

Examining the International Climate Negotiations
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Let me start off by saying my prayers are with the city of Paris and all those who have been impacted by the attacks last Friday.

We are a week and a half away from the start of the United Nation's 21st session of the Conference of Parties and have yet to hear directly from this administration on the president's international climate agenda. This is not due to a lack of outreach on our part, but rather a continued disrespect for the rule of law and an obstructionist approach to Senate oversight.

I invited the EPA, CEQ and State Department to testify before the committee and provide missing information related to the president's 26 to 28 percent greenhouse gas emission reduction target (by 2025). According to our last expert panel on the subject, which included former Sierra Club Climate Counsel, David Bookbinder, the president's plan simply does not add up. Even Senator Boxer's witness from the World Resources Institute admitted that additional actions will have to occur for the targets to be met, which will likely come from the refining, cement and agriculture industries, among others.

EPA and CEQ's response that they lacked involvement and relative expertise is not only counter to public records and press accounts, but completely unbelievable. Recently released agency documents related to the Keystone XL Pipeline decision further confirm that Administrator McCarthy has an authoritative role in State Department actions, especially when they concern the president's climate agenda and international perceptions. Just last week, it was reported (in *Climatewire*) that Administrator McCarthy meets weekly with White House staff alongside Secretary Kerry and Secretary Moniz to "prepare for Paris" and is likely going herself.

If, as Secretary Kerry recently stated, the administration does not have a problem with congress reviewing the Paris agreement, then I expect an affirmative response to testify from EPA, CEQ and the State Department in the new year.

Primarily from press accounts, we know the president alongside international bureaucrats intend to produce an agreement of some form that commits countries to reduce greenhouse gas emissions over certain time periods. We have seen this type of agreement before, most recently with the Kyoto Protocol and there was never a question that if President Clinton wanted to make the United States a party to that agreement, the Senate had to be involved.

With the formal submission of various countries “intended nationally determined contributions” (INDCs), we know the structure of emission reduction commitments has changed from a top-down Kyoto-style approach to a bottoms-up; but what hasn’t changed for President Obama is the application of the 1992 UNFCCC ratification agreement and its express limitations. Specifically, the caveat included in the Foreign Relations Committee report that “[A] decision by the Conference of Parties to adopt targets and timetables would have to be submitted to the Senate for its advice and consent before the United States could deposit its instruments of ratification for such an agreement.”

If the president wishes to produce something substantive from the Paris negotiations – and presumably stronger than Kyoto – there is no way around the Senate. However, if the president heeds the advice of other COP 21 participants and wishes to bypass congress, then he will be limited to making a non-binding, political commitment with no means of enforcement, accountability, or longevity.

Beyond the process, there is the financing element of these negotiations. Let me be very clear – this congress will not approve a cent of appropriations for the Green Climate Fund. The president would like to shut down livelihoods and ship

American jobs overseas while imposing a cap and trade energy tax on the American people so he can pay for his international climate legacy that hinges on cooperation from rent-seeking developing countries lining up for a piece of the president's multi-billion dollar slush fund.

This administration has shown time and again that political perceptions carry more merit than any expert assessments, especially when they include technical or economic inconveniences. Beyond diplomatic grand-standing and a few good press releases, the only certain outcome of the Paris negotiations is increased global CO₂ emissions.

The president's so-called "Climate Action Plan" has never been about saving the environment or the world from impending global warming doom. It is about making up for the embarrassment of Copenhagen and solidifying his environmental legacy. I, along with my Republican colleagues, am not willing to let him or any other United Nation's bureaucrat circumvent the Constitution in an attempt to imbed climate change policies whose net effect will do nothing more than undermine America's outlook for success.

I thank the witnesses for being here today and look forward to their testimony.