

United States Senate

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

WASHINGTON, DC 20510-6175

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February 27, 2014

John Kerry
Secretary of State
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Secretary Kerry:

As you are aware, at the 2009 UNFCCC Climate Change Conference in Copenhagen, Denmark, President Obama pledged to cut America's carbon emissions 17 percent below 2005 levels by 2020. At the most recent climate change conference in Warsaw, Poland, *Greenwire* reported that Special Envoy for Climate Change, Todd Stern, conveyed the President's newest determination to develop a new global climate agreement in 2015 to cut emissions after 2020 and that the "administration already is involved in an interagency process 'to think about and develop a post-2020 commitment.'"¹ *ClimateWire* reported on U.S. intentions to announce a post-2020 pledge by the first quarter of 2015² and on the interagency process to develop this post-2020 commitment.³ This ill-defined interagency process causes us grave concern; this is not the first time this Administration has quietly developed a sweeping agenda behind closed doors that will have significant impacts on our nation, its people, and its economy.

Despite President Obama's 2009 pledge to make his Administration the most open and transparent in history,⁴ the current Administration has established a pattern of avoiding transparency and circumventing Congress in favor of unchecked regulatory action. We as a nation already suffer from regulations issued by executive fiat that distress the economy and are in the process of halting the renewed viability of a valuable domestic industry. In the recent past, the Obama Administration quietly convened an interagency working group to estimate the Social Cost of Carbon, which ignored established regulatory process, provided no opportunity for public comment prior to being utilized in multiple rulemakings, and was aptly described as "a black box."⁵ This interagency task force on

¹ Jean Chemnick and Lisa Friedman, "CLIMATE: U.S. preparing post-2020 emissions pledge – Stern," *Greenwire*, November 18, 2013 (<http://www.eenews.net/greenwire/stories/1059990641/>).

² Friedman, Lisa, "NEGOTIATIONS: U.S. maps an achievable route to meeting climate reduction pledge," January 3, 2014 (<http://eenews.net/climatewire/stories/1059992364>).

³ Friedman, Lisa, "POLICY: Obama admin quietly preparing pledge of deeper GHG emissions targets for U.N. talks," *ClimateWire*, February 11, 2014 (<http://eenews.net/climatewire/stories/1059994373>).

⁴ White House Memorandum, Subject: Transparency and Open Government, January 21, 2009.

⁵ U.S. Senate, Committee on Environment and Public Works. *Fugitive Methane Emissions*, Hearing, Nov. 5, 2013,

http://www.epw.senate.gov/public/index.cfm?FuseAction=Minority.Blogs&ContentRecord_id=2f0247a4-cc81-b7ca-0195-9ec16a6ba091

climate change, which reportedly has met multiple times and has “laid out the scientific and economic modeling that must be done in the coming months,”⁶ is perilously close to being yet another Administration “black box.”

New greenhouse gas emissions targets being developed by an unidentified climate change interagency working group that allow for no outside input run the risk of having little basis in reality, leaving United States taxpayers responsible for achieving drastic, aspirational goals years after President Obama leaves the White House. Our economy is already struggling from regulations and restrictions being put in place to achieve the President’s 2009 promise. It needs no additional burdens, particularly ones that are as of yet undisclosed – and most likely would have remained so until after the plan was finalized and presented to the United Nations.

Beyond our concerns regarding the complete lack of transparency of the interagency process is the simple fact that the President is yet again putting the cart before the horse: The Copenhagen pledge to cut carbon dioxide emissions has not been fulfilled here at home – and seemingly will only succeed by extreme regulatory action – yet the President is pushing for a binding global pledge that requires the U.S. to cut emissions even further by an undetermined amount for an undecided number of years after 2020.

In an effort to assist this Administration in its declaration to be the “most open and transparent Administration in history,”⁷ we request responses to the following questions by March 17, 2014.

1. Which departments and agencies are participating in this interagency process? Who at the White House is involved?
2. Who is leading this interagency process? The White House? A department or agency?
3. What is the timeline for this interagency process? When did it start and when will it be completed? When in the first quarter of 2015?
4. Please provide the dates of each interagency meeting that has already taken place, as well as a listing of the attendees at each meeting.
5. How many additional interagency meetings are anticipated prior to submission of the targets in early 2015?
6. What options are being considered to cut emissions? Are existing or proposed policies part of the plan?

⁶*Ibid.*

⁷ White House Memorandum, Subject: Transparency and Open Government, January 21, 2009.

7. What timeframe will be considered for achieving the target reductions? 5 years? 10 years? Longer?
8. What scientific and economic modeling has been identified by the interagency group? Who will carry out this modeling?
9. What is the opportunity for public input into this process?
10. Going forward, are you committed to having an open and transparent interagency process, with plenty of opportunity for public input, or, alternatively, do you plan on developing the U.S. post-2020 commitment behind closed doors?
11. If a global climate agreement is reached in 2015 or 2016, does the Obama Administration intend to send such agreement to the U.S. Senate for advice and consent to ratification?

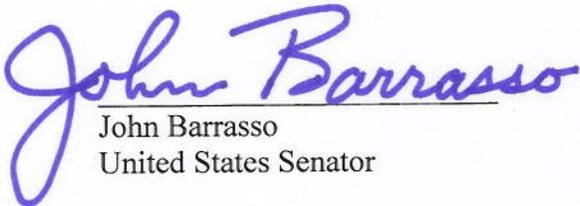
Sincerely,



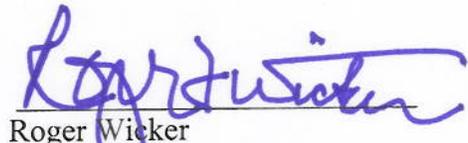
David Vitter
Ranking Member
Environment and Public Works Committee



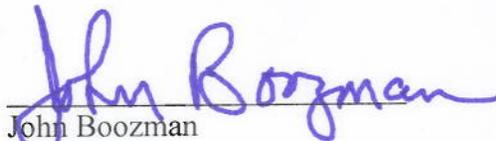
James M. Inhofe
United States Senator



John Barrasso
United States Senator



Roger Wicker
United States Senator



John Boozman
United States Senator