

Climatico

20th January 2009

**Paige Andrews, Simon Billett,
Niel Bowerman and Ruth Brandt**

What kind of Change?

Obama's Climate Policy in 2009



Obama's Climate Policy 2009

2

Introduction

President-elect Barack Obama's stance on climate change is a refreshing contrast to the years of inaction by the Bush Administration. His climate rhetoric during the campaign is now backed by an impressive selection of energy and science advisers, he has more political capital than any politician has had in over a decade, and expectations for his presidency are incredibly high. But will he be able to deliver decisive action on climate change? This report discusses the domestic and international challenges facing Obama on climate policy, and the extent to which he will be able to address these challenges during his time in office.

Domestic

Climate change was a key theme throughout President-elect Obama's campaign. We have now reached the moment where the pledges have to be put into practice. Not only will his manifesto be exposed to the political reality of Washington DC, it will also have to be compatible with governmental action to tackle the economic crisis.

With recent headlining reports coming from CitiGroup and Bank of America, the U.S. media is demanding immediate action toward economic stimulation from the incoming Obama administration. Over the next few weeks, intense focus and scrutiny will be on the Congress as they consider Obama's "American Recovery and Reinvestment Bill of 2009".

A Potentially Green New Deal

In a move to make climate and business compatible Obama's recently revealed economic stimulus proposal includes efforts to stimulate the U.S. economy by the promotion of clean, efficient, and American energy (see [summary of the proposal](#)). Through investments in renewable energy production and the retrofitting of public buildings to increase energy efficiency, Obama has pledged to redefine the United States as a green economy and stimulate economic growth through job creation. Certainly, the linking of the stimulus package--likely to be a major piece of Obama's early legislative legacy--with green development indicates Obama's commitment to the principles



Obama's Climate Policy 2009

3

of a green new deal whereby economic growth and environmental development go hand in hand.

Legislative Problems

As climate change becomes an increasingly bi-partisan issue--with Republican governors [recently calling](#) on the new Congress to act on global warming, and following Republican presidential candidate John McCain's addressing the issue head on--Obama might find it easier to push through some of his environmental agenda. However, it is unclear precisely how much attitudes on Capitol Hill to climate change have shifted from the passing of the Byrd-Hagel Resolution back in 1998, which resolved (95-0) not to ratify the Kyoto Protocol. The key question is will the Senate buy into Obama's model of 'green growth', or will it opt for more traditional--and arguably more tried-and-tested--approaches for domestic growth? Despite shifts in both the Democratic and Republican parties, an uncertain House, together with bank and auto-industry bailouts dominating the economic arena, suggest it is likely that the environmental agenda will continue to take the backseat, at least temporarily.



Cap-and-trade may be a good test case - Obama has reiterated on numerous occasions, both before and after the elections, the importance he places on creating a cap-and-trade system. However, as the economy is going deeper into recession, he will feel the pressure not to start any process that will result in an increase in energy prices. Therefore, addressing the issue soon after taking office will be a strong signal that he will not back down from his intention of leading a fundamental change in the way the U.S. deals with climate change, even when it involves economically-unpopular decisions. Alternatively, he may decide to save this political - and public opinion - battle for a later time.

Following the new administration taking office this week, we are likely to hear more announcements which will provide a clue as to how the next four years will unfold--whether green development will become naturally incorporated into planning and decision making or whether the old pattern of seeing the environment as a luxury to be dealt with in better times returns.

“What kind of 'Change', and how much?”



International

Balancing home and abroad

The United Nations Framework Convention on Climate Change (UNFCCC) is unlikely to produce a comprehensive agreement in Copenhagen at the end of 2009, with or without Obama's help. Obama is likely to "re-engage with the UNFCCC process" (a campaign pledge), but it is doubtful that he will be able broker a deal in which quantitative targets are written into the treaty text. Again, this is due to uncertainty in the Senate. To ratify any treaty the US Senate must vote, with a two-thirds majority, in favour. At the end of this year, Senate Democrats will control between 57 and 59 of the 100 senate seats, and will be unable to whip the 67 votes required to ratify any mechanisms behind a 'Copenhagen Protocol'. Echoing President Clinton's dilemma with the Byrd-Hagel Resolution, the Obama Administration may find itself negotiating and agreeing on an international treaty they themselves cannot ratify at home.

Obama's Options for ratifying the Copenhagen Protocol

There are some tactics that Obama could use if he decides to invest significant resources and lobbying efforts into ratifying a Copenhagen Protocol. He could delay the ratification vote until after the mid-term elections--a gamble that would pay off in the probable situation that the Democrats increase the number of Senate seats that they control. This postponement alone is unlikely to lead to enough votes for a successful ratification. However, it could be combined with another questionable political manoeuvre: if Obama is willing to sink enough political capital into this issue, then he may be able to pass a Copenhagen agreement as a congressional-executive agreement. This would require only the 60 votes need to block any attempts to filibuster, or run the clock out on the bill. While this was the procedure used in 1992 to pass the North American Free Trade Agreement (NAFTA), those against the bill would likely declare it unconstitutional--an accusation that would absorb a significant amount of Obama's political momentum.



"The Obama Administration may find itself negotiating and agreeing on an international treaty they themselves cannot ratify at home"



Obama's Climate Policy 2009

5

Although Obama has put climate change high on his list of priorities, he is also proving to be thrifty with his available legislative power, and would not want to be seen as going against the constitution.

Relations with Asia

One might hope that if China agrees to emission reductions the US might ratify a strong Copenhagen agreement. This would be true if Senators were going to vote against the treaty on competition grounds; however, this is only the case among progressives and moderates such as Evan Bayh, who used this argument in Steven Chu's Senate confirmation hearing in early January 2009. Republicans continue to use arguments such as, "the vast majority of scientists do not believe that anthropogenic greenhouse gas emissions are a major contributor to climate change," and so are unlikely to be won over by any deal with China--itself extremely unlikely.



Alternatively, Obama could attempt to broker a bi-lateral deal, outside the multi-lateral UNFCCC process. There is certainly potential for this; a diplomatic envoy involving Chinese American Chu (who was praised on the front pages of many Chinese papers when he was picked as Obama's Energy Secretary) could foster direct coordination between the US and China on climate change. If Obama were to be able to coordinate simultaneous American and Chinese action, he may be possible to overcome some of the Senate's competition fears and so allow the 60 votes required for a cap-and-trade bill to pass the Senate. However, Bush's similar action with the Asian Group (ASEAN) attracted significant international criticism for not engaging in the multi-lateral process, and instead pushing for 'private' climate deals.

An alternative plan for Copenhagen

In many ways a weaker agreement in Copenhagen may be more beneficial than a strong agreement that cannot pass the US Senate; with Indian and most-likely Chinese action dependent on a concrete emissions reduction pledge from the US, and US action at least partially dependent on Asian action, Copenhagen could be a forum for 'widening' participation rather than 'deepening' commitments.

"The key question is will the Senate buy into Obama's model of 'green growth', or will it opt for more traditional approaches for domestic growth"



Conclusion

Ultimately, like President's before him, Barack Obama's position on climate change is dependent on a range of outside variables over which he has very little control. Domestically, success rests on the effective branding of climate change as an energy-based, sustainable growth-driving issue, rather than as an industry-damaging peripherality as it has been labelled in the US to date. Internationally, the US negotiating position will continue to be dictated by the Senate, which remains the constitutional limiting factor on what can be ratified. The few options open to Obama in Congress come with a high political price, and so may well deter him from expending so much of his political capital on them. It seems extremely unlikely that the US will agree to legally-binding quantified emissions targets by the end of 2009. Instead, the climate policy question is likely to involve much more discussion and 'vision'. As with all new governments, the start of office marks a strict prioritising of what can be done. For Obama's work on climate change, the question is: what kind of 'Change', and how much?



About Climatico

Climatico is a network of researchers and experts providing independent analysis of climate change policy. We cover national and international policy and negotiations, and have a particular focus on developing countries.

For further queries please contact our press office at press@climaticoanalysis.org, or visit www.climaticoanalysis.org.

Design: [Tom Hosking](#) and David Abelman

Photos: Flickr: whiteafrican, jetheriot, david drexler, jurvetson, Irene2005 – Creative Commons License

