

SEPARATING FACTS FROM FAKE NEWS

ENVIRONMENTAL FOIA IN THE TRUMP ERA

WELCOME & REFRESHMENTS **9:00-9:30**

HOW TO STOP WORRYING AND LEARN TO LOVE FOIA: AN INTRODUCTION TO THE FREEDOM OF INFORMATION ACT **9:30-10:00**

USING FOIA FOR ENVIRONMENTAL ADVOCACY AND LITIGATION - STORIES FROM LAWYERS **10:00-11:00**

- David Bahr
- Kym Hunter (Southern Environmental Law Center)
- Lauren Kurtz (Climate Science Legal Defense Fund)
- Moderator: Sarah Lamdan (CUNY School of Law)

FOIA AND ENVIRONMENTAL JOURNALISM - A DISCUSSION WITH JOURNALISTS **11:15-12:15**

- Emily J. Gertz (Environmental Journalist & Author)
- Derek Kravitz (ProPublica)
- Jie Jenny Zou (Center for Public Integrity)
- Moderator: Dale Willman (Craig Newmark Graduate School of Journalism)

MONITORING ENVIRONMENTAL WEBSITES: ENVIRONMENTAL DATA & GOVERNANCE INITIATIVE **12:15-1:00**

- Kevin Nguyen (EDGI)
- Jake Wylie (EDGI)

HOW THE SIERRA CLUB USED FOIA TO UNCOVER PRUITT'S EPA: AN INTERVIEW WITH ELENA SAXONHOUSE **1:00-1:30**

AN INTERVIEW & DISCUSSION WITH ERIC LIPTON **1:30-2:15**

FOIA STRATEGY SESSIONS **2:15-3:15**

- Best practices for drafting & filing FOIA requests
- Dealing with agency stonewalling
- FOIA for beginners
- FOIA fees & waivers

RESPONDING TO FOIA REQUESTS: THE AGENCY PERSPECTIVE **3:30-4:30**

- Patrick Foster (NY Department of Environmental Conservation)
- Martha Wagner Murphy (National Archives, Office of Government Information Services)
- Andrea McArdle (CUNY School of Law)

VISUALIZING ENVIRONMENTAL INFORMATION **4:30-5:00**

- Charlie La Greca (Artist, Mayah's Lot)
- Rebecca Bratspies (CUNY School of Law & Center for Urban Environmental Reform)

SPEAKER PROFILES

David Bahr has been a public interest attorney for over twenty-eight years. His clients range from national environmental groups to journalists covering the Columbia River salmon wars to a small non-profit Ohio water district locked in litigation with the DuPont chemical corporation. Before establishing his current practice, he was a senior staff counsel at the Western Environmental Law Center and an instructor with the University of Oregon Law School's Environmental Law Clinic. Dave spearheaded development of WELC's Travel Management Program as well as a Transparency Initiative to optimize use of state and federal public records laws by the activist community. Prior to that, Dave's firms focused on representing clients in federal and state environmental, public records, land use, special education and civil rights litigation throughout the country. He also served on the Freedom of Information Act Advisory Committee, created under the auspices of the National Archives and Records Administration. He received the Sunshine Award in 2001 from Society of Professional Journalists and was presented the Kerry L. Rydberg Award for accomplishment in public interest environmental litigation by the 1999 Public Interest Law Conference at the University of Oregon Law School.

Rebecca Bratspies is a Professor of Law at the CUNY School of Law and Director of the CUNY Center for Urban Environmental Reform. Her scholarly research focuses the relationship between citizens and their government, particularly the regulatory state. She has published widely on questions of environmental democracy, food justice, and human rights. Her environmental justice comic books (Mayah's Lot, and Bina's Plant) have been used in classrooms around the country, adopted by state environmental agencies, and made into a video. Professor Bratspies serves on EPA's Children's Environmental Health Protection Advisory Committee, and is a member-scholar with the Center for Progressive Reform, and with the Environmental Law Collective. She blogs with The Nature of Cities. She has served on the ABA Standing Committee on Environmental Law, and as an advisor to the CGIAR. She is past Chair of the American Association of Law Schools Section on the Environment. Cryptocurrency is a new interest.

Patrick Foster is the Regional Attorney for the NYS Department of Environmental Conservation (DEC), Region 2, covering the five boroughs of New York City. As Regional Attorney, Patrick manages the Region 2 Office of General Counsel legal staff and provides legal support for DEC environmental quality and remedial programs, overseeing all civil, criminal and administrative enforcement cases and permitting matters within Region 2. Prior to this, Patrick served as an Associate Attorney and Chief of the Natural Resource Damages Section in the Office of General Counsel at DEC Central Office in Albany. He has also served as an Assistant Regional Attorney in the DEC Region 9 office in Buffalo, NY. Patrick received his JD and MA in International Affairs in 2011 from the City University of New York (CUNY). While at CUNY School of Law Patrick served on law review, as president of student government, and was a Public Interest Law Fellow. During law school Patrick worked as a clerk at the U.S. EPA Region 3 and the Earthjustice Washington, D.C. offices. Following law school, he served as a Justice Fellow working in the New York State Unified Courts and as a Pro Bono Fellow at Earthjustice.

Emily J Gertz writes (de)regulation nation (deregulation.com), a newsletter tracking environmental news in the Trump era. For over 15 years she has reported national and international environmental, science, and technology stories for diverse publications that include HuffPost, Popular Science, TED Ideas, Dwell magazine, Reveal, Men's Journal, Arctic Deeply, The Guardian, Scientific American, and Rolling Stone. Emily is a board member of the Society of Environmental Journalists, and a longtime member of the group's Freedom of Information Task Force.

SPEAKER PROFILES

Kym Hunter is a Senior Attorney with the Southern Environmental Law Center where she has worked for the past eight years since graduating from Georgetown Law School. Kym litigates in state and federal court on a variety of issues, including government transparency. Kym was lead co-counsel in a landmark public records case in North Carolina, where public interest groups and major news outlets banded together to sue Governor McCrory's administration for systematic non-compliance with the public records act. More recently, Kym's transparency works has focused on a range of FOIA lawsuits against the Trump administration. Kym is on the Board of the North Carolina Open Government Coalition.

Lauren Kurtz is the Executive Director of the Climate Science Legal Defense Fund (CSLDF). At CSLDF, Lauren works to protect climate scientists from legal attack by politically and ideologically motivated parties. Previously, Lauren was a litigation associate at Dechert LLP and held legal and policy positions at the U.S. Environmental Protection Agency. She also worked as a law clerk at an environmental non-profit group in Dar es Salaam, Tanzania, and wrote a case study on environmental and socially responsible investing published by the United Nations. Lauren has a J.D. and a master's in Environmental Policy from the University of Pennsylvania, and a B.A. in Biology and a B.A. in Economics from Bryn Mawr College. She enjoys playing the piano, exploring New York City, and urban gardening.

Charlie La Greca has spent the last two decades as a creator, organizer, producer, cartoonist, and artistic entrepreneur. He is the co-founder of Comic Book Classroom, an NGO dedicated to using comic books to foster literacy and empowerment in socio-economically challenged schools. He is also the co-founder and organizer of Denver Comic Con. La Greca has worked professionally in the illustration and comics industry for 17 years. His work can be seen in comics, magazines, newspapers, TV, digital media, ad campaigns, branding, corporate meetings, and live performances for such notable companies as Disney, Nickelodeon, DC Comics, Scholastic, Lego, Top Shelf Comics, Fuse TV, Versus TV, Tour de France, Allied Waste, Starwood Westin Hotels, and many more.

Sarah Lamdan is a Professor at CUNY School of Law who specializes in environmental law, FOIA, and information policy. Her book, *Environmental Information: Research, Access, & Environmental Decisionmaking*, was published by the Environmental Law Institute in 2017. She also writes about surveillance and privacy issues related to online research and law services.

Eric Lipton is an investigative reporter in the Washington Bureau of The New York Times, where he writes about federal regulatory policy during the Trump administration particularly as it relates to energy and the environment. He also is assigned to cover the Trump Organization and its global business operations. He is a three-time winner of the Pulitzer Prize, most recently in 2017 for foreign reporting when he was part of a team of reporters from The New York Times that wrote about Russia's intervention into western democracies, including the 2016 election in the United States. He also won a Pulitzer in 2015 for investigative journalism, based on a series of stories about the boom in lobbying of state attorneys general by corporate interests, including energy, telecommunications and pharmaceutical industries, as well as by trial lawyers, looking to file lawsuits on behalf of states.

Before moving to Washington, he was based in the City Hall bureau of The Times, covering the final term of Mayor Rudolph W. Giuliani, as well as the 2001 attacks. He is co-author of *City in the Sky*, the Rise and Fall of the World Trade Center, a book about the conception, design, construction, destruction and cleanup of the towers, a project that emerged from his coverage of ground zero in the months after the attacks. Before joining The Times, Mr. Lipton spent five years at The Washington Post writing about the end of Mayor Marion Barry's tenure and the arrival of Mayor Anthony Williams, among other matters. From 1989 until 1994, Mr. Lipton worked at The Hartford Courant. While at The Courant, he and a colleague won the 1992 Pulitzer Prize for explanatory journalism for their stories about the flaw in the main mirror of the Hubble Space Telescope. Mr. Lipton started his daily newspaper career in 1987 at a small New Hampshire paper, The Valley News. He lives in Washington.

SPEAKER PROFILES

Andrea McArdle, Professor of Law at City University of New York (CUNY) School of Law, takes an interdisciplinary approach to teaching and scholarship, holding law degrees and a Ph.D. in American Studies. She is an urbanist and a scholar of judicial writing, narrative, and voice. Affiliated as a faculty member with CUNY's Center for Urban Environmental Reform, she teaches and writes on urban land use and climate resilience policy making through an equity lens. Her urban scholarship includes studies of the community impacts of order-maintenance, anti-crime, and anti-terrorist policing, explored in anthologies she co-edited, *Uniform Behavior: Police Localism and National Politics* (Palgrave Macmillan) and *Zero Tolerance: Quality of Life and the New Police Brutality in New York City* (NYU Press).

Martha Wagner Murphy is the Deputy Director of the Office of Government Information Services (OGIS). Before joining OGIS in July 2018, Martha had over 20 years of experience in FOIA and was the access program manager and FOIA Public Liaison for the FOIA staff tasked with processing sensitive Federal archival records at the National Archives and Records Administration (NARA). Martha studied history and political science at Loyola College of Baltimore, and received her MA in 20th century United States history from Loyola University of Chicago. She has worked at the NARA since 1991 and is a member of the American Society of Access Professionals.

Kevin Nguyen is an average human and artist who plays with computers, hoping to make our world work for everyone. Currently EDGI's Community Coordinator, helping to nurture our community and growing this intersection of amazing people & ideas.

Elena Saxonhouse joined the Sierra Club in 2008 as a law fellow. She arrived at the Club after two years with the law firm Shute, Mihaly & Weinberger, where she counseled community groups and public agencies on land use and environmental matters. Elena previously worked as an associate attorney in the Washington, D.C. office of Earthjustice, and as a law clerk for the Honorable Ellen Segal Huvelle of the U.S. District Court for the District of Columbia. She graduated from Stanford Law School and Yale University. Beyond using the law to save the planet, Elena's favorite activities include birding, being an aunt, attending live music shows, and regularly planning to go to yoga class. Her greatest life accomplishment to date is cycling across the U.S., through many of the stunning places Sierra Club works to protect.

Dale Willman has been an award-winning correspondent, editor, trainer and teacher for more than 40 years. He recently spent a year in South Sudan working as Lead Journalism Trainer and Civic Education Advisor for a USAID-funded project. He also spent a year in Indonesia as a Senior Fulbright Scholar, and has worked as a journalist, an international journalism trainer and mentor on 5 continents. Currently he is a Program Manager for the City University of New York (CUNY), where he has created a Resilience Fellowship for journalists. He also fills in as a newscaster for NPR, where he previously worked for more than 12 years. While living in Washington, DC he also worked for CBS and CNN.

Jake Wylie studied economics and political science at the University of Michigan and recently completed an MBA from NYU Stern where he focused on technical entrepreneurship and international business. He works in the financial services industry in New York and helps coordinate EDGI's Website Monitoring team.

Jie Jenny Zou has been an investigative reporter with the Center for Public Integrity's award-winning environment and workers' rights team since 2015. Her work includes deep dives on the influence of the fossil-fuel industry, as well as scientific integrity and conflicts of interest. Before joining the Center, she was a data-based reporter in New York investigating prisons and jails as well as judicial misconduct. Zou is an alumna of Stony Brook University and Columbia University Graduate School of Journalism. You can reach her on twitter @jiejennyzou.



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