

# Climate Change

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Our Climate Change Practice brings together lawyers and senior policy analysts from our International Trade and National Security, Environment, Government Contracts, Environment, Social & Governance (ESG), Securities Enforcement and Litigation, and Food & Drug groups to help businesses navigate and shape the complex laws and regulations enacted and under consideration by federal, state, and local governments, as well as foreign and international initiatives, to address climate change.

Wiley's interdisciplinary Climate Change team provides policy and compliance advice to companies and industries around the globe in connection with:

- Industrial decarbonization law and policy
- Greenhouse gas emissions and energy efficiency standards
- Economic impacts from international trade and climate policies
- Climate-related funding opportunities
- Global supply chain management
- Green procurement requirements for government contractors
- Corporate climate disclosure rules

Our team members are internationally recognized leaders in their respective fields and work collaboratively to achieve successful results. Clients come to Wiley for assistance with the increasingly complex world of climate change law and policy. Our deep knowledge of existing U.S. environmental laws and regulations, as well as international law and climate policy, gives us an advantage in assisting clients as they navigate the many domestic and international legal dimensions of climate change.

## **International Trade & National Security**

Our International Trade team specializes in the intersection of trade and climate policy, actively shaping industrial decarbonization policies in the United States and globally. We provide guidance to clients on emerging greenhouse gas emissions standards and their trade and economic implications, as well as circular economy matters like recycling and raw materials on both domestic and international fronts. We assist clients in navigating border carbon adjustments, taxes, and accessing climate-related funding opportunities from sources like the Inflation Reduction Act and the Bipartisan Infrastructure Bill. Collaborating with our Government Contracts team, we advise on green procurement policies, including Buy Clean initiatives.

Additionally, we offer expertise in supply chain management and development, offering unparalleled insights into global supply chains and their climate impact. The Wiley International Trade group also boasts industry experience in key climate change sectors, successfully handling antidumping and countervailing cases against unfairly traded renewable energy imports and representing domestic manufacturers, particularly in energy-intensive industries like steel and aluminum, on emerging trade and climate issues.

## Environment

Our environmental practice professionals have extensive experience in shaping major U.S. environmental policies like the Clean Air Act and the Montreal Protocol. Combining legal, technical expertise, and strategic lobbying, we influence environmental regulations. With the rise of climate change legislation at all government levels, we're well-prepared to guide clients through the evolving climate landscape. We regularly help clients comply with existing climate requirements, manage greenhouse gas emissions, and explore incentives for climate-friendly infrastructure. Our expertise extends to environmentally responsible product launches and voluntary carbon offsets, renewable energy certificates, energy efficiency programs, and legal aspects of environmental advertising. We collaborate with trade associations and companies to develop and adapt standards programs and testing regulations. In the realm of circular economy and recycling policies, we assist clients with extended producer responsibility (EPR) programs, offering support from legislative engagement to daily management of EPR entities established by manufacturers.

## Representative Experience

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### International Trade and National Security

- Representing the nation's largest steel manufacturer and other companies and trade associations on legislative and policy issues relating to decarbonization and the circular economy
  - Domestic and global greenhouse gas emissions standards
  - Economic competitiveness and trade impacts of climate policies
  - Non-tariff barriers affecting recycling and global raw material flows (e.g., proposed EU Waste Shipment Regulation revisions)
  - Green procurement and Buy Clean initiatives
  - Border carbon adjustments and taxes (e.g., EU Carbon Border Adjustment Mechanism)
  - WTO and China issues
- Assisting companies in evaluating and applying for climate-related funding (e.g., Inflation Reduction Act, Bipartisan Infrastructure Bill)
- Managing and developing supply chains for renewable and clean energy technologies (e.g., lithium-ion batteries)
- Promoting domestic renewable energy manufacturing (e.g., solar, wind)

- Advising clients on trade policy and negotiations

### **Environment & Product Regulation**

- Representing fumigant manufacturers in connection with developments under the Montreal Protocol, Clean Air Act, and related state legislation
- Advising clients on application of DOE, FTC, Energy Star, and state energy efficiency rules and representing them in agency enforcement proceedings concerning compliance
- Obtaining exceptions for innovative products from DOE standards and obtaining waivers of DOE test procedures where existing test procedures were inappropriate
- Successfully representing electronics company in threatened withdrawal of Energy Star certification for exhaust fan product
- Regulation of battery technology, including supply chain and sourcing issues

### **Government Contracts**

- Climate change priorities of the United States and requirements for contractors
- Green procurement and Buy Clean initiatives

### **Securities Enforcement & Litigation**

- Navigating SEC regulations and disclosures
- Tracking emissions for regulatory and ESG requirements, including the use of blockchain
- Renewable fuels and tracking credits

### **U.S. Food and Drug Administration (FDA) and U.S. Department of Agriculture (USDA)**

- Advising manufacturers of recycled plastic on chemistry and manufacturing considerations for producing materials suitable for food-contact applications as well as other novel uses
- Matters involving the Growing Climate Solutions Act and its plan to help farmers with carbon and environmental credit markets
- Unparalleled expertise in matters that fall within the interstices of the FDA, EPA, as well as the FTC regulatory jurisdictions

## **Contact Us**

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