

SYMPOSIUM

THE CLEAN AIR ACT AT A CROSSROADS: TURNING 40, CONFRONTING CLIMATE CHANGE

Twenty years after the last major amendments to the Clean Air Act, the United States has much to consider. Management of these considerations could ultimately define the nation's success or failure in combating climate change. The challenges require not only consideration of climate change, but also consideration of national priorities as a whole.

Unfortunately, the nation's legislative agenda is crowded. Job creation, budget management, healthcare, and two major foreign military operations dilute the focus of decisionmakers. With so many pressing issues, the prospect of swift solutions and decisive action on climate change seems unlikely. The political climate is divisive. At least a small, vocal slice of the electorate does not understand or does not believe in the scientific evidence supporting climate change.

Even after climate change comes to the forefront of policymakers' priorities, the United States faces additional barriers. Legal, scientific, administrative, and political obstacles stand in the way of action. We, as a nation, need to know—and agree on—the best legal approaches, the most accurate scientific data, and the most efficient implementation of solutions. In short, there is a lot of work to do.

To contribute in some small part, Lewis and Clark Law School hosted a symposium entitled *The Clean Air Act at a Crossroads: Turning 40, Confronting Climate Change*. Some of the nation's finest scholars gathered to discuss the Clean Air Act, climate change, and the future. The following articles represent the ideas presented at the symposium. Professor Teresa B. Clemmer advocates sector-by-sector regulation by the EPA under the Clean Air Act in light of the urgency revealed by recent scientific developments and Congress's inability to pass meaningful legislation. Professor Robert L. Glicksman presents his perspective on the federalism considerations of climate change adaptation and establishes a framework for appropriate government roles at all levels. Professor Lesley K. McAllister discusses the enforcement of a cap-and-trade program and explains the crucial elements of a successful program. Professor Craig N. Oren argues that the Clean Air

Act has accomplished a great deal, but that independent legislation is required to adequately address global warming. Finally, Professor Arnold W. Reitze, Jr. details the United States' efforts to control greenhouse gases and evaluates the climate change bills currently before Congress.

Environmental Law would like to thank the symposium presenters, authors, and the planning committee for their hard work and valuable time. Whatever the future may hold for the Clean Air Act and the other potential tools in the climate change toolbox, we hope that these contributions help craft policies to address climate change. In another twenty years, change may be too late.

Robert L. Gillette II
Symposium Editor