

EAST OREGONIAN

Founded October 16, 1875

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OUR VIEW

Supreme Court needs real world experience

We learned last week that President Obama is vetting an Iowa federal appellate judge for the vacancy on the U.S. Supreme Court. There is a political angle in this, of course.

Judge Jane L. Kelly was praised heavily by Iowa's Republican Sen. Charles Grassley, during her prior confirmation hearing. Grassley is chairman of the Senate Judiciary Committee. Kelly won eventual Senate confirmation by a wide margin. Grassley and Kelly are Iowans. Thus a Kelly nomination to the Supreme Court would be difficult for Grassley to ignore.

Beyond the political calculus, there is an appealing aspect to the prospect of Judge Kelly's being nominated. She would bring real-world perspective to the court. She has worked as a criminal defense lawyer. *The Des Moines Register* noted last week that,

"Former prosecutors, government lawyers and scholars make up most of the bench today. Kelly stands out as a federal public defender who represented several of the most recognizable names to face criminal prosecution in Iowa courtrooms."

The malady that afflicts the Supreme Court is that justices mainly come from a narrow and rarefied

slice of academia, think tanks and government law. They lack first-hand experience with courtroom advocacy in criminal trials or even with handling non-criminal clients. Judge Kelly has said that in the course of her criminal defense work she has spent so much time inside prisons that she's probably served the equivalent of a sentence for a misdemeanor.

It is anybody's guess how this will turn out. President Obama is smart to seek a nominee such as Judge Kelly.

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Unsigned editorials are the opinion of the East Oregonian editorial board of Publisher Kathryn Brown, Managing Editor Daniel Wattenburger, and Opinion Page Editor Tim Trainor. Other columns, letters and cartoons on this page express the opinions of the authors and not necessarily that of the East Oregonian.

OTHER VIEWS

Delay of Clean Power Plan shows need for carbon price

Just how disastrous is the Supreme Court's recent ruling delaying implementation of the Clean Power Plan, the centerpiece of President Obama's efforts to reduce greenhouse gas pollution? Worse than most people realize.

Late last year in Paris, 196 nations agreed to limit global warming to 2 degrees Celsius above pre-industrial levels, and to strive to limit warming to 1.5 C. Both goals were based on the broad recognition that exceeding the 2 C threshold would result in consequences such as sea level rise, food shortages, worsening storms, and extreme heat waves likely to outpace our civilization's adaptive capability.

Meeting either marker, the Paris signatories believed, would require the world to remain under a "carbon budget" of 2,390 gigatons of carbon dioxide emitted from 2015 onward. The EPA's Clean Power Plan to reduce carbon emissions from electrical facilities was viewed an essential part of America's strategy for staying within its portion of the carbon budget.

Upon closer examination, however, scientists have concluded that the true carbon budget is only 1,240 gigatons, about half. In light of this new estimate, the court's stay on the Clean Power Plan — delaying implementation for at least a year — could not have come at a worse time.

What are the ramifications of the new carbon budget?

It was previously thought that we have — at best — 60 years to transition to a carbon-neutral society. The new report cuts that number in half.

"At current rates, the carbon budget would...be exhausted in about 15 to 30 years," said Joeri Rogelj, lead author of the study that was published in the journal *Nature Climate Change*. "These numbers definitely indicate that we should not just sit and wait, because then the window for staying within the budget would become vanishingly small within decades."

But just "sitting and waiting" while our window for action closes is exactly what the Supreme Court is telling us to do. All of which raises a critical question: Should we rely on executive orders, which are subject to court challenges and the whims of whoever occupies the White House, to preserve a livable world for our grandchildren?

With so much at stake, we need a resilient and permanent solution. Congress must enact legislation that places an effective price on carbon, the



MARK REYNOLDS
Comment

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market-based approach favored by policy makers on both the left and the right.

Citizens' Climate Lobby recommends a policy known as Carbon Fee and Dividend, whereby a steadily rising fee is placed on fuels based on the amount of CO2 they will emit when burned. All revenue from that substantial and transparent fee is then returned equally to all households, shielding families from the economic burden of higher energy costs. Border tariffs, placed on imports from nations that do not have equivalent carbon pricing, would protect American businesses and motivate other governments to follow our lead.

A study from Regional Economic Models, Inc., found that this policy would achieve a 52 percent reduction in CO2 emissions within 20 years. It would also strengthen the American economy, adding 2.8 million jobs from the stimulus effect of recycling carbon fee revenue into the pockets of people likely to spend the money.

Sounds great, you may be thinking, but what are the chances Congress will take bipartisan action?

They're much better than you might think.

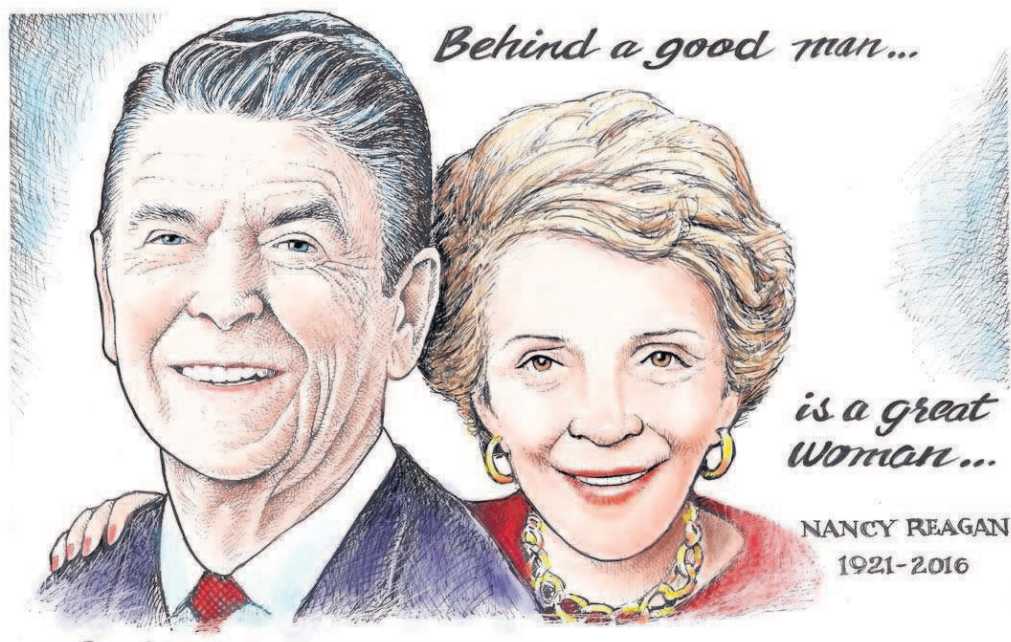
In September, Rep. Chris Gibson (R-NY) introduced a resolution (H. Res 424), now cosponsored by 12 other Republicans, stating that climate change could have an adverse impact on our nation and that Congress should start working on solutions.

This unprecedented resolution was followed by another breakthrough last month: the formation of the bipartisan House Climate Solutions Caucus, co-chaired by Rep. Carlos Curbelo (R-FL) and Rep. Ted Deutch (D-FL).

"There shouldn't be this false orthodoxy, where if you're a Democrat you want to solve this problem and if you're a Republican you want to ignore it," Curbelo told Bloomberg Business. "That just makes no sense."

The Supreme Court's decision to delay the Clean Power Plan exposes the folly of relying solely on executive action to solve the most critical problem our civilization has ever faced. As more and more Republicans express a willingness to come to the table, Congress can and must work in earnest to enact a market-based climate solution. Carbon Fee and Dividend is the solution that can bridge the partisan divide.

Mark Reynolds is executive director of Citizens' Climate Lobby.



OTHER VIEWS

The end of American idealism

Sometimes it's hard to shake the uneasy feeling that we are witnessing the dissolution of an idea that was once America.

The country is still a military superpower and an economic and innovation powerhouse, but so many of our institutions are proving to be either fundamentally flawed or deeply broken.

This thought kept creeping into my mind as I watched Thursday's Republican presidential debate in Detroit. It seemed to me the zenith of a carnival of absurdity, as the candidates descended into what appeared to be a penis measuring contest.

I kept thinking with dread, "One of these men might actually be the next president" — either the demagogue from New York, the political arsonist from Texas or the empty suit from Florida. (I see no path for the governor from Ohio.)

In another political season, liberals might greet such a prospect with glee. But this is not that season.

On the Democratic side, the leading candidate is a hawkish political shape shifter, too cozy with big money, whose use of a private email server has led to an FBI investigation, and who most Americans don't trust.

(Around two-thirds of Americans don't trust either party's front-runner.)

Her lone opponent is a self-described democratic socialist who seeks to cram sweeping generational changes — hinged on massive systemic disruptions and significant tax hikes — into a presidential term. And he says he will be able to do this with the help of a political revolution, one that has yet to materialize at the polls.

One of these people will be the next president of the United States.

And this is the country of which they will take the helm:

We are a country stuck in perpetual warfare that is now confronting the threat of the Islamic State terrorist group. The Republican candidates have proposed the most outlandish approaches to that threat, including everything from war crimes such as torture and killing terror suspects' families to carpet bombing in the Middle East until we can see whether "sand can glow in the dark."

Our government is broken. We have a legislative branch that increasingly sees its role as resistance rather than action. There is an opening on the Supreme Court that Republican leaders in the Senate, in a breathtaking and unprecedented move, are saying they won't let this duly elected president fill.

The appointment may fall to the next president.

But that same Supreme Court has ruled that money is speech, swinging the door wide open to allow the ultrawealthy to have nearly unlimited influence on the electoral process.

No wonder a 2014 study found that America has effectively transformed into an oligarchy



CHARLES BLOW
Comment

instead of a democracy.

And yet, that is an idea that most Americans are pathologically incapable of processing. We suffer from a blithe glacialism, occasionally cursing the winds that carry our demise, but mostly hoping against hope and pretending that evidence of things seen and felt is either faulty or fleeting. It is not.

We have millions of undocumented immigrants in this country, but comprehensive immigration reform remains a thing we bicker about but never move on.

Our infrastructure is in shambles, but in a country where the bridges are crumbling, Republican candidates are obsessed about building a border wall. The city of Flint was poisoned as officials sought to pinch pennies.

Global warming continues unabated, most likely intensifying the severity of extreme weather — from droughts to hurricanes to blizzards — and yet last month the Supreme Court temporarily blocked the Obama administration's rules to limit greenhouse gas emissions from power plants.

Our educational system, from pre-K to college, serves the wealthy relatively well, but leaves far too many without access, underprepared or drowning in debt.

We are plagued by gun violence and mass shootings and yet no one is moving forward on meaningful solutions.

America's middle class is shrinking. According to a December Pew Research Center report: "Fully 49 percent of U.S. aggregate income went to upper-income households in 2014, up from 29 percent in 1970. The share accruing to middle-income households was 43 percent in 2014, down substantially from 62 percent in 1970."

Our criminal justice system has made a mockery of the concept of equal justice with its racially skewed pattern of mass incarceration. Not only is the United States "the world's leader in incarceration with 2.2 million people currently in the nation's prisons or jails — a 500 percent increase over the past thirty years," according to the Sentencing Project, but the group also points out:

"More than 60 percent of the people in prison are now racial and ethnic minorities. For black males in their thirties, 1 in every 10 is in prison or jail on any given day. These trends have been intensified by the disproportionate impact of the 'war on drugs,' in which two-thirds of all persons in prison for drug offenses are people of color."

The list of woe is a mile long.

There is palpable discontent in this country among those who feel left out and left behind in the bounty of America's prosperity.

How long can the center hold? How long before the illusion be sustained? How long before we start to call this the post-American idealism era?

Charles M. Blow is *The New York Times's* visual Op-Ed columnist.

YOUR VIEWS

Immigration reform should address only immigration

This is in response to the letter from David Olen Cross on March 2, 2016. Before tackling substantive issues, let me wish Mr. Cross a speedy recovery. He jumps to so many conclusions during the course of his letter that he had to inflict serious damage on one or both of his legs.

The basic thrust of Mr. Cross's complaint is that Marco Rubio is not tough on the criminals who are here illegally. While I'm no great fan of the young senator from Florida, I feel compelled to defend him in this instance. Sen. Rubio's bill had the purpose of dealing with the over 11 million persons here illegally. It was not designed to address issues that are better handled through the criminal justice system.

When I was a prosecutor in Colorado I dealt frequently with criminal acts committed by illegal aliens (not the E.T. variety). It was obvious that the immigration system was not equipped to deal with the problem. Some people I worked with and myself came up with a way to fix what had become a revolving door out of and back into this country.

The criminal justice system does not exist to solve all of society's problems. It exists

to address one problem only — crime. When people like Mr. Cross try to get it to multi-task, the efforts fail. Immigration reform needs to address immigration only. Any considerations about criminal conduct can be handled the old-fashioned way. I know, I've done it.

Patrick Delaney
Hermiston

Fire bond extends crucial service

Over the years, each time I have moved in the Hermiston area I have moved farther out of town. Each move has brought with it concerns over fire and emergency services and time of response. Essentially, "time is of the essence" in these matters.

Having been through two major fires in the Hat Rock area and watching ambulance calls go by on Diagonal, it makes my support for the formation of Umatilla Co. Fire District 1 a given. For the first time since its construction in 1986, there would be permanent staff at the AH Cable station on Diagonal that is five miles out of town. Five miles, five minutes in an emergency situation could make all the difference.

Floyd Turnbull
Hermiston

LETTERS POLICY

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