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CLIENT MEMORANDUM

OBAMA ADMINISTRATION ENVIRONMENTAL AND ENERGY POLICIES WILL FOCUS FIRST ON "CLEAN ENERGY" AND "GREEN JOBS"

"Clean Energy" and "Green Jobs" will be the focal points of the Obama Administration's initial initiatives in the environmental area. After eight years of White House resistance to federal climate change legislation, "combating global warming" and promoting "clean energy" will be the principal Presidential environmental initiatives, according to discussions with several top Obama advisers.

Candidate Obama strongly supported a more activist approach to combating global climate change, and environmentalists have high expectations for his Administration. However, President Obama will be taking office in the midst of a recession, and he will be reluctant to impose new taxes or other burdens on an ailing economy, such as a "cap and trade" program to reduce carbon dioxide emissions, until after the economy recovers. Therefore, his first broad Presidential environmental initiative will be the creation of what his campaign claimed would be "5 million" new "green jobs" through federal support for energy savings programs and conservation. This could include advanced manufacturing and weatherization training, "smart" electrical grid technologies, green buildings and improved energy-efficiency for houses. His advisers say that his first emphasis will be on programs that help the environment and reduce energy consumption, and that also help to stimulate a lagging economy. One important component of the green jobs initiative will be new government investments (modeled on FDR's public works projects during the Depression), such as a ten-year, \$150-billion program for investment in renewable energy and advanced energy technologies.

Later in his term, when the economy has had a chance to recover, Obama will undertake broader efforts to combat global warming, which will involve significant costs to the United States economy, and will seek to effect more dramatic, long-term changes in United States energy consumption. These longer-term efforts would concentrate on stimulating new technology, and would include putting one million additional plug-in hybrid vehicles on the road, setting tough new fuel economy (CAFE) standards for motor vehicles, and stimulating development of new nonnuclear domestic sources of clean energy. Climate change and clean energy will dominate the Obama Administration's environmental and energy agenda for the first few years. Democrats in Congress will almost certainly pursue additional environmental legislation, probably with Obama's support, or at least acquiescence. For example, House Speaker Pelosi (D-CA) is pushing to elevate the EPA to cabinet status, a symbolic gesture of support for the environment that goes back to the first Bush Administration. While the Republicans and the Democrats have battled over this legislation in the past, there is a good chance that with hefty Democratic majorities in the new Congress and a Democratic president in the White House, it will finally be passed.

Another important issue will be chemicals management. Candidate Obama is on record supporting a number of initiatives, ranging from enhanced requirements to "harden" chemical plants against terrorist attacks to protecting children from toxins. Senator Lautenberg (D-NJ) is backing a far-reaching plan to amend the Toxic Substances Control Act (TSCA) making it more like the new REACH program in Europe, and to require industry to submit more testing and other data to the government regarding chemical substances now on the market. While the Obama Administration is unlikely to include such a proposal in its early legislative agenda, if it were passed by the Democratic Congress, it would likely be signed into law by President Obama. Meanwhile, the Environmental Protection Agency (EPA) staff has already embarked on a crash program to reduce reliance on animal-testing and to implement new "high throughput" methods of screening to determine the safety of chemicals.

Finally, there is a long list of international environmental treaties, dealing with matters such as biodiversity, hazardous wastes and the banning of certain chemicals, that have been signed by the United States but never ratified. The expectation is that many of these treaties will be brought up for a vote in the Senate and will probably be approved during the next two years.

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