

SILVIA ILLARI

**Environmental protection: from politics to institutions**

President Barack Obama has entered the presidency with much higher public expectations for him on the environment than met George W. Bush eight years ago. The essay aims at investigating the first steps of his environmental policy. The author pays particular attention to the electoral comprehensive plan on climate change and energy conservation. The paper goes on to look at President Obama's first year in the White House that shows environmental progress and promises. The President has integrated energy security goals with environmental policy, focusing on renewable power in the light of a green economy. President Obama has worked directly to reverse the path of former President Bush in a series of environmental policy changes using his presidential powers. The United States House of Representatives has passed a comprehensive climate-energy bill with a national cap-and-trade system. Now this legislation is stalled in the Senate, but the Obama Administration has taken a separate approach that would allow the Environmental Protection Agency (EPA) to move unilaterally on regulating greenhouse gases, without the need for congressional action.

RINO CASELLA

**The Obama's health care reform**

The aim of this paper is to analyse the Obama's health care reform. On March 23, 2010, after decades of failed attempts by several Democratic Presidents and a year of bitter partisan combat, President Obama signed legislation to overhaul the nation's health care system and guarantee access to medical insurance for tens of millions of Americans. Its passage assures Obama a place in history as the American President who succeeded at revamping the health care system where others (notably Harry Truman and Bill Clinton) tried mightily and failed. The landmark bill signed by Obama will require most Americans to have health insurance coverage; would add millions of people to the public health care rolls and would subsidize pri-

vate coverage for low (and middle) income people. The measure will regulate private insurers more closely, banning practices such as denial of care for pre-existing conditions.

FRANCESCA NUGNES

### Obama and the financial reform

The reform proposed by Obama in June 2009 and approved by Dodd-Frank Act on July 15, 2010, has modified financial regulatory framework. The Dodd Frank Act recommended reforms in five areas: supervision and regulation of financial institutions, regulation of financial markets, consumer and investor protection, resolution authority over bank holding companies and other large financial institutions, and international regulatory standards and cooperation. The Act, with sixteen titles and more than fifteen hundred articles, significantly reshapes financial regulation in the United States by creating new regulators, regulating new markets, bringing new firms into the regulatory arena, and providing new rulemaking and enforcement powers to regulators. The central purpose of this investigation is to take stock in the regulatory reform trying to outline the criticism and the degree of effectiveness as regards to the main objectives of reform: financial stability and consumer protection. These two objectives of reform allude to a different relationship between State, market and society, characterized by a weakening of the neoliberal address in recent years.

LUCIA SCAFFARDI

### The Genetic Information Nondiscrimination Act: a path ahead for the US and a roadmap for Europe

GINA (Genetic Information Nondiscrimination Act, 2008) makes of the United States a vanguard country in the search for a viable balance between the continuous advancement of genetic scientific research and the respect for civil rights and liberties, and above all for the right to privacy, vis-à-vis eventual discriminatory implications on employment and health. The article analyses the legislative process of different bills that, across recent years, have tried to rule this sensitive object. Finally, in 2008 the approval of GINA has represented a relevant turning point, even though the full implementation of that Act has been completed under Obama Presidency. Despite the importance of the Act, much is still to be achieved in order to eradicate any

form of discriminatory practices based on genetic data collection that condition the entrance in the job market and/or the subscription of health insurances. And yet, according to the article's author, the USA experience is to be considered a milestone even in the European context, considering the fact that, in a very short future, Europe as well might face similar discriminatory practices.

ANTONELLA BENAZZO

### Civil rights, security policy and struggle against terrorism in Obama's America

The security policy realized in the United States after September 11th have determined various restrictions of the individual civil rights, dangerous breaches in the separation of powers and hard restrictive measures towards foreigners. Barack Obama presidency has opened by promising a renewed respect of legality also in situations of crisis and a reforming engagement for human rights and for the recognition of fundamental constitutional guaranties, also for non citizens. After almost two years of the new administration, some of Obama's first initiatives about the detention facility at Guantanamo Bay have been blocked by the Congress, which has forced the administration to maintain some of the debatable juridical options introduced with Bush's antiterrorism strategies. However, Obama has also continued to apply some procedures of the previous administration (for instance extraordinary renditions, secrete state privilege, signing statements, etc.), invoking the needs of national security. The elements of continuity have not always been explicitly justified by Obama; nevertheless, the discontinuities with the previous administration seem more significant, especially at the light of the executive's substantial adhesion to the checks and balances system. A particular feature of the security policies is represented by the difficulty to reconcile the strengthening of border controls with the respect of fundamental rights for the numerous clandestine immigrant workers, a subject which is surely a hard test for Obama's reforming engagement.

SARA VOLTERRA

### Judicial Policies of the Obama Presidency

The author examines the Obama administrations' policies on judicial nominations. Attention is paid to differences and/or similarities to the policies in judicial selection followed by recent Presidents, from Jimmy Carter to George Bush Jr.

All phases of the selection and confirmation of Supreme Court nominees Sotomayor and Kagan are illustrated.

All of Obama's Court of Appeals nominations were examined and those of particular significance are described and evaluated.

Taking into account characteristics of Obama's district court nominees as well, Obama is considered a pragmatic rather than an ideological President in his judicial nominations, contrary to Presidents such as Ronald Reagan or George Bush Jr.

Judicial selection of federal judges in the computer age is different from what it was even thirty years ago.