

Message

From: Hale, Michelle [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=CB99F5247AB8412FA017133839301FEE-HALE, MICHE]
Sent: 5/18/2017 2:18:40 PM
To: Joseph Bast [JBast@heartland.org]
Subject: RE: H. Sterling Burnett in the Detroit News: Escaping the Paris Climate Agreement

Thank you.

From: Joseph Bast [mailto:JBast@heartland.org]
Sent: Thursday, May 18, 2017 9:34 AM
Subject: H. Sterling Burnett in the Detroit News: Escaping the Paris Climate Agreement

FYI.

<http://www.detroitnews.com/story/opinion/2017/05/18/paris-climate/101815198/>

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Detroit News
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Escaping the Paris Climate Agreement

By: H. Sterling Burnett, the Heartland Institute

As a candidate for president, Donald Trump said he would withdraw the United States from the Paris climate agreement and called it a bad deal for America. In an April speech in Harrisburg, Penn., Trump reiterated this claim, saying the Paris climate agreement in its current form hurts America. Despite his continued opposition, however, it remains unclear whether a withdrawal is in the nation's future.

It's time for this administration to keep its promise, by getting the U.S. out of this flawed, costly agreement.

Some in Trump's team have reportedly said if the United States' commitments are restructured there might be a path to stay in the Paris climate agreement. While there may be a better deal to be had — after all, the Obama administration could hardly have negotiated a worse deal for Americans — there is no deal that would be good for the country. Even Trump can't put lipstick on this very ugly pig.

While our economic competitors, such as China and India, do not have to limit their fossil-fuel use under the agreement, the U.S. is required to make steep cuts, which are estimated to cost our economy trillions of dollars over the life of the agreement without providing any appreciable environmental benefits. Additionally, a deal isn't possible without the U.S. paying into the political slush fund called the Green Climate Fund, which Trump promised to halt payments to. What is gained by staying in? Nothing.

The question is not whether Trump should keep his word and withdraw from the Paris agreement; it's simply a matter of choosing the best way to do so. There are three options.

The first way to cancel America's participation in the Paris climate agreement — and the one that most directly satisfies Trump's campaign commitment — is simply to withdraw the United States' signature entirely. Under the Paris agreement, any country can withdraw from the agreement by giving written notice of a decision to do so to the U.N. secretary general. Unfortunately, under the terms of the agreement, Trump can't give such notice until the agreement has been in place for three years, which means the earliest withdrawal date is Oct. 5, 2019.

Making matters worse, the withdrawal does not become effective until one year after the written notice is delivered. This means even if Trump determines to withdraw from the Paris agreement today, the country will remain stuck with its terms for a minimum of almost four years, and while America remains a party to the agreement, it is obligated to keep its commitments. Because the four-year withdrawal period will not run out until after Trump's first term is over, should he decide not to run for president again or should he run for re-election and lose, the next president could simply recommit the United States to the agreement with a simple signature.

The second way to scotch America's commitments under the Paris climate agreement would be for Trump to submit it to the Senate for formal approval as a treaty. This is what Obama should have done in the first place. To become a binding treaty, the Senate would have to approve the Paris climate agreement by a two-thirds vote. If the agreement loses the treaty vote — and it likely would in a full vote of the Senate — the deal is canceled.

However, nothing requires the Senate to hold an up-or-down vote on the Paris climate agreement if Trump submits it to them. Using the Senate filibuster rules, Senate Democrats could block the treaty from ever coming up for a vote. Such a move is likely, since the vast majority of Democrats support the Paris agreement. Under this scenario, the treaty would remain pending, leaving a future Senate to decide its fate.

The easiest way for Trump to end U.S. participation in Paris and all international climate agreements would be for him to remove the country's signature from the U.N. Framework Convention on Climate Change (UNFCCC), signed by President George H.W. Bush in 1992. Article 25 of the UNFCCC allows any state party to the convention to withdraw, without further obligation, upon giving one year's notice. Withdrawing from UNFCCC would cancel the United States' obligations to all other United Nations-brokered climate agreements made subsequent to UNFCCC, because they are all built on it.

This would be the best and easiest way to get out of the Paris climate agreement, and it would help to prevent future burdensome climate agreements.

Mr. President, whichever path you choose, please keep your promise and withdraw the United States from the Paris agreement, placing it firmly in the dustbin of history — where it belongs.

H. Sterling Burnett, Ph.D., is a research fellow on energy and the environment at the Heartland Institute.