The Concerning Status of Climate Change Legislation and Policies in the United States

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What’s Causing Climate Change?

Greenhouse Gas Emissions

- Hotter Temperatures & Oceans
- Extinction
- Poverty & Displacement
- More Severe Storms & Drought

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Enacting Legislation in the US: Congress

Introduction in the House or Senate → Committee Referral → Subcommittee Consideration

Referred to the other Congressional Body & Repeat → Floor Consideration & Vote → Full Committee Consideration

Conference Committee Alignment → Votes in Both Congressional Bodies on the Aligned Bill → President Signs the Bill into Law
What’s Stopping Climate Legislation from Being Passed in Congress?

1. Partisanship & differences among party members
2. Timing
3. The long-term nature of climate change legislation
Where are we now, and where are we going?

In the Senate: Budget Reconciliation
- Reconciliation bills cannot be filibustered
- Cumbersome process to pass
  - Vote-a-rama
- Strict rules on what they can include
  - The Byrd Rule
- Centrist Democrats need to sign off

In the Executive Branch:
- Executive Orders
- Declaring a Climate Emergency
An Attack on Climate Policies from the Judicial Branch

*West Virginia v. Environmental Protection Agency*

What does the EPA no longer have authority to do?

- Set emissions caps on existing power plants based on the power sector’s ability to shift from fossil fuels to renewable energy sources

What does the EPA still have authority to do?

- Set standards for existing power plants if doing so does not require generation shifting
- Regulate greenhouse gas emissions from new power plants
To Summarize

1. Passing bills in the divided 117th Congress is a long, arduous process relying on a few key individuals
2. President Biden can take certain actions to combat climate change, but they face questions of legality
3. The Supreme Court has undermined the EPA’s authority to combat climate change
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Supreme Court of the United States. WEST VIRGINIA ET AL. v. ENVIRONMENTAL PROTECTION AGENCY ET AL. no. 20-1530, 30 June 2022.