

Jim Thebaut, Acclaimed Executive Producer, On the Supreme Court Ruling for the Environmental Protection Agency

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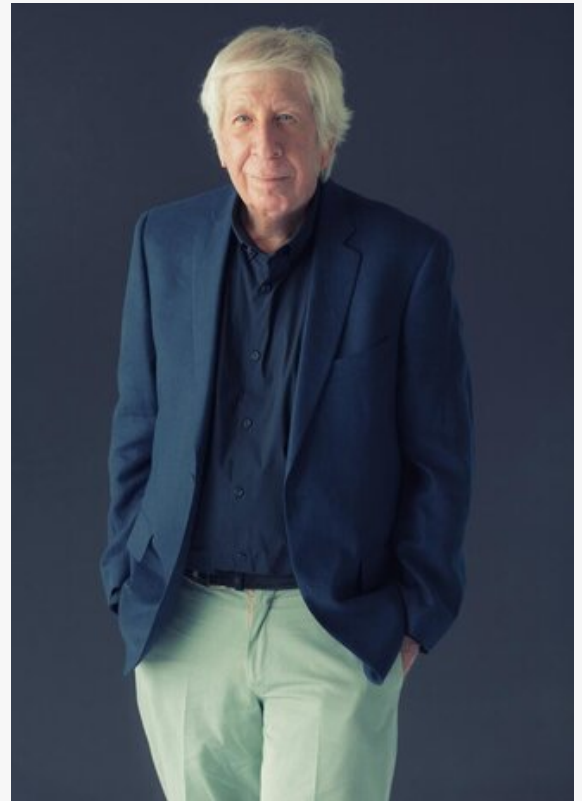
[/EINPresswire.com/](https://EINPresswire.com/) -- The world is currently experiencing a global climate emergency. This is predominately caused by vehicle emissions, fuel oils, natural gas to heat homes, and importantly a worldwide spread of fossil fuels in providing energy for the nonrenewable energy sectors which are causing atmospheric pollution and profound public health impacts and causing millions of deaths. Concurrently it is causing violent unpredicted weather patterns across the globe including heat stress, wildfires, flooding, famine, poverty, and unprecedented degradation of the worlds ecological system

On June 30th the Supreme Court made a perilous and extremely consequential decision that will have severe public health and climate crisis impacts throughout the planet.

The Supreme Court ruled the Environmental Protection Agency (EPA) does not have broad authority under the Clean Air Act to require States to decarbonize their electricity. The ruling results in minimizing EPS' regulatory authority in the United States on establishing and implementing air quality standards in the fossil fuel industry.

The archaic energy sector is still refusing to be transformed into immediately implementing Green reuse energy technology into its industry which includes solar, wind, and tidal power, and even though its expensive nuclear power and other evolving technologies which would eliminate the use of fossil fuels which will reduce the impact of the global climate crisis and will dramatically and importantly generate massive job opportunities and stimulate economies.

It's obvious the Court acquiesced to the energy sector special interest groups and also



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orchestrated by political realities which makes it extremely difficult to implement a coherent Green National energy policy that includes adapting climate crisis objectives.

Justice Elena Kagan's dissent reacted to this politicization orientation of the court's objective is to "prevent agencies from doing important work, even though that is what Congress directed. The anti-administration's stance shows up in the majority opinion, and it suffuses the concurrence"

State Senator Steve Santarsiero of Pennsylvania stated the Court's decision "represents another major departure from established legal precedent and ignores the clear will of Congress in passing the Clean Air Act, which gave discretion to the EPA and its environmental experts to implement reasonable measures to protect our environment".

The genesis of the 1963 Clean Air Law was established under the Nixon Administration and there have been several amendments enacted by Congress to the law over the years which have resulted in strengthening EPA's authority. The Supreme Court has consistently affirmed the EPA's authority and scientific capability until this moment in time.

Constitutional Environmental Law Professor James R. May, at the Widener University Delaware Law School provides the following important solutions and strategies going forward:

- "1. The first is to call the Court's bluff. Want technology-based command and control? Okay. The Court has given EPA the green light to require power plants to limit carbon emissions as the best system of emissions reduction. Set the standard and let the industry figure out how to meet it.
2. To double down on carbon emissions trading among and between states. The Court didn't say it couldn't or shouldn't happen, just that it isn't part of a "system" contemplated by the Clean Air Act, leaving states with wide latitude to do so.
3. For States to seek congressional approval to enter into emissions trading contracts. The U.S. Constitution permits states to do so with congressional approval. States should band together and seek this permission before the mid-term elections.
4. The Biden Administration to introduce legislation that would establish a market-based system for carbon emissions trading, much like the Clean Air Act already permits for other pollutants in a wildly successful program that's existed since 1990. I believe the stars are sufficiently aligned to make such a system politically plausible, given the nothing-is-normal anymore in the planet's climate."

This decision not only impacts the United States because the ecological system transcends national borders and its conceivable international courts which specialize on human rights and environmental law with a special focus on public health and the climate crisis could rightfully publicly condemn the United States and the Supreme Court.

Irma Russell, Professor School of Law, University of Missouri, Kansas City, an administrative law expert states "My view is that climate action must be analyzed from every angle: legislation, litigation, agency initiative, executive action, private action (corporate supply chains),

professional responsibility to reform the law for the public good and cultural reform to find our place in the world"

The foundation is an ecological scientific argument, the Supreme Court is not legally or constitutionally required to take crucial global ecological crucial issues or climate crisis implications into consideration in its rulings. Also, Congress has the ultimate power to override the court's decision, but it's totally politically polarized with minimal scientific expertise and no current ability to break the current filibuster rule. Looking for Congress for rational decision-making would appear impossible.

Shortsighted decisions like the Supreme Court could be instrumental in hastening the collapse of civilization. As Sean O'Brien, Professor School of Law, University of Missouri, Kansas City, reflects "I have always taught my students that the Court is an institution that is the collective ideologies of its members. But the Court is fundamentally different from any court in my lifetime. It is tilted so far right that it functions not as an independent political branch of government but as a political tool of the party. This is who they are, we need to look elsewhere for solutions to our government to act on this existential threat to humanity"

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