

# JACK LIENKE

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## ACADEMIC APPOINTMENTS

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University of Connecticut School of Law	Associate Professor, 2024 – Present
Brooklyn Law School	Adjunct Professor, 2022 – 2024
New York University School of Law	Adjunct Clinical Professor, 2017 – 2024

## EDUCATION

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New York University School of Law	J.D., <i>cum laude</i> , 2011
New York University Stern School of Business	M.B.A., 2024
Vassar College	B.A., general honors, 2005

## PUBLICATIONS

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### Book

STRUGGLING FOR AIR: POWER PLANTS AND THE “WAR ON COAL” (Oxford U. Press 2016) (with Richard L. Revesz)

### Articles

*Justifying Redistributive Regulations*, 58 U. MICH. J.L. REFORM \_\_ (2024)

*Mandating Disclosure of Climate-Related Financial Risk*, 23 N.Y.U. J. LEGIS. & PUB. POL’Y 745 (2022)  
(with Madison Condon, Sarah Ladin, Michael Panfil & Alexander Song)

*Sustainable Segregation? Assessing the Environmental Impact of the Westchester Fair Housing Settlement*,  
19 N.Y.U. ENV’T L.J. 591 (2012)

### Book Chapter

*Rules, Rulings, and Repeals: The Shifting State of Climate Policy at U.S. EPA*, in CLIMATE CHANGE AND  
GLOBAL PUBLIC HEALTH (Kent E. Pinkerton & William N. Rom eds., Humana 2d ed. 2021)

### Shorter Pieces

*Introduction to Our Symposium on Modernizing Regulatory Review*, NOTICE & COMMENT BLOG, YALE J. ON REG.  
(May 25, 2023) (also edited symposium)

*Five Things to Know About the Supreme Court’s Recent Climate Ruling*, CANARY MEDIA (Jul. 11, 2022)

*The EPA’s New Climate Rule Avoids an Old Mistake*, SLATE (Nov. 5, 2021) (with Richard L. Revesz)

*Mandating Disclosure of Climate-Related Financial Risk*, HARV. F. ON CORP. GOVERNANCE (Nov. 4, 2021)  
(with Madison Condon, Sarah Ladin, Michael Panfil & Alexander Song)

*Azar’s “Sunset Rule” Will Bring a Dangerous New Dawn for Health Regulation*, STAT (Jan. 20, 2021)

*EPA Will Say Anything to Avoid Addressing Climate Change*, THE REG. REV. (Jul. 29, 2019)  
(with Richard L. Revesz)

*Trump’s Changes to Title X Put the Health of Low-Income Women in Danger*, L.A. TIMES (Mar. 6, 2019)

*EPA Expands Clean Air Act Loopholes for Coal Plants*, THE HILL (Sept. 5, 2018) (with Richard L. Revesz)

*The EPA's Smoke and Mirrors on Climate*, N.Y. TIMES (Oct. 9, 2017) (with Richard L. Revesz)

*Here's How the EPA Can Help States with Their Smog Problems*, WASH. POST (May 12, 2017)  
(with Richard L. Revesz)

*EPA Committed to Regulating Mercury 17 Years Ago. Now It's Having Second Thoughts.*, GRIST (May 4, 2017)

*Familiar Territory: A Survey of Legal Precedents for the Clean Power Plan*, 46 ENV'T L. REP. 10,190 (2016)  
(with Richard L. Revesz & Denise A. Grab)

*Obama Takes a Crucial Step on Climate*, N.Y. TIMES (Aug. 3, 2015) (with Richard L. Revesz)

*Could a Copy-Editing Error Undermine Obama's Climate Rule?*, GRIST (Aug. 22, 2014)

### Reports & Policy Briefs

THE EMISSIONS IN THE KITCHEN: HOW THE CONSUMER PRODUCT SAFETY COMMISSION CAN ADDRESS THE RISKS OF INDOOR AIR POLLUTION FROM GAS STOVES (Inst. for Pol'y Integrity 2022) (with Laura Figueroa)

ASSESSING THE COSTS & BENEFITS OF MANDATORY CLIMATE RISK DISCLOSURE (Inst. for Pol'y Integrity 2022)  
(with Alexander Song)

REGULATING NEW FOSSIL-FUEL APPLIANCES UNDER SECTION 111(B) OF THE CLEAN AIR ACT (Inst. for Pol'y Integrity 2021) (with Rachel Rothschild, Henry Engelstein & Nardos Girma)

MAKING REGULATIONS FAIR: HOW COST-BENEFIT ANALYSIS CAN PROMOTE EQUITY & ADVANCE ENVIRONMENTAL JUSTICE (Inst. for Pol'y Integrity 2021) (with Iliana Paul, Max Sarinsky, Burçin Ünel & Ana Varela Varela)

REGULATING RISK FROM TOXIC SUBSTANCES: BEST PRACTICES FOR ECONOMIC ANALYSIS OF RISK MANAGEMENT OPTIONS UNDER TSCA (Inst. for Pol'y Integrity 2021) (with Rachel Rothschild)

NO TURNING BACK: AN ANALYSIS OF EPA'S AUTHORITY TO WITHDRAW CALIFORNIA'S PREEMPTION WAIVER UNDER SECTION 209 OF THE CLEAN AIR ACT (Inst. for Pol'y Integrity 2018) (with Denise A. Grab, Jayni Hein & Richard L. Revesz)

THE FALLING COST OF CLEAN POWER PLAN COMPLIANCE (Inst. for Pol'y Integrity 2017) (with Denise A. Grab)

BOUNDED REGULATION: HOW THE CLEAN POWER PLAN CONFORMS TO STATUTORY LIMITS ON EPA'S AUTHORITY (Inst. for Pol'y Integrity 2016) (with Richard L. Revesz & Denise A. Grab)

### PROFESSIONAL EXPERIENCE

The Institute for Policy Integrity at  
New York University School of Law

Regulatory Policy Director, 2017 – 2024  
Senior Attorney, 2015 – 2017  
Legal Fellow, 2014 – 2015

Davis Polk & Wardwell LLP

Litigation Associate, 2012 – 2013

The Honorable Janet C. Hall,  
U.S. District Court for the District of Connecticut

Law Clerk, 2011 – 2012

Random House, Inc.

Assistant Editor, 2007 – 2008  
Editorial Assistant, 2005 – 2007

## PRESENTATIONS

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Discussant, Book Talk on *Climate of Contempt* by David Spence, NYU Guarini Center for Environmental and Land Use Law, September 2024

Paper Presenter, *Justifying Redistributive Regulations*, ABA Administrative Law Section Spring Conference, May 2024

Panelist, "Modernizing Regulatory Review," ABA Administrative Law Section Fall Conference, November 2023

Paper Presenter, *Justifying Redistributive Regulations*, NYU Furman Center for Real Estate and Urban Policy Fall Speaker Series, October 2023

Panel Moderator, "The USMCA and Energy and Climate Policy," Dennis J. Block Center for the Study of International Business Law Symposium, Brooklyn Law School, October 2023

Panel Moderator, "Springboards to Emission Reductions: Recent Legislation and Regulation," Institute for Policy Integrity at NYU Law Annual Conference, September 2023

Panel Moderator, "The Biden Administration – A Breath of Fresh Air?," California Lawyers Association Environmental Law Section Annual Conference, October 2021

## LITIGATION

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Amicus Brief on EPA Affordable Clean Energy Rule, *West Virginia v. EPA*, No. 20-1530 (S. Ct. 2022) (with Richard L. Revesz, Rachel Rothschild & Max Sarinsky) **(cited in Justice Kagan's dissent)**

Amicus Brief on EPA Repeal of Methane Rule, *California v. Wheeler*, No. 20-1357 (D.C. Cir. Dec. 14, 2020) (with Max Sarinsky & Jason A. Schwartz)

Amicus Brief on HHS Conscience Rule, *San Francisco v. Azar*, No. 20-15398 (9th Cir. Oct. 20, 2020) (with Richard L. Revesz)

Amicus Brief on EPA Withdrawal of California's Clean Air Act Preemption Waiver for Vehicle Emissions Standards, *Union of Concerned Scientists v. NHTSA*, No. 19-1230 (D.C. Cir. July 6, 2020) (with Richard L. Revesz & Max Sarinsky)

Amicus Brief on HHS Repeal of Nondiscrimination Rule, *New York v. HHS*, No. 20-5583 (S.D.N.Y. Sept. 17, 2020) (with Richard L. Revesz & Max Sarinsky)

Amicus Brief on Department of Agriculture Changes to Supplemental Nutritional Assistance Program, *District of Columbia v. USDA*, No. 20-119 (D.D.C. July 1, 2020) (with Christopher Curran, Naari Ha, Nicholas McGuire, Richard L. Revesz & Max Sarinsky)

Amicus Brief on Department of Homeland Security Public Charge Rule, *Washington v. DHS*, No. 19-35914 (9th Cir. Jan 23, 2020) (with Richard L. Revesz & Max Sarinsky) **(cited in decision affirming vacatur)**

Amicus Brief on EPA Denial of Maryland and Delaware Petitions for Interstate Pollution Relief, *Maryland v. EPA*, No. 18-1285 (D.C. Cir. Apr. 5, 2019) (with Richard L. Revesz)

Amicus Brief on DHS Rescission of Deferred Action for Childhood Arrivals Program, *Regents of the University of California v. DHS*, No. 18-15068 (9th Cir. Mar. 20, 2018) (with Richard L. Revesz & Avi Zevin)

Amicus Brief on Department of Housing and Urban Development Suspension of Small Area Fair Market Rent Rule, Open Communities Alliance v. Carson, No. 17-2192 (D.D.C. Nov. 13, 2017)  
(with Richard L. Revesz & Avi Zevin) **(cited in decision vacating suspension)**

Amicus Brief on EPA Mercury and Air Toxics Standards, Murray Energy v. EPA, No. 16-1127  
(D.C. Cir. Jan. 25, 2017) (with Caroline Cecot, Denise A. Grab, Richard L. Revesz & Jason A. Schwartz)

Amicus Brief on EPA Greenhouse Gas Standards for New Power Plants, North Dakota v. EPA, No. 15-1381  
(D.C. Cir. Dec. 21, 2016) (with Caroline Cecot, Denise A. Grab, Richard L. Revesz & Jason A. Schwartz)

Amicus Brief on EPA Ambient Ozone Standards, Murray Energy v. EPA, No. 15-1385 (D.C. Cir. Aug. 4, 2016)  
(with Denise A. Grab, Michael A. Livermore, Jason A. Schwartz & Richard L. Revesz)

## MEDIA

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### Quoted

*Investors Get Caught in Political Crossfire in ESG fight*, AXIOS (Mar. 4, 2023)

*The Unraveling of the Trump Era*, THE ATLANTIC (July 28, 2021)

*Biden Administration Wants the Financial Sector to Face Up to Climate Risk*, WASH. POST (Mar. 17, 2021)

*New Trump Rule Aims to Limit Tough Clean Air Measures Under Biden*, N.Y. TIMES (Dec. 9, 2020)

*"We Knew They Had Cooked the Books,"* THE ATLANTIC (Feb. 12, 2020)

*Why the U.S. is Cutting Carbon Emissions No Matter What Happens with the Supreme Court*, WASH. POST  
(Feb. 17, 2016)

### Interviewed

*The Supreme Court's EPA Ruling Has Big Implications*, NPR MARKETPLACE MORNING REPORT (July 1, 2022)

*Jack Lienke & Kirti Datla on the Ridiculous (But Extremely Important) EPA Case Before the Supreme Court*,  
VOLTS (Mar. 11, 2022)