



# Gwendolyn Keyes Fleming

Partner, Van Ness Feldman, LLP

1050 Thomas Jefferson Street, NW, Washington, DC 20007

## Executive Overview

Dynamic leader, innovative thinker with core strengths of policy development and long-term strategic planning. Former political appointee and elected official with persuasive advocacy and excellent relationship building skills who has led teams as small as 75 to as large as 15,000 people. Twenty-plus years of experience as litigation attorney, dealing with high profile, complex and technical matters. Extensive experience in leadership development, change management and leveraging non-traditional partnerships to maximize results.

## Environmental Experience

### **Partner at Van Ness Feldman, LLP, Washington, D.C.**

August 2017 — Present

- Serve as Chief Counsel for a 180-member trade association focused on the safe production, packaging and transportation of mission chemicals.
- Serve as Government Relations Counsel for global healthcare company navigating the legislative and regulatory developments surrounding emerging contaminants.
- Successfully negotiated two Resource Conservation and Recovery Act (RCRA) financial liability enforcement actions resulting in drastically reduced settlement terms for both clients.
- Assisted government client with modification of Clean Water Act (CWA) Consent Decree, drafting a plan to address previous performance challenges and outlining a strategy to successfully engage regulatory agencies in a way that balances environmental justice and economic development concerns.
- Conducted an internal investigation into alleged employee violations of organization’s policies and procedures that resulted in settlement of related lawsuit and repayment of funds obtained.
- Successfully implemented policies as member of firm’s Executive Committee and Co-Facilitator of the Diversity and Inclusion Committee that resulted in designation by Law360 as a “best law firm” for women and minority lawyers two years in a row.

### **Chief of Staff at U.S. Environmental Protection Agency (USEPA), Washington, D.C.**

June 2013 — May 2015

- Member of the Senior Executive Service (SES) appointed by President Barack Obama to help manage day-to-day operations of Agency’s nearly \$8B budget and 15,000 employees as the Agency finalized or proposed the Clean Water Rule, the Clean Power Plan, the Definition of Solid Waste Rule, Coal Combustion Residuals Rule, Ozone NAAQS

## Contact Information

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## PRIMARY SKILLS

Environmental Policy  
Development & Analysis

Regulatory and Statutory  
Compliance

Enforcement & Internal  
Investigations

Leadership Development

Strategic Planning

Crisis Management

Project Management

Government and  
Community Relations

Public Speaking

## Licensed to Practice Law in

Georgia

District of Columbia

*References Available Upon Request*

and the Worker Protection Standard.

- Co-managed successful transition of the newly confirmed Administrator including socialization and implementation of a new strategic vision, resource allocation and implementation of accountability measures.
- Served as Administrator's representative at all levels of government including interactions with White House and Cabinet Member senior staff, state, tribal and local leadership, private industry, citizen groups and other stakeholders. Represented the Agency at the UN Universal Periodic Review of the US human rights obligations in Geneva, Switzerland, May 2015.
- Responsible for recruiting, hiring and training all political appointees across 11 media programs and 10 regions. Directed career SES staff in the areas of civil rights, small business programs and children's health. Successfully trained 88% of all managers across the country on unconscious bias – a first for EPA in its 40+ year history – as part of a larger Diversity and Inclusion Strategy.
- Completed key projects including finalizing the Agency's Role of Title VI Complainants Policy Paper, publishing the inaugural Title VI Progress Report and ushered the Anti-Harassment Policy to Unions for review after four years of stagnation. Directed the production of the Agency's first comprehensive Children's Health Strategy.
- Served as primary point of contact for all internal and external on Agency during October 2013 coordination during Shutdown.

### **Regional Administrator, Region 4 (Southeast) at USEPA, Atlanta, GA**

September 2010 — May 2013

- Served as the Obama Administration Appointee (SES) primarily responsible for establishing and implementing environmental policy affecting all aspects of air, water and soil concerns for 20% of the U.S. population in eight southeastern states and affecting six federally recognized tribes consistent with national directives.
- Skillfully lead a seasoned team of ten direct reports supervising over 1,000 employees in Air, Water, Land, Laboratory, Budget & Personnel, and Communications divisions who consistently met or surpassed national targets in all divisions. Administered a \$587M annual budget advancing the Agency's core mission to protect human health and the environment.
- Operated as the lead enforcement official responsible for coordinating civil and criminal aspects of environmental protection in conjunction with state and tribal co-regulators in accordance with the provisions of the Clean Water Act , Clean Air Act , Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), Resource Conservation and Recovery Act (RCRA), National Environmental Policy Act (NEPA) and other environmental laws. Successfully negotiated matters to protect the Florida Everglades, establish Florida Numeric Nutrients, improve Birmingham air quality and address mountain top mining.

## **ADDITIONAL SKILLS**

### **Transition Team Facilitation**

- Managed transition of newly confirmed EPA Administrator
- Successfully managed transition team activities for two local political campaigns.

### **Congressional Hearing Preparation:**

- As USEPA Region 4 Regional Administrator, prepared for and gave sworn testimony as a witness in a Florida Congressional Field Hearing which led to the approval of a numeric nutrient water quality standard in the face of staunch local opposition.
- As EPA Chief of Staff, prepared the Administrator and several high-level officials for congressional hearing testimony.
- As ICE General Counsel, partnered with other members of Executive Leadership team to prepare senior leaders for congressional hearings and draft responses to congressional inquiries.

- Cemented the Region's commitment to providing environmental equity to formerly marginalized communities by finalizing the Region's Environmental Justice Policy after nearly 10 years, instituting regular environmental justice information sessions with state partners and communities, and empowering a cross-divisional Environmental Justice Steering Committee to strategically and comprehensively address community concerns.
- Served as co-representative to the RESTORE Act Counsel to facilitate ecosystem restoration and resiliency in the Gulf of Mexico coastal region following the Deepwater Horizon Oil Spill.

## Other Federal Government Service

### Principal Legal Advisor (General Counsel) [TS/SCI Clearance] at Immigration & Customs Enforcement (ICE), US Department of Homeland Security (DHS), Washington, D.C.

May 2015 — January 2017

- Obama Administration Appointee (SES) responsible for administering \$230M+ budget and managing the largest legal program within DHS. Supervised approximately 1,500 attorneys and staff in 60 locations across the country who provided legal advice to global team of nearly 20,000 employees committed to protecting national security and public safety. Provided legal analysis on key policies and investigations involving cybercrimes, counter proliferation, homeland and national security, financial crimes child exploitation and human rights violations.
- Served as ICE General Counsel handling matters concerning procurement, ethics, administrative law, employment law and tort claims. Supervised attorneys representing the U.S. government in all aspects of exclusion and removal proceedings in immigration courts.
- Drafted and implemented a national engagement strategy that increased employee global satisfaction by 12% in less than 12 months (per FEVS). Drafted a five-year strategic plan for office.



## Elected Service

### District Attorney, Stone Mountain Judicial Circuit, Decatur, GA

January 2005 — September 2010

- Successfully unseated incumbent in closely contested Democratic primary and general election in jurisdiction covering 270 square miles with a population of 770,000 people representing 52 different cultures; Re-elected without opposition in 2008.
- Administered \$12M budget and managed office of over 165-employees (including attorneys, investigators, victim witness and support staff) that prosecuted 13,000 felony charges annually in ten divisions of Superior Court, 4,000 cases in Juvenile Court and conducted appellate work submitted to Georgia Appellate Courts.
- Coordinated media and messaging on all high-profile complex cases, including year-long excessive use of force grand jury

## Media and Community Relations:

- As an elected official handled all media contacts, including on camera interviews, related to high profile cases including the conviction of the murderer of Emory co-ed Shannon Melendi, and the indictment of DeKalb School Officials for bribery.
- Featured in Ebony Magazine, JET Magazine, The Atlanta Tribune, Rolling Out Magazine and the Atlanta Daily World Newspaper for being the first African-American and first female to be elected Solicitor-General and District Attorney of DeKalb County as well as the youngest person to obtain this post in the jurisdiction.
- Guest commentator on In Session, a national television show highlighting criminal trials on a CNN affiliated show.
- Initiated numerous proactive community engagement activities to reduce crime including GHOST OUT to decrease teen drinking and driving as well as Just Us G.A.L.S. (Girls Achieving Leadership & Success) to lower teen encounters with the criminal justice system.

investigation of 15 officer-involved shootings and an indictment of high-ranking public officials for public corruption charges.

- Created Office's first Public Integrity Unit.

### **Solicitor General, DeKalb County, GA**

January 1999 — April 2004

- Successfully campaigned in Democratic primary and run-off election in county spanning 270 square miles with a population of approximately 670,000 people in one of the most diverse jurisdictions in the southeast; Re-elected without opposition in 2002.
- Administered \$4M budget and managed office of over 75-employees (including attorneys, investigators and support staff) that prosecuted approximately 12,000 misdemeanor cases annually in seven divisions of State Court and four divisions of Magistrate Court. Supervised all appellate work submitted to Appellate Courts on behalf of the office.
- Assisted in implementation of a new diversionary Mental Health Court for non-violent offenders.



### **Education**

#### **Graduate, Barack Obama Presidential Leadership Workshop for Senior Executive Leaders, Washington, D.C.**

December 2015 — May 2016

#### **Juris Doctorate, Emory University School of Law, Atlanta, GA**

- *Member, Executive Committee, Barrister*, Lamar Chapter of the American Inns of Court
- *Past President*, Emory University School of Law Alumni Association Executive Committee (LAAEC)
- *Former Adjunct Professor*, Criminal Litigation Course and the National Institute of Trial Advocacy (NITA) Program
- *Honors*: Emory University School of Law Distinguished Alumni Award 2007, Black Law Students Association Distinguished Alumni Award, 1996, Georgia Association for Women Lawyers (GAWL) Award for "High Academic Achievement, Dignity, Integrity, Service and Commitment to the Law in Georgia," Order of the Coif, 1993

#### **Bachelor of Science in Finance, Douglass College at Rutgers University, New Brunswick, NJ**

- *Honors*: 2014 Zagoren Lecture Speaker, Commencement Keynote Address, May 2009, Inducted into the Douglass College Alumna Hall of Fame for Contributions to Law & Community, 2001,
- *Scholarships & Activities*: James D. Carr University Scholar, Douglass College Scholar, Jewel Plummer Cobb Minority Senior Achievement Award Recipient, Resident Advisor



### **Key Association Memberships** (full list provided upon request)

- Member of the Leadership Council, Environmental Law Institute
- American Bar Association, Section of Environment, Energy and Resources ; Co-Chair, Subcommittee on Environmental Justice, Member, Subcommittee on Governance
- Member, National Bar Association, Georgia Association of Black

### **Fundraising:**

- Chaired the Van Ness Feldman 2020 Giving Campaign which raised over \$17,000 in personal contributions in two months to benefit charitable organizations focused on COVID-19 relief and achieving racial equity.
- Served as the 2012 Annual Combined Federal Campaign (CFC) Chair for the Southeast Region leading a team of volunteers representing 100+ agencies who successfully raised over \$4.5M in the third largest Federal giving campaign by strengthening online giving and social media outreach.
- Raised funds for successful Solicitor General and District Attorney political campaigns.

#### Women Attorneys

- Leadership Atlanta, Class of 2007 - Co-Chair, Annual Criminal Justice & Public Safety Day 2008
- Leadership Georgia, Class of 2000 - Trustee, Board of Trustees 2001-2004
- Leadership DeKalb, Class of 1999 - Chair, Annual Justice Day Presentation 2000 - 2010
- Member, Impact Church of Northern Virginia
  - Youth Sunday School Teacher



#### Select Awards (full list provided upon request)

- Ebenezer Bassett Award, African American Federal Executive Association, 2017
- Environmental Justice Champion of Change Award, US Environmental Protection Agency, 2015
- Georgia Association of Black Women Attorneys, Leah Ward Sears Award for Distinction in the Profession, 2010
- E. Dale Threadgill Award for Community Service, Leadership Georgia, 2010
- Atlanta Business Chronicle's Power Fifty in Law and Business, 2010
- Atlanta's Top 100 Black Women of Influence Award, 1999, 2007 – 2010



#### Sample Environmental Speaking Engagements and Presentations

- Organizer, "What's Driving Your Air Quality? An Examination of Mobile Source Impacts on Climate Change and the Air That We Breathe," American Bar Association (ABA), Section of Environment, Energy and Resources (SEER), June 2020
- Guest Lecturer, "Environmental Policy – the Washington Process," The Sustainability Graduate Program at Wake Forest University, May 2020, 2019
- Speaker, "Environmental Law During the COVID-19 Crisis: Emergency Exemptions and Response," ABA SEER, April 2020
- Panelist, "State and Federal Relationships in Environmental Protection," Speaker Series, The Sustainability Graduate Program at Wake Forest University, November 2019
- Presenter, "Managing Unused Pharmaceuticals: New Obligations on Healthcare Providers, Expanded Definition of Healthcare Facility, Strafford Webinars, June 2019
- Speaker, "Sustainable Materials Management, the Circular Economy and RCRA Regulations" March 2019
- Keynote Speaker, Race and the Law, Vermont Law School's Black Law Student Association, February 2019
- Panelist, "The Future of Environmental Law: Frontiers in Advocacy and Protection in a Time of Conflict and Change" Turner Law Clinic 20<sup>th</sup> Anniversary, Turner Law Clinic, Emory University School of Law, January 2019
- Moderator, "Successful Policy Development in an Ever-Changing Environment," Environmental Law Institute, December 2018

#### Other Speaking and Publication Topics:

- Cybersecurity
- Ethics
- Policy Development
- Leadership

- Moderator, *New Source Review Reform: Past, Present, and Future* ABA SEER, April 2018
- Guest Presenter for session entitled “Ready to Govern, Managing the Political-Career Interface: Building a Strong Team” sponsored by the Partnership for Public Service, July 2015, August 2015, February 2017



## Publications

July 2020 — July 2020

- EPA Issues Compliance Advisory Regarding Pesticide Devices Making Claims to Kill the Novel Coronavirus June 9, 2020
- EPA’s 20 Proposed Low-Priority and High-Priority Chemical Substances: Comments are Due November 2019, August 28, 2019
- Water ISAC Releases Broader Cybersecurity Guidelines for Water & Wastewater Utilities, July 29, 2019
- EPA Amends Freedom of Information Act Regulations, July 3, 2019
- New Hazardous Waste Pharmaceutical Rule Imposes New Obligations on Health Care Providers, April 5, 2019
- EPA Issues New Emergency Response Requirements for Community Water Systems, April 3, 2019