



## CRS Report for Congress: Climate Change Litigation: A Survey: April 15, 2009 - RL32764

By Robert Meltz

BiblioGov. Paperback. Book Condition: New. This item is printed on demand. Paperback. 44 pages. Dimensions: 9.7in. x 7.4in. x 0.1in. The scientific, economic, and political questions surrounding climate change have long been with us. This report focuses instead on a relative newcomer: the legal debate. Though the first court decision related to climate change appeared 19 years ago, such litigation has proliferated in just the past six. Representatives of some suing organizations and states acknowledge that a prime cause for this litigation surge was inaction by Congress and the executive branch during the George W. Bush Administration with regard to mandatory constraints on greenhouse gas (GHG) emissions. The court cases, decided and pending, arise in eight contexts. The first is the Clean Air Act (CAA). In *Massachusetts v. EPA*, the Supreme Court held that as to mobile sources of emissions (cars, trucks), EPA has authority under the act to regulate greenhouse gas (GHG) emissions. This decision puts pressure on EPA to move forward as well with regulation of GHGs from stationary sources (power plants, factories). Second, litigation under wildlife statutes, particularly the Endangered Species Act, raises the possibility that the impacts of climate change on wildlife may constrain private activities that...



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