



Integrating Systems, Disciplines and Stakeholders  
for More Effective Conservation Policies—From  
Climate Change to Endangered Species  
Restoration

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**The Clean Air Act and related Domestic Laws -  
Opportunities for Progress**

Congress has not enacted a major new environmental statute since 1990, and the current divided government means there is little prospect for a change in the coming several years. Thus it is necessary to focus on use of the existing statutory authorities. The principal such authority is the Clean Air Act (CAA). The U.S. Supreme Court ruled in 2007 that the CAA authorizes the U.S. Environmental Protection Agency to regulate greenhouse gases, and since the inauguration of President Obama in 2009, EPA has been using that authority. However, EPA can go considerably further. Using the CAA, EPA can regulate existing sources of GHGs, such as coal-fired power plants (and not just new ones); it can strengthen the GHG review of more categories of new sources; it can explore the use of market mechanisms in cooperation with the states; and it can regulate more classes of engines. The federal government can also use existing statutes to impose or tighten energy efficiency standards for more classes of equipment; to ease the siting and construction of renewable energy facilities; to require federal agencies, contractors and grant recipients to use energy efficient technologies, and to make preparations to adopt to anticipated climate change. This talk will explore these and other available legal techniques.

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