

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 9
OFFERED BY MR. McCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "Climate Action Now
3 Act".

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) Despite claims by the proponents of the
7 Paris Agreement of its historic nature, the 2019
8 Worldwide Threat Assessment of the United States
9 Intelligence Community states "Global environ-
10 mental and ecological degradation, as well as climate
11 change, are likely to fuel competition for resources,
12 economic distress, and social discontent through
13 2019 and beyond."

14 (2) As a party to the Paris Agreement, United
15 States Government actions taken to address the
16 challenge of climate change pursuant to such agree-
17 ment should enjoy broad, bipartisan support, includ-

1 ing policies that promote private sector-led innova-
2 tion and technological advancement.

3 (3) Whether the United States remains a party
4 to the Paris Agreement or not, climate change re-
5 quires an international effort, which the United
6 States should lead as a role model for other coun-
7 tries.

8 (4) The United States Energy Information Ad-
9 ministration estimates that United States energy-re-
10 lated carbon dioxide emissions declined by 14 per-
11 cent from 2005 to 2017, starting well before the
12 United States became a party to the Paris Agree-
13 ment. This impressive decline brought greenhouse
14 gas emissions to their lowest levels since 1992.

15 (5) In 2016, President Obama signed an instru-
16 ment of acceptance of the Paris Agreement on be-
17 half of the United States without submitting the
18 agreement to the Senate for its advice and consent
19 to ratification. When asked at a congressional hear-
20 ing on April 2, 2019, whether President Obama
21 should have submitted the Paris Agreement to the
22 Senate, all four witnesses concurred that the Presi-
23 dent should have submitted the Paris Agreement to
24 the Senate.

1 (6) According to an analysis by the World Re-
2 sources Institute of the top 100 greenhouse gas
3 emitters, the United States is just one of twelve
4 countries to adopt the Paris Agreement through uni-
5 lateral action by the President, without any role for
6 the legislature.

7 (7) Pursuant to the Paris Agreement, in 2016
8 the United States communicated its nationally deter-
9 mined contribution (NDC) to achieve an economy-
10 wide target of reducing its greenhouse gas emissions
11 by 26 to 28 percent below its 2005 level in 2025 and
12 to make best efforts to reduce its emissions by 28
13 percent. China, the world's largest emitter of green-
14 house gases, plans to continue to increase emissions
15 through 2030, according to its NDC.

16 (8) Congress had no formal input on the NDC
17 submitted by the United States and President
18 Obama did not provide any economic justification or
19 cost-benefit analysis to rationalize the greenhouse
20 gas reduction targets pledged by the United States.

21 (9) A report prepared by NERA Economic Con-
22 sulting in 2017 found that meeting the commitments
23 President Obama made as part of the Paris Agree-
24 ment could cost United States gross domestic prod-
25 uct \$250 billion and 2.7 million jobs by 2025.

1 (10) On June 1, 2017, President Trump an-
2 nounced his intent to withdraw the United States
3 from the agreement “but begin negotiations to reen-
4 ter either the Paris Accord or a really entirely new
5 transaction on terms that are fair to the United
6 States, its businesses, its workers, its people, its tax-
7 payers”.

8 **SEC. 3. ECONOMIC ANALYSIS OF 2016 UNITED STATES NA-**
9 **TIONALLY DETERMINED CONTRIBUTION**
10 **UNDER THE PARIS AGREEMENT.**

11 (a) PLAN.—

12 (1) IN GENERAL.—Not later than 120 days
13 after the date of the enactment of this Act, the
14 President shall develop and submit to the appro-
15 priate congressional committees and make available
16 to the public, along with a detailed economic and
17 cost-benefit analysis, a plan for the United States to
18 meet its nationally determined contribution under
19 the Paris Agreement that describes how the United
20 States will achieve an economy-wide target of reduc-
21 ing its greenhouse gas emissions by 26 to 28 percent
22 below its 2005 level by 2025.

23 (2) RULE OF CONSTRUCTION.—The plan re-
24 quired under paragraph (1) may not be construed to
25 constitute a nationally determined contribution of

1 the United States pursuant to Article 4 of the Paris
2 Agreement.

3 (b) REPORT.—Not later than one year after the date
4 of the enactment of this Act, and annually thereafter, the
5 President shall submit to the appropriate congressional
6 committees a report on the progress of any international
7 negotiations to address climate change.

8 (c) APPROPRIATE CONGRESSIONAL COMMITTEES DE-
9 FINED.—In this section, the term “appropriate congres-
10 sional committees” means—

11 (1) the Committee on Foreign Affairs and the
12 Committee on Energy and Commerce of the House
13 of Representatives; and

14 (2) the Committee on Foreign Relations, the
15 Committee on Environment and Public Works, and
16 the Committee on Energy and Natural Resources of
17 the Senate.

18 **SEC. 4. CONGRESSIONAL NOTIFICATION WITH RESPECT TO**
19 **THE PARIS AGREEMENT.**

20 (a) IN GENERAL.— Notwithstanding any other provi-
21 sion of law, the President shall notify Congress not less
22 than 30 days prior to submitting a new nationally deter-
23 mined contribution (NDC) on behalf of the United States
24 pursuant to Article 4 of the Paris Agreement.

1 (b) MATTERS TO BE INCLUDED.—The notification
2 required by subsection (a) shall include the following:

3 (1) A detailed economic justification of the
4 NDC.

5 (2) A cost-benefit analysis of the NDC.

6 (3) A description of how the NDC will promote
7 availability of diversified energy supplies and a well-
8 functioning global market for energy resources, tech-
9 nologies, and expertise for the benefit of the United
10 States and United States allies and trading part-
11 ners.

12 (4) A description of how the NDC will support
13 United States international efforts to alleviate en-
14 ergy poverty.

15 (5) A description of how the NDC will impact
16 United States global economic competitiveness.

17 (6) A description of how the NDC will impact
18 United States national security interests.

19 **SEC. 5. PARIS AGREEMENT DEFINED.**

20 In this Act, the term “Paris Agreement” means the
21 decision by the United Nations Framework Convention on
22 Climate Change’s 21st Conference of Parties in Paris,
23 France, adopted December 12, 2015.

