



MEMORANDUM

February 6, 2021

To: Subcommittee on Environment and Climate Change Members and Staff

Fr: Committee on Energy and Commerce Staff

Re: Hearing on “Back in Action: Restoring Federal Climate Leadership”

On Tuesday, February 9, 2021, at 12 p.m. (EDT) via Cisco Webex online video conferencing, the Subcommittee on Environment and Climate Change will hold a hearing entitled, “Back in Action: Restoring Federal Climate Leadership.”

I. BACKGROUND

The Biden Administration has identified climate change as one of four existential crises that the United States faces today, making it a top priority on the presidential agenda.¹ During his first week in office, President Biden signed several Executive Orders (EOs) to address climate change and to begin reversing many of the Trump Administration’s environmental policies.² These early actions sought to undo some of the previous Administration’s most significant environmental policies – more than 170 of which had been completed by the end of President Trump’s term in office – including the decision to withdraw the United States from the Paris Climate Agreement.³

Under the Paris Climate Agreement, the United States committed to cutting greenhouse gas (GHG) emissions by 26 to 28 percent below 2005 levels by 2025.⁴ In 2017, in one of his Administration’s earliest and highest profile actions, former President Trump began the process of withdrawing the United States from the Paris Climate Agreement. In the absence of federal climate leadership, thousands of states, cities, businesses, and other nongovernmental actors pledged their commitment to the Paris Climate Agreement’s goals, and adopted ambitious

¹ Press conference with White House National Climate Advisor Gina McCarthy, U.S. Special Presidential Envoy for Climate John Kerry, The White House (Jan. 27, 2021).

² Executive Order No. 13990, 86 Fed. Reg. 7037 (Jan. 20, 2021); Executive Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021).

³ *Tracking Biden’s environmental actions*, The Washington Post (updated Feb. 1, 2021).

⁴ *U.S. Officially Leaving Paris Climate Agreement*, NPR (Nov. 3, 2020).

climate action plans of their own.⁵ As a result, the United States is now projected to reduce emissions 21 percent below 2005 levels by 2025 – largely driven by subnational action.⁶ While this progress is still below the previously set target, President Biden’s decision to rejoin the Paris Climate Agreement recommits the federal government to climate action and is intended to put the United States back on track to meet its emissions reduction goals under that agreement.⁷

II. EXECUTIVE ACTIONS ON CLIMATE AND THE ENVIRONMENT

On January 20, 2021, President Biden formally directed the United States to re-join the Paris Climate Agreement.⁸ That same day, the President signed EO 13990, putting forward a set of actions to direct executive departments and agencies to review nearly 50 climate-related rules, including rules on science transparency, clean air, and vehicle fuel economy and emissions standards.⁹ By one estimate, these actions taken on January 20th targeted 61 of the former Trump Administration’s environmental actions, overturned 10 outright, and added 13 new protections.¹⁰

On January 27, 2021, President Biden signed EO 14008, entitled “Tackling the Climate Crisis at Home and Abroad”.¹¹ This EO establishes a White House Office of Domestic Climate Policy, a National Climate Task Force, and a Special Presidential Envoy for Climate. It also outlines significant actions on a range of climate issues, including:

- **Environmental Justice:** Assigns new environmental justice duties to several federal agencies and Departments including the Department of Justice and the Department of

⁵ Memorandum from Democratic Staff to Democratic Members and Staff of the Committee on Energy and Commerce, Subcommittee on Environment and Climate Change, Hearing on We’ll Always Have Paris: Filling the Leadership Void Caused by Federal Inaction on Climate Change (Feb. 26, 2019).

⁶ U.S. GHG emissions dropped significantly – more than ten percent – in 2020, as a result of the COVID-19 pandemic and its impact on economic activity. In the absence of federal policy to reduce emissions going forward, emissions are expected to rebound as the economy recovers. See Kate Larsen, Hannah Pitt, and Alfredo Rivera, *Preliminary US Greenhouse Gas Emissions Estimates for 2020*, Rhodium Group (Jan. 12, 2021).

⁷ *The US is back in the international climate game*, Vox (Jan. 20, 2021).

⁸ The U.S. will officially become a Party of the Paris Climate Agreement on February 19, 2021. See The White House, *Paris Climate Agreement* (Jan. 20, 2021) (press release).

⁹ The White House, *Fact Sheet: List of Agency Actions for Review* (www.whitehouse.gov/briefing-room/statements-releases/2021/01/20/fact-sheet-list-of-agency-actions-for-review/); Executive Order No. 13990, 86 Fed. Reg. 7037 (Jan. 20, 2021).

¹⁰ *Tracking Biden’s environmental actions*, The Washington Post (updated Feb. 1, 2021).

¹¹ The White House, *Executive Order on Tackling the Climate Crisis at Home and Abroad* (Jan. 27, 2021) (www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/); Executive Order No. 14008, 86 Fed. Reg. 7619 (Jan. 27, 2021).

Health and Human Services. The new duties assigned to EPA require the agency to address environmental violations in environmental justice communities and improve pollution monitoring and data availability in environmental justice communities. It also establishes a White House Environmental Justice Interagency Council and a White House Environmental Advisory Council to prioritize environmental justice. And the EO establishes a new governmentwide Justice40 Initiative to deliver 40 percent of the overall benefits of relevant federal investments to environmental justice communities.

- **Community Transition:** Establishes an Interagency Working Group on Coal and Power Plant Communities and Economic Revitalization to coordinate the delivery of federal resources and identify opportunities for well-paying jobs in communities undergoing energy transitions.
- **Clean Procurement:** Directs the development of a government-wide Clean Electricity and Vehicle Procurement Strategy with the goal of achieving a clean electricity sector by 2035. The order also requires procurement to meet standards for Buy American and Davis-Bacon prevailing wage and benefit requirements.
- **Land and Water Conservation:** Commits the federal government to a goal of conserving 30 percent of our lands and oceans by 2030. It also pauses oil and gas leasing on federal land. And the order requires the development of a strategy to create a Civilian Climate Corps Initiative to create jobs in land and water conservation.
- **Foreign Affairs:** Requires the United States to immediately begin developing a new Nationally Determined Contribution (NDC) under the Paris Agreement. It also directs development of a plan for international climate finance to promote clean investments worldwide.

These early executive actions aim to strengthen clean air protections, hold polluters accountable, and restore the United States' climate leadership by taking a governmentwide approach to tackling the climate crisis. The transition to a clean energy economy outlined by the suite of EOs is designed to put the United States back on track to meet its emissions reduction goals while also creating millions of jobs for Americans.¹²

¹² The White House, *Remarks by President Biden Before Signing Executive Actions on Tackling Climate Change, Creating Jobs, and Restoring Scientific Integrity* (Jan. 27, 2021) (www.whitehouse.gov/briefing-room/speeches-remarks/2021/01/27/remarks-by-president-biden-before-signing-executive-actions-on-tackling-climate-change-creating-jobs-and-restoring-scientific-integrity/).

III. NEED FOR FURTHER LEGISLATIVE ACTION ON CLIMATE

Reducing emissions from all sectors of the economy is critical to delivering effective and long-lasting climate action, and federal policies are needed to enable that action.¹³ Policy can accelerate market forces that have already begun driving the United States toward a clean energy economy, in turn providing the federal government with the tools needed to avoid the worst consequences of climate change.¹⁴

Research has consistently shown that climate change poses a significant threat, and countries must move to net-zero GHG emissions by 2050 to avoid calamitous consequences.¹⁵ In January 2020, the Committee released draft legislative text of the “Climate Leadership and Environmental Action for our Nation’s Future Act” or the “CLEAN Future Act.”¹⁶ This legislation targets achievement of a 100 percent clean economy by no later than 2050, along with the sector-specific and economy-wide policies that will make that possible. The CLEAN Future Act engages all sectors of the economy, recognizing that meaningful and impactful climate change policy needs to be multi-faceted in its approach to decarbonization. The draft text includes policies that seek to reduce GHG emissions and other pollution sources, support clean job growth, and modernize energy infrastructure to support the United States’ transition to a net-zero carbon, sustainable economy. The CLEAN Future Act allows states and local communities to work with the federal government to achieve ambitious, but necessary, climate goals.

IV. WITNESSES

The following witnesses have been invited to testify:

Anna Fendley, M.P.H.

Director of Regulatory and State Policy
United Steelworkers (USW)

Christy Goldfuss

Senior Vice President, Energy and Environment Policy
Center for American Progress

¹³ C2ES, *Congress and Climate Change* (accessed Jan. 29, 2021) (www.c2es.org/content/congress-and-climate-change/).

¹⁴ Brookings, *Ten facts about the economics of climate change and climate policy* (Oct. 23, 2019).

¹⁵ Intergovernmental Panel on Climate Change, *Special Report on Global Warming on 1.5°C* (Oct. 2018).

¹⁶ House Committee on Energy and Commerce, *E&C Leaders Release Draft Clean Future Act Legislative Text to Achieve a 100 Percent Clean Economy* (Jan. 28, 2020) (press release).

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