, the US Mission to the EU, and the German Marshall Fund, with the European Policy Centre and the Duke Center for Environmental Solutions (Bruges/Brugge, Belgium, January 11-12, 2002) (speaker and conference co-organizer)

“Prudent Precaution in an Interconnected World,” Society for Risk Analysis annual meeting (Seattle WA, December 4, 2001)

“Better Ways to Decide American Trucking,” Society for Risk Analysis annual meeting (Seattle WA, December 3, 2001)

“The Next Generation of Environmental Policy,” guest lecture, graduate seminar on American Environmental Policy (Prof. Richard Andrews) (Chapel Hill NC, November 14, 2001)

“Explaining U.S. Approaches to International Treaties,” Conference on U.S. Approaches to International Treaties, NYU Law School (New York, September 29, 2001)

“Climate Policy – Do We Need a New Approach?” Workshop jointly organized by the Fondazione Eni Enrico Mattei, Stanford University, and Venice International University (Venice, September 6-8, 2001) (conference co-organizer, session moderator, and speaker)

“Managing Risk in the Changing Global Environment,” The Duke Environmental Leadership Forum (Durham NC, September 5, 2001) (conference co-organizer and speaker)

“The Reality of Precaution: Comparing National Approaches to Risk and Regulation,” presentation to the Group of Policy Advisers, Office of the President, European Commission (Brussels, June 7, 2001)

“Institutionalizing Science and Economics in the Regulatory Process,” Kennedy School Policy Workshop on The Role of Science and Economics in Setting Environmental Standards (Washington DC, May 31, 2001)

“Measuring the Impacts of Regulation,” Annual Conference of the Health Effects Institute (HEI) (Washington DC, April 29, 2001)

“Global Climate Policy,” Alumni Reunion, Nicholas School of the Environment & Earth Sciences, Duke University (Durham NC, April 21, 2001)

“Regulatory Analysis under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Washington DC, April 6, 2001)

“Mad Cows and Murderers: Comparing Precaution in the U.S. and Europe,” Environmental Institutions Seminar Series, Duke University (Durham NC, February 14, 2001)

“Something Borrowed for Something Blue: Legal Transplants in Global Environmental Law,” Georgetown Law School (Washington DC, November 17, 2000)

“Comparing Precaution in the U.S. and Europe,” Cornell Law School (Ithaca NY, November 10, 2000)

“Right to Know – How Far Does It Go?” at the Harvard Conference on the Internet & Society (Cambridge MA, June 1, 2000) (video available at <<http://www.is2k.harvard.edu/home.htm>>, click on “Schedule” and then scroll down to entry for June 1 at 3:00pm)

“From Sustainable Development to Sustainable Governance,” at “Sustainable Governance: The Institutional Side of Sustainable Development,” The Fifth Annual Colloquium on Environmental Law & Institutions, Duke University (Durham NC, April 27-28, 2000) (speaker and conference organizer)

“Regulatory Analysis under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Boston MA, March 31, 2000)

“Climate Change and the Changing Future of Environmental Law,” conference on Environment 2000 – New Issues for a New Century, Boalt Hall School of Law, University of California at Berkeley (Berkeley CA, Feb. 26, 2000)

“Uncertainty and Precaution in a Multi-Risk World,” American Association for the Advancement of Science (AAAS) annual meeting (Washington DC, February 19, 2000)

“The Precautionary Principle: An Academic Perspective,” The Toxicology Forum (Washington DC, February 9, 2000)

Discussant on paper by Cass R. Sunstein, “Is the Clean Air Act Constitutional?” at the AEI-Brookings Joint Center on Regulatory Studies (Washington DC, October 4, 1999)

“International Emissions Trading,” workshop of government, industry, and environmental organizations, sponsored by the Electric Power Research Institute (EPRI) (Washington DC, September 23, 1999)

“Making Markets for Global Forests Conservation,” conference on Painting the White House Green, University of Wyoming (Laramie WY, September 9, 1999)

“Precaution, Countervailing Risk, and Optimal Analysis,” conference on “The Precautionary Principle: Refine It or Replace It?” Hotel Washington (Washington DC, June 3-4, 1999)

“Global Markets for Global Commons: Will Property Rights Protect the Planet?” The Fourth Annual Cummings Colloquium on Environmental Law, Duke University (Durham NC, April 30 & May 1, 1999) (conference organizer)

“How International Tradeable Allowance Systems Differ from National Tradeable Allowance Systems,” Harvard Institute for International Development (HIID) program on “Economic Instruments for Greenhouse Gas Abatement – Training in Flexible Mechanisms for Kazakhstan” (Cambridge MA, April 29, 1999)

“Sustainable Governance,” The John D. MacArthur Lecture in Environmental Policy and Law, Bucknell University (Lewisburg PA, April 19, 1999) (invited lecture sponsored by the MacArthur Foundation)

“Benefit-Cost Analysis under Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Boston MA, April 9, 1999)

“Global Environmental Regulation: Instrument Choice in Legal Context,” Environmental Law Seminar, Harvard Law School (Cambridge MA, March 1, 1999)

“The Precautionary Principle in the Climate Change Negotiations,” Mercatus Center Retreat for Congressional Staff (Annapolis MD, January 30, 1999)

“Risk Analysis and Law,” Harvard Center for Risk Analysis course on “Analyzing Regulations” (Rosslyn VA, January 8, 1999)

“Relation of Risk Legislation to Existing Statutes,” conference on Risk Analysis and Judicial Review (Washington DC, December 17, 1998)

U.S.-Japan Experts Workshop on Climate Change Policy, Resources for the Future (RFF) (Washington DC, October 19-20, 1998)

“Prices vs. Quantities: The Impact of the Legal System,” National Bureau of Economic Research (NBER) / Yale Center on Global Change, Workshop on Design of Climate Change Policy Instruments and Institutions (Snowmass CO, August 13-14, 1998)

“Choosing Regulatory Instruments for Global Environmental Protection,” Stanford Law School & Institute for International Studies (Stanford CA, May 7, 1998)

“Choosing Regulatory Instruments for Global Environmental Protection,” Duke Law School (Durham NC, April 28, 1998)

“Benefit-Cost Analysis in Federal Law,” Harvard School of Public Health course on “Analyzing Regulations” (Boston MA, April 3, 1998)

“The Rents of Nature: Special Interests and the Puzzle of Environmental Legislation,” the Third Annual Cummings Colloquium on Environmental Law, Duke University (Durham NC, March 26-27, 1998) (conference organizer)

“Designing a Legal Regime for International Greenhouse Gas Emissions Control,” National Bureau of Economic Research (NBER) / Yale Center on Global Change, Workshop on International Emissions Trading Systems (Snowmass CO, August 13-14, 1997)

“Benefit-Cost Analysis: Legal Aspects and Status of Federal Legislation,” Harvard School of Public Health course on “Analyzing Regulations” (Boston MA, March 27, 1997)

“Risks of Regulation: Iatrogenesis or Externalities?” Risk Assessment and Policy Association (RAPA), First Biennial Conference (Alexandria VA, March 6-7, 1997)

Hewlett Colloquium Distinguished Visitor, Washington University at St. Louis (February 6-7, 1997) (delivered lectures and conducted meetings with faculty and students to assist in the university’s development of a new multidisciplinary curriculum in environmental studies)

“Creating Global Green Markets,” School of Law, Washington University at St. Louis (St. Louis MO, February 6, 1997)

“Law and the New Ecology,” Doctoral Seminar on Environmental Policy, School of Public Health, University of North Carolina (Chapel Hill NC, January 22, 1997)

“Risk in the Republic: Comparative Risk Analysis and Public Policy,” the Second Annual Cummings Colloquium on Environmental Law, Duke University (Durham NC, November 15-16, 1996) (conference organizer)

“Legal Issues in Creating an International Greenhouse Gas Allowance Trading System,” The Offsets Forum, Center for Clean Air Policy (Washington DC, June 13, 1996)

“Economic Analysis and Environmental Decisionmaking,” conference at Resources for the Future (Washington DC, June 13, 1996) (panel member and discussant on “EPA’s Automobile Inspection & Maintenance Rule” by Todd Ramsden)

“Beyond the Balance of Nature: Environmental Law Faces the New Ecology,” the First Annual Cummings Colloquium on Environmental Law, Duke University (Durham NC, April 18, 1996) (conference organizer)

“Conflict and Cooperation in Environmental Management,” Nicholas School of the Environment Alumni College, Duke University (Durham NC, April 12, 1996)

“Judicial and Executive Review of Agency Risk Assessments,” annual conference of the National Association of Environmental Professionals, Nicholas School of the Environment, Duke University (Durham NC, March 29, 1996)

“Risk-Risk Tradeoffs,” Decision Theory Workshop, Fuqua School of Business, Duke University (Durham NC, March 27, 1996)

“Risk-Risk Tradeoffs,” Society for Risk Analysis, Research Triangle Chapter (Research Triangle Park, NC, Feb. 22, 1996)

“Risk-Risk Tradeoffs,” Environmental Sciences Seminar Series, School of Public Health, University of North Carolina (Chapel Hill NC, Feb. 2, 1996)

“On Bureaucratic Discretion and Regulatory Reform” (discussant on paper by John DiIulio), Conference on Reviving Regulatory Reform, American Enterprise Institute (Washington DC, Jan. 17, 1996)

“The End of Nature -- and It’s About Time,” Program on Science, Technology, and Human Values, Duke University (Durham NC, Nov. 9, 1995)

"Toward an Effective Global Forests Agreement," First Open Meeting of the Human Dimensions of Global Environmental Change Community (Duke University, Durham NC, June 1, 1995) (also chaired the conference panel on "Deforestation")

"Environmental Legislation in the 104th Congress," Duke Law School Dedication Celebration Seminar Series (Durham NC, April 7, 1995)

"Risk Tradeoffs in the Regulatory Reform Legislation," at symposium on Weighing the Risks, sponsored by the Harvard Center for Risk Analysis (Washington DC, March 31, 1995)

"Promoting Market-Based Performance Incentives in Regulatory Reform," testimony before Committee on Governmental Affairs, U.S. Senate, March 8, 1995.

"Structuring Incentives for Risk-Superior Environmental Performance," President's Council on Sustainable Development, Eco-Efficiency Task Force, Economics Cluster (Washington DC, February 16, 1995)

"Future Directions in Environmental Regulation," Second Annual Conference on the Environment, the Economy and World Trade, sponsored by the Research Triangle World Trade Center (Durham NC, November 16, 1994).

"Environmental Regulation of Biotechnology: Risk, Politics and Nature," Risk and Decision Sciences Seminar, Harvard School of Public Health (Boston MA, October 21, 1994).

"Risk Tradeoffs in Protecting the Global Environment," Environmental Law and Policy Research Seminar, Harvard Law School (Cambridge MA, October 20, 1994).

"Financial Resources for International Environmental Protection," New York University School of Law symposium on Greening International Law (New York, October 7, 1994).

"Reflections on the Climate Change Negotiations: Past Record and Future Prospects," Environmental Law and Policy Study Group, Center for World Environment and Sustainable Development (Research Triangle Park, NC, January 26, 1994)

"Implementation of Market-Based Approaches to Environmental Protection: Monitoring and Enforcement Issues for Transferable Carbon Permits" (discussant of paper by Tietenberg & Victor), annual meeting of the American Economics Association (Boston, January 5, 1994)

"New Ways to Fund Citizen Action: National Service," address at national staff meeting of the Public Interest Research Groups (PIRGs) (Denver, December 9, 1993)

- "Workshop on National Service and Environment," ACTION office (Denver, December 9, 1993)
- "Workshop on National Service and Environment," 26 Federal Plaza (New York, November 30, 1993)
- "Workshop on National Service and Environment," ACTION office (Seattle, November 19, 1993)
- "The National Perspective," Presidio Workshop on Youth Service (San Francisco, November 18, 1993)
- "Workshop on National Service and Environment," ACTION office (San Francisco, November 17, 1993)
- "Workshop on National Service and Environment," Volunteer & Information Agency (New Orleans, November 5, 1993)
- "Volunteering and Environmental Careers," National Environmental Careers Conference (Tampa, October 23, 1993)
- "Workshop on National Service and Environment," National Environmental Careers Conference (Tampa, October 22, 1993)
- "Beyond the Classroom: National Service and the Environment," Environmental Grantmakers Association, annual meeting (Tucson AZ, October 16, 1993)
- "Mission, Vision and Strategy: Opportunities for Seniors in National Service and Environment," keynote address to Environmental Alliance for Senior Involvement, first annual Leadership Conference (Bethesda MD, September 10, 1993)
- "National Service and Environment," briefing for the Council on Foundations (Washington, September 9, 1993)
- "Risk Roulette: Gambling with Human Health and the Environment," Harvard Center for Risk Analysis, Annual Advisory Board Meeting (Boston, June 2, 1993)
- "The Road from Rio: Environmental Economics in International Policy," National Bureau of Economic Research (NBER) Summer Institute, Environmental Economics Workshop (Cambridge, August 12, 1992)
- "Risk Tradeoffs in Global Environmental Policy," National Forensics Institute, The American University (Washington, July 21, 1992)
- "Regulatory Policy for Biotechnology," U.S. Interagency Regulatory Colloquium (Washington, June 23, 1992)
- "Efficient Environmental Protection: Tax Instruments," Massachusetts Institute of Technology (MIT) Center for Energy & Environmental Policy Research, 1992 New Developments Workshop (Cambridge, April 30, 1992)
- "Bargaining Issues in the Climate Change Negotiations," energy policy seminar, Kennedy School

of Government, Harvard University (Cambridge, November 25, 1991)

"Practical Implications of Pending International Conferences: Transboundary Pollution, CFC Abatement, and Global Climate Change," American Bar Assn./California Bar Assn./L.A. Bar Assn. International Environmental Law Symposium (Los Angeles, November 12, 1991)

"International Environmental Regulation," Federal Bar Assn. Annual Meeting & Convention (Washington, September 27, 1991)

"Economic and Environmental Advantages of a Comprehensive Approach to Climate Change," Briefing for Netherlands Environment Minister Hans Alders (Washington, July 25, 1991)

"Matching Policy to Science: the Comprehensive Approach to Climate Change," Marine Policy Center, Woods Hole Oceanographic Institute (Woods Hole MA, July 12, 1991)

"Policy Responses to Global Change," Western Economics Assn. (WEA) Int'l, 66th Annual Conference (Seattle, July 2, 1991)

"The Comprehensive Approach, Greenhouse Taxes, and Informal Emissions Trading," Organization for Economic Cooperation & Development (OECD) Experts' Workshop (Paris, June 26-27, 1991)

"Implementing Incentives for Environmental Protection," Air & Waste Management Assn. Annual Meeting (Vancouver, June 20, 1991)

"Risk Tradeoffs in Global Environmental Policy," Harvard Center for Risk Analysis, Annual Advisory Board Meeting (Boston, June 19, 1991)

"Legal Design and Climate Change," American Bar Assn. Standing Committee on Environmental Law Annual Meeting and Council on Environmental Quality (CEQ) Roundtable on "The Role of Law in the 1992 UNCED" (Airlie House, Virginia, May 18, 1991)

"Law and the Global Environment: Comprehensive and Market-Based Approaches to Global Environmental Change," University of Wisconsin School of Law, International Law Society Conference (Madison, April 12, 1991)

"A Comprehensive Approach to Addressing Potential Climate Change," Domestic Policy Council, Global Change Strategy Group (Washington, November 28, 1990)

"Overview of the Judicial System and the Courts," Washington Campus (Washington, June 13, 1990)

"International Environmental Law and Sustainable Development," National Assn. of Environmental Law Societies (NAELS) Annual Conference, Tulane Law School (New Orleans, February 2, 1990)

National & Community Service

1995- **"Duke Law School: Dedicated to Durham."** Founder and director of twice-annual community service event in which hundreds of Duke Law students, faculty and staff work at projects across the Durham area, such as painting shelters, cleaning schools, restoring

riverways, creating literacy training materials, and visiting ill children. “DTD” is held for incoming students each August, and school-wide each April.

- 1994-98 **North Carolina Commission on National & Community Service**, Raleigh NC. Appointed by Governor as member ex officio of state commission established to promote service statewide and to allocate “AmeriCorps” and “Learn & Serve” grants from federal Corporation for National Service.
- 1994-98 **Campus Outreach Opportunity League (COOL)**, Washington DC. Board Member. COOL is a national nonprofit that provides a network of assistance and training to support campus-based community service programs.
- 1993 **Corporation for National & Community Service / White House Office of National Service**, Washington D.C. Chair, Environment Working Group. Assisted CEO Eli Segal (Assistant to the President for National Service), Executive Vice President Shirley Sagawa, Senior Adviser Susan Stroud, and CNCS staff in developing the environmental component of the new “AmeriCorps” national service program, articulating environmental priorities and grant selection criteria, developing training and technical assistance programs, and linking with the environmental community. Held regional workshops in six cities to gather insights from community-based organizations, local environmental groups, experts and federal agencies. Spoke at environmental conferences to publicize national service opportunities.
- 1992 **“D.C. Servathon,”** Washington DC. Member of Steering Committee. Helped organize city’s first annual servathon, in which volunteers perform service projects all across the metropolitan area, held in May 1992. D.C. Servathon '92 drew 1100 volunteers, who performed over 80 service projects throughout the area.
- 1989-91 **“Boston Servathon / City Year for a Day,”** Boston MA. Citizen Founder, 1989-91; Steering Committee, 1989. Helped organize Boston’s first annual servathon. The event engaged 500 volunteers to work at 43 projects in 1989; by 1998 it had grown to engage over 10,000 volunteers working at over 400 projects. Service projects include repairing shelters, painting halfway houses, rehabilitating urban gardens, visiting the homebound, assisting Special Olympics. The event also raises funds for **“City Year,”** Boston’s innovative year-round youth service corps.
- 1989 **“Class Act,”** Boston MA. Founded and organized the first Harvard-Radcliffe Reunion community service event in June 1989, drawing 150 reunion volunteers to perform 11 service projects across the Boston area. Service projects included renovating shelters, sorting food for the homeless, cleaning urban gardens, and yardwork at a home for disturbed youth. “Class Act” is now an annual Harvard-Radcliffe Reunion event.

Professional Activities – Duke University

Director, JD-LLM Program in Comparative and International Law, Duke Law School, 2007 - present.

Founding Faculty Director, Center for Environmental Solutions, Duke University (university-wide multidisciplinary research center), 2000-2005.

- In 2005, this center was expanded into the Nicholas Institute for Environmental Policy Solutions.

- Chair, Search Committee for the director of the new Nicholas Institute, 2004-05 (hired Timothy Profeta as Director, and William K. Reilly as Chair of the Board).
- Chair, Faculty Advisory Committee, Nicholas Institute for Environmental Policy Solutions, 2007 - present.

Director, Cummings Colloquia on Environmental Law & Institutions, Law School and Nicholas School of the Environment, Duke University, 1995-2000 (annual conference) (titled “Cummings Colloquia” during 1996-99).

Coordinator, Seminar Series on Environmental Institutions, Duke University, 1999-2005 (biweekly faculty workshop series).

Other Duke activities:

Duke University-wide:

- Provost’s Committee on Interdisciplinary Strategic Planning, 2009-10
- University Committee on Honorary Degrees, 2003-09.
- Chair, Faculty Advisory Committee, Nicholas Institute for Environmental Policy Solutions, 2007 – present (member since 2005).
- Chair, Search Committee for the Director of the Nicholas Institute for Environmental Policy Solutions (NIEPS), 2004-05.
- Center for European Studies, Advisory Committee, 2001-06.
- Center for International Studies, Advisory Committee, 1994-1997, 2000-06.
- Micro-Incentives Research Center, board member, 2000-2005.
- Provost’s Task Force on the Future of the Nicholas School, 2000.
- Provost’s Task Force on a Duke office in Washington DC, 2001-03.
- Provost’s Economics Initiative, Advisory Committee, 1999-2000.
- Social Sciences Planning Group, 1999-2000.
- Academic Council (university faculty governance body), 1995-96.

Law School:

- Law & Contemporary Problems* journal oversight committee, 2009 - .
- Library & Technology Committee, 2008 - .
- Leadership Committee, 2007 - .
- Curriculum Committee, 2002-03.
- Journals & Electronic Publishing Committee, 2000-08.
- Planning & Building Committee, 2003-04.
- Project Advisory Committee, 2002-03.
- Appointments Committee, 1999-2002.
 - Appointments Subcommittee on International & Comparative Law, 2001-02.
 - Appointments Subcommittee on Environmental Law, 2003-04.
 - Appointments Subcommittee on Economics, 2003-04.
 - Appointments Subcommittee for a tenure review, Chair, 2006-07.
- Campaign Planning Committee, 1996-98.
- Planning Committee (Chair), 1994-96.

Nicholas School of the Environment & Earth Sciences:

- Strategic Planning Committee, 2004-05.
- Search Committee, Nicholas Chair in Environmental Economics, 2000-05.

Sanford School (formerly Institute) of Public Policy:

Sanford Institute Advisory Board, 2003 - 2006.
Search Committee, International Institutions position, 2001-02.

Professional Activities – Outside Duke

Editorial Boards:

Journal of Environmental Law (UK), 2005-present

Journal of Risk Research, 2004-present.

Risk Analysis: An International Journal (the journal of the Society for Risk Analysis (SRA)), 1998-present.

Georgetown International Environmental Law Review, 1992-99.

Professional societies:

Society for Risk Analysis (SRA):

President, 2007-08

Fellow, inducted December 2008.

Councilor (elected member of SRA's governing body), 2001-2004.

Past President, 2008-09

Chair, Publications Committee, 2008-09

Chair, Chapters & Sections Committee, 2001-2004.

Co-chair, President's Task Force on International Organization and Outreach, 2003-04.

Risk Science & Law Specialty Group: Executive Committee, 2000-present.

Nominating Committee, member, 1998.

Research Triangle Chapter: President, 1998. Past President, 1999.

Member of SRA, 1995-present.

American Economics Association (AEA), member, 1996-present.

American Law & Economics Association (ALEA), member, 1996-present

Risk Assessment and Policy Association (RAPA), member, 1996-present

Council on Foreign Relations (CFR), Term Member, 1995-2000

Advisory/Scientific Boards:

Association for the Promotion of the Research into the Economics of Carbon (APREC), Caisse des Dépôts and University Paris-Dauphine, France (www.aprec.net/uk_who.php): member of Scientific Committee, July 2009 - present.

Institute for Policy Integrity, NYU Law School: member of Advisory Board, 2009 – present.

European Risk Forum, Brussels: member of Experts Group, 2008 – present.

iNteg-Risk Project coordinated by the European Virtual Institute for Integrated Risk Management (EU-VRi): member of International Advisory Board, 2008 – 2012.

Clean Air-Cool Planet (formerly The Climate Policy Center, merged with CA_CP in January 2008), Washington DC: member, Board of Directors, 2003 – 2008; member, Advisory Committee, 2008 – present.

Global Roundtable on Climate Change (GROCC), Columbia University Earth Institute: member, 2004-present.

International Risk Governance Council (IRGC), Geneva: member, Project Group on Basic Concepts of Risk Governance, 2004 – 2006.

King's Centre for Risk Management, King's College London: member, Academic Advisory Board, 2003 – present.

Center for the Study and Improvement of Regulation, Carnegie Mellon University: member, Advisory Board, 2001.

Venice International University: member, Committee on Environment, and Program in Analysis & Governance for Sustainable Development, 2001-2006.

Harvard Center for Risk Analysis, Harvard School of Public Health: member, Advisory Committee, 1990-present.

Co-chair, Harvard Debate Centennial, 1992.

Co-chair, Harvard Law Review Centennial, 1987.

Admitted to the Bar, District of Columbia, 1991

Admitted to the Bar, Massachusetts, 1988

Referee / Peer Reviewer

Cambridge University Press
Harvard University Press
Oxford University Press

Environmental Health Perspectives
Journal of Environmental Economics & Management
Journal of Risk Research
Law & Policy
Regulation & Governance
Risk Analysis: An International Journal
Science

AEI-Brookings Joint Center for Regulatory Studies / Regulatory Markets Center
National Academy of Sciences

Institute of Medicine
 National Science Foundation
 Smith Richardson Foundation
 WorldBook online encyclopedia

Litigation

United States v. Vineland Chemical Co., et al., 931 F.2d 52 (Table), 33 Env'tl Rep. (Cases) 1316 (3rd Cir. 1991). Won affirmance of injunction and penalties imposed in RCRA enforcement action against pesticide manufacturer who illegally operated hazardous waste facility after statutory expiration of permit. Court held right to procedural Due Process not violated by district court's imposition of such penalties during operator's pending appeal to court of appeals of EPA's related administrative notice to cease operations. Briefed and argued for United States.

Tongass Conservation Society v. Cheney, Secretary of Defense, 924 F.2d 1137 (D.C. Cir. 1991) (panel: Hons. Ruth Bader Ginsburg, Patricia Wald, Clarence Thomas). Won unanimous affirmance (opinion by R.B. Ginsburg, J.) of district court's finding that the US Navy had adequately considered all reasonable alternatives in its preparation of the environmental impact statement required for the construction of an acoustic testing facility in Alaska for Trident-class nuclear-powered submarines. Argued for United States.

Kruchten, et al. v. United States, 914 F.2d 1106 (8th Cir. 1990). Won affirmance of district court's determination that the United States as trustee landowner has no duty under Minnesota or Federal law to repair an embankment protecting abutting farmers from Minnesota River overflow. Argued for United States.

Capital Cities/ABC v. County of Los Angeles, (Cal. Super. Ct. 1986). Won order barring County from auctioning a license to be "The Official Radio Station of the L.A. County Beaches" (with exclusive right to broadcast from the beaches), on ground that County lacked authority under state law to market access to public beaches, especially in light of First Amendment interests at stake. As summer associate, helped draft brief for lead attorney Morgan Chu.

Languages: excellent French, some Spanish, vestigial German