

December 28, 2009

Copenhagen viewed from afar

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During the Copenhagen negotiations, the Obama administration never veered off from the reality that the US Congress had not passed final climate change legislation. It was a hard-line stance by the Administration that signalled that the US could not go as far as many world leaders had wanted in the hope of somehow reaching a legally binding treaty. However, it may be useful back in the states when it comes to U.S. perceptions.

Before the Copenhagen visit, the Obama administration downplayed expectations for the trip, even talking openly about the possibility of coming home with nothing at all. During the summit, the US negotiators never budged amid calls by Sudan and other Group of 77 countries to just join the Kyoto protocol, long vilified by the US Senate. The US delegation also resisted pleas from European and African nations to set even stronger emission targets, a move that would have gone against the House-passed climate bill and the still evolving Senate counterpart.

Additionally, the U.S. also overcame efforts by China and India to ban the use of border tariffs on their export of energy-intensive goods - a provision that about a dozen senators see as critical to having before they would even consider voting for climate change legislation. The Copenhagen Accord's biggest breakthroughs are the pledges that countries big and small are making to curtail their emissions. For the major developing economies, it means they have made first-ever commitments for greenhouse gas reductions that are subject to international consultations and analysis. In exchange for working on the details of a transparent new treaty, many of the poorest nations will gain access to a new \$30 billion short-term Copenhagen Green Fund filled by Japan, the European Union, United States and others. There are billions of dollars more—from a mix of public and private financing, including revenue raised from the auctioning of emission allowances under a possible U.S. bill - if they live up to their commitments.

That language is the outcome of years of debate that essentially boiled down to giving President Obama and the Senate some degree of certainty that another nation's pledge can be checked to see if they are doing what they say they will.

Towards the end of the summit, President Obama was able to take credit for achieving some degree of success with the new climate accord. "Even though we have a long way to go, there's no question that we've accomplished a great deal over the last few days. I want America to continue to lead on this journey, because if America leads in developing clean energy, we will lead in growing our economy and putting our people back to work, and leaving a stronger and more secure country to our children."

The White House

As President Obama headed home from the summit, the White House released a statement that included quotes from leading elected officials from the Democratic Party, environmen-

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talists, and captains of industry praising the "breakthrough" that will "lay the foundation for international action in the years to come."

Michael Eckhart, head of the American Council on Renewable Energy, applauded President Obama's "wisdom in achieving an agreement on the apparitional goal, limiting the outcome which we all care about, because this will stand to rule all else that comes in future negotiations."

Larry Schweiger, head of the National Wildlife Federation, was nuanced. "The deal is incomplete, and we're not done yet. But at long last all of the top polluters of the world, including the United States and China, are putting numbers on the table to cut pollution in a transparent way."

White House Senior Advisor David Axelrod defended the nonbinding agreement President Obama reached after a frenzied and hectic day of ad-hoc meetings with world leaders at the summit. "Let's understand that when the president arrived the talks were collapsing and there was a very real prospect of no progress out of Copenhagen."

The Senate

Back in the U.S., advocates of stalled Senate climate legislation have been hopeful that a deal in Copenhagen that commits China and other countries to action would increase traction for mandatory emissions curbs in the U.S.

"Home run," said Mark Helmke, a top staffer to Republican Senator Luger, the ranking member of the Foreign Relations Committee, referring to Copenhagen. "Satisfied the Europeans. Made China into a major world player, but made them accountable. Elevated India, Brazil and South America to the world stage. Cut an important side with the Russians on arms control."

Senator Kerry, the principle Democrat sponsor of the Senate climate bill, said the interim nature of the Copenhagen agreement does not matter as much as the substance of who signed up for what. Senator Kerry said signatures from the United States and China - which combine for about half of annual global greenhouse gas emissions - should put pressure on other countries to sign up too. "I think you had to have some deal where the major emitters are beginning to reduce. Having China at the table was the most critical thing because most of our colleagues are saying 'Well what about China? What about China? If they don't do it, it won't make any difference. 'The less developed countries, the truly less developed countries barely emit. And so we have some time to work with them to bring them to the table. Now the proof will be in our willingness to do, and assuming we step up, I think that's going to set an example to a lot of other countries."

Democrat Senator Barbara Boxer, Chairwoman of the Senate Committee on Environment and Public Works, said: "The announcement from Copenhagen is an important step forward in the effort to combat global warming. For the first time, the world's major emitting countries - including China and India - have committed to specific actions to cut greenhouse gas pollution. American leadership, especially President Obama's personal engagement, fundamentally changed the dynamic at the global warming talks. While there is more work to do, the progress made today will add to the momentum here at home for legislation to create millions of clean energy jobs, move America away from our billion dollars a day oil habit, and protect our children and grandchildren from dangerous pollution."

Democrat Senator Carl Levin, who noted that he had not read the accord, called China and India's endorsement of the agreement a "plus" but doubted it could help propel a Senate

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cap-and-trade plan. "Unless India and China are bound and we know what the details are, I don't think that their agreeing to goals or whatever it was they agreed to will have an effect on cap-and-trade," he said. "If there was a binding agreement that tied them to limits that were meaningful, then I think that would have advanced the legislation."

Republican Senator Murkowski added, "Whenever you have developing countries, and certainly China and India stepping forward and indicating that they have a willingness to be a participant, I think that's a strong indicator that we'll have opportunities to be working and I think that that is progress."

Republican Senator Lindsey Graham, who has split with his caucus to work with Senator Kerry and White House officials on a compromise global warming and energy bill that can reach 60 Senate votes, acknowledged that some of his Republican colleagues will view the Copenhagen deal as "ineffective," even though it adds "some transparency that we don't have today."

Conservative Senators also questioned whether developing countries are serious despite negotiating for several hours with President Obama. Some conservative Republicans and Democrats and long time industry opponents have described the agreement as a toothless failure. Many other moderates that President Obama likely will need to pass a climate bill remained far from convinced the international deal has any merit.

"The reality for states like Pennsylvania is, even as we move forward with any kind of climate change legislation, there are going to be cost impacts," said Democrat Senator Bob Casey. "We want to make sure we're not adding yet another cost impact that other countries don't have to shoulder."

"It's a nothing burger," said Republican Senator John McCain referring to the summit, adding that while he had not read the actual language that was slowly emerging from Copenhagen, he had been told by others not to expect much. "I think that the fact it has no binding provisions to it whatsoever is a rhetorical attempt to cover up what was obviously a serious failure." Senator McCain in years past has called for limits on U.S. greenhouse gases and sponsored an early version of cap-and-trade plans with Independent Senator Joe Lieberman. But he has been sharply critical of current Democratic climate proposals.

Republican Senator Robert Bennett said the Copenhagen pact did nothing for the Senate legislation. "I don't think they got anything in Copenhagen that will encourage anybody, except Jim Inhofe." Republican Senator James Inhofe calls global warming a "hoax" and opposes any bills that require emissions cuts.

Climate bill opponents are now going after all aspects of the Copenhagen Accord and they doubt it would do anything to help Senator Kerry and his allies. "Speed things along?" said Senator Inhofe. "You've got to be kidding me, surely you jest ... Nothing was done, another total failure, just like all the rest of them."

Republican Senator Kit Bond scoffed at the notion that the developing countries would live up to their Copenhagen commitments. "They are going to continue to develop the energy they need. They're not fools."

"If China will not let us verify, we're going to have a heck of a time here," said Democrat Senator Ted Kaufman. "An agreement's no good if we can't verify."

"I think that the Chinese are perfectly capable of being on board for something and then not doing it," said Democratic Commerce Committee Chairman Jay Rockefeller.

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"I know for a fact that even though the government of China says they are committed to X and Y, the economy of China is run by the governors of the state," said Republican Senator George Voinovich. In the United States, he insisted, "we know that if we commit to something, we will do it."

The House of Representatives

Following President Obama's announcement that a deal had been reached at the climate talks in Copenhagen, Democrat Representative Henry Waxman, Chairman of the House Energy and Commerce Committee, said that "President Obama broke a deadlock and the agreement he negotiated is a major step forward. The world is now starting down a path to halt dangerous global warming. For the first time, major developed and developing countries are pledging significant actions to reduce carbon emissions with confidence that the commitments of China and other major developing nations will be closely monitored. After years of U.S. delay and inertia, we finally have a President who is leading the fight against climate change and an agreement that establishes a solid foundation that can be strengthening over time."

Speaker of the House Nancy Pelosi said that the "agreement reached in Copenhagen is a breakthrough in the global effort to combat climate crisis and could not have been reached without President Obama's active involvement and leadership. The President has secured a critical agreement that includes an achievable mitigation target, transparency measures and a financing mechanism—the three key fundamentals embodied in the House-passed Waxman-Markey bill."

However, The Republican Leader of the House had some stark words regarding the summit. "Americans are asking 'where are the jobs?' Yet President Obama travelled to a climate change conference last week in Copenhagen, where he sought to commit the U.S. to a series of international emission reduction mandates that will devastate the economy and kill more jobs at a time we can least afford it. While everyone supports a clean environment, these international mandates don't work. In just one of the many troubling developments during the conference, China and India - two countries vital to any meaningful climate agreement—refused to agree to the same cuts expected of the U.S."

Possible Action in Congress

Senator Kerry and his colleagues plan to spend January writing their climate change bill and getting it to the Environmental Protection Agency, the Congressional Budget Office and other analysts for a series of modelling runs ahead of a planned floor debate in the spring. In Copenhagen, environmentalists and former Vice President Al Gore called on Senate Majority Leader Reid to set an Earth Day deadline of April 22nd to pass the bill and have the President sign it. While Senator Reid has yet to respond, House Majority Leader Steny Hoyer said during his visit that would not be a good idea.

Early version of the Copenhagen agreement included a deadline for when diplomats would need to finish their work on the next legally binding climate treaty either in June or November 2010. But the final version dropped it, taking away a whip President Obama, Senator Kerry and other allies to try and get their work done in Washington. Some Democratic aides have said that Senator Kerry could have used a deadline to keep the issue front and center for fence-sitting senators, ultimately forcing them to consider an issue they would rather ignore after a tough year of votes on the economy and health care.

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"The moderates can only take so many unpopular votes in one Congress and the only thing more unpopular than climate legislation is the health care bill," said Andrew Wheeler, a former GOP staff director for Senator Inhofe.

Lawmakers also may be content to stay away from the climate debate if they see it as being driven by the demands of Europe and the rest of the world.

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"Look, I don't succumb to international pressure," said Democrat Ben Nelson. "Honestly, I think it's something that we need to work with other countries on, but I don't expect other countries to pressure us. This is not the United States' responsibility to please the world, secure the world, or enforce against the world with these kinds of requirements. We need to participate to the extent we can and to me that's our role."

As for President Obama, a whole series of questions are emerging now that he has claimed a stake of the climate debate with his performance in Copenhagen. Where does he place climate and energy legislation during his State of the Union speech early next year? Does he make a nationally televised prime-time speech like he did on health care? And what political muscle does he have left after battling for the economic stimulus and health care reform?

Around the world, a wide array of people have been saying that President Obama had lost some of his luster since the election, and doubt he will be able to pull off any kind of meaningful climate change legislation in Congress. But some U.S. based environmentalists say President Obama demonstrated in Copenhagen and the days surrounding his trip just how much he is engaged on the issue. Fred Krupp, the president of the Environmental Defense Fund, said President Obama was able to argue the ins and outs of the domestic and international climate debate during an Oval Office meeting with environmentalists and business officials just before leaving for Copenhagen.

"What will drive this bill is presidential leadership, and Obama showed he has the determination and leadership skills to put it all on the line and deliver," said Jeremy Symons of the National Wildlife Federation. "Would you bet against him after pulling off the breakthrough in Copenhagen when the talks had died? Not me. Since he's done it on the world stage, he'll likely push hard domestically too, maintaining credibility and leadership. He came in against the odds, withstood assaults, and his team stood their ground and forged a compromise that was very broadly supported."

As for President Obama, he did not directly respond when reporters asked about his plans for the Senate bill just before boarding Air Force One to depart Copenhagen. When he arrived at the White House, President Obama dropped just one sentence listing his now familiar reasons for trying to pass a climate change bill soon. "That's why I went to Copenhagen yesterday and that's why I will continue in these efforts in the weeks and months to come."

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