

## US climate politics in the Trump era: Options for EU engagement

*Bram De Botselier*

### Executive Summary

- > US President Trump's announcement to withdraw his country from the Paris Agreement has complicated global climate governance.
- > If the EU wants to keep the US engaged in climate politics at both the national and multilateral levels, it has several options:
  - > The EU and its member states can cooperate bilaterally with US state-level actors. This presupposes, however, an engagement with more difficult conversation partners than Democrats from liberal, coastal states.
  - > The EU can engage with members of Congress from the entire political spectrum, focussing on moderate Republicans and conservative Democrats.
- > By sharing information and technical expertise, the EU can help domestic climate initiatives develop and keep the discussion on climate change on the national agenda in the US.
- > These efforts focusing on domestic US political action are in turn likely to result in US re-engagement in multilateral negotiations.

United States (US) President Trump's announcement to withdraw his country from the Paris Agreement left policy-makers and academics wondering about the impact of this decision on global climate governance. Some feared that the decision would paralyze the 23<sup>rd</sup> Conference of the Parties (COP 23) to the United Nations Framework Convention on Climate Change (UNFCCC). However, there were no signs at the summit that the US would obstruct the multilateral climate process. While the official delegation largely ignored the multilateral process, an unofficial shadow delegation, the so-called US Climate Action Center, made clear that many in the US are still planning to live up to the Paris commitments. This prompted calls on the European

Union (EU) to engage with these representatives from US states in order to protect the 'Paris spirit'. One possible area of cooperation concerned the link between the EU's carbon market and a similar scheme in California.

These calls for cooperation however largely ignore the fact that the US pro-Paris movement in Bonn almost exclusively consisted of members of the liberal wing of the Democratic Party, with former New York City Mayor Bloomberg and former California Governor Schwarzenegger being the exceptions that confirm the rule. As a result, conservative Democrats as well as almost the entire Republican Party seem to be off the EU's radars. This is rather problematic considering that there are only eight Democratic 'trifectas', that is, states where the executive and legislative branches are controlled by the Democratic Party. So far, the EU has thus only engaged with a small minority of the US political spectrum.

This policy brief argues that, if the EU wishes to show leadership and protect the Paris spirit, it needs to encourage US domestic climate action and ensure the US remains involved in global climate governance in the medium term. To do so, it must also engage with other partners than the liberal, pro-climate Democrats, including conservative Democrats and moderate Republicans.

### EU options to engage with US state-level climate policies

*State-driven US climate policies: about blue, red and purple states*

The US Climate Action Center at COP 23 offered an easy way out of the question on what would happen to international climate negotiations following President Trump's decision to withdraw the US from the Paris Agreement. "We will continue to engage with the US administration, but also reach out to state and local actors in the US", was the answer. It was enabled by the presence of the shadow delegation under California Governor Brown and former New York City Mayor Bloomberg. And the EU indeed engaged with this unofficial

US delegation, for example inviting Governor Brown for an event on clean energy in the European Parliament (EP). However, the delegation of US Governors at COP 23 only consisted of Democrats: apart from J. Brown (California), these were K. Brown (Oregon), McAuliffe (Virginia) and Inslee (Washington). The same goes for the Congressional delegation, with Senators Schatz (Hawaii), Cardin (Maryland), Markey (Massachusetts), Merkley (Oregon), and Whitehouse (Rhode Island). All of these are politicians from coastal 'blue' states, where Democrats have a high chance of winning (federal) elections. With the exception of Virginia, these states are amongst the most liberal ones in the US.

The same is true for the US Climate Alliance, a coalition of 15 states that pledged to respect the commitments made under the Paris Agreement. Out of those 15 states, 14 voted Democratic in at least three out of the four last presidential elections. The coalition again mainly consists of liberal, coastal states. While research has indeed shown that state-driven (sub-national) climate policies can be very effective in reducing CO<sub>2</sub> emissions (Martin & Saikawa 2017), for these efforts to be somewhat compensating for the lack of progress on the US federal level, more states will have to be involved. This means that 'non-obvious' states should not be forgotten, especially moderate, 'purple' states that are not dominated by either party, and even red, Republican states.

By also engaging in discussions with these actors, the EU avoids contributing to the further polarisation of the climate debates in the US. Indeed, early environmental legislation received bipartisan support, and Republican Presidents Eisenhower and Bush senior were instrumental in some key pieces of legislation regarding acid rain and air pollution. This has significantly changed today. Climate change legislation has become a partisan issue, pushed by some Democrats but largely ignored by the Republicans.

Inspiration on how so-called purple and red states might be approached can be found by looking at the only Republican-leaning state in the US Climate Alliance, namely North Carolina. North Carolina can hardly be called a liberal state. The state voted for Trump over Clinton by 3.6 percentage points – favouring Trump by 5.7 percentage points compared to the national average. Its legislature is heavily dominated by the Republican Party and the Democratic Governor was elected after a very close race against an unpopular Republican incumbent. Nevertheless, both parties in North Carolina are convinced of the need for policy measures in support of renewable energy and have created a legislative framework that supports renewable energy. For instance, a new law, adopted with bipartisan support, enables customers to lease instead of buy solar panels, making them financially more accessible. It is estimated that these measures will result in an increase of North Carolina's solar power production by 2.6 Gigawatts, reinforcing its position as the

second biggest producer of solar energy in the US. This is not to say that the law was approved without problems, to the contrary. There is also no evidence that the state's local politicians are more aware of the risks of climate change. For North Carolina, solar energy production is simply considered as beneficial for businesses and for its energy independence (Eckhouse & Chediak 2017).

This example of implementing climate-friendly measures because they are 'good for business' can be used across the US. What is needed is information-sharing and legislative support, considering that state legislators do not always possess the necessary resources to perform research on their own. Sharing legislative experiences and adopting measures that have proven successful in other regions can be very effective, as evidenced by the efforts of the conservative platform American Legislative Exchange Council (ALEC). ALEC provides a platform for legislators, lobbyists and interest groups to exchange ideas that can serve as the basis for legislation. This practice has proven effective, with ALEC being responsible for key conservative accomplishments (McIntire 2012). ALEC, being a conservative platform, does not promote climate change initiatives. Nevertheless, its strategy can be used to develop an alternative legislative exchange council that would share information regarding climate policy.

#### *How the EU and its members can engage with state-level actors in the US*

For the EU and its member states to engage with actors at the state level in the US, emphasis could first of all be placed on those states that have expressed disappointment with President Trump's decision to leave the Paris Agreement while stopping short of adopting concrete state-level measures as a compensation. These include some major emitters such as Illinois, Ohio and Pennsylvania as well as various smaller states like Maryland, Montana and New Mexico. Ohio and Pennsylvania are purple 'swing states', where there is no clear majority for either party. The others are states where the Governor belongs to what is normally the minority party in that state, such as Republican Governor Rauner in blue Illinois and Democratic Governor Bullock in red Montana (Storrow & Holden 2017). While these state leaders are aware of the dangers of climate change, they need some more convincing regarding the economic impact of 'green' measures – concerns that are shared by many European leaders. The EU is sometimes also accused of failing to back up its ambitious rhetoric with concrete internal policy initiatives. Several EU member states are lagging behind in their efforts to reduce greenhouse gas emissions and to increase renewable energy, such as Belgium, France, Germany and the Netherlands. Conversely, other member states are doing relatively well when it comes to these criteria. Sweden has for example invested in increasing the

share of public transportation that uses renewable energy (EEA 2017). The abovementioned US states may be highly interested to learn about some of these concrete policy initiatives, and how they could be worked out in practice, and the 'green' EU member states will most likely be willing to share their best practices. What is currently lacking, is a platform for these exchanges. The 2018 climate summit in San Francisco, organised by the California state government, offers an opportunity to do this at a high political level, considering that the summit is aimed at engaging state, regional and city actors. More technical expertise could be shared by experts in the margins of the summit. It could be worth considering to organise similar summits in the future, which would complement the UNFCCC COP process that is still dominated by nation-states.

This same strategy can also be used for states with a history of climate measures, but where a Republican 'trifecta' has brought these efforts to a halt, such as Arizona, Florida, Michigan and New Hampshire. It seems unlikely that any progress in climate policy will be made in the short term, considering the fact that the Governors in these states have already expressed their – sometimes implicit – support for Trump's withdrawal from the Paris Agreement. Nevertheless, these are states with a significant presence of pro-climate groups, activists and politicians, as evidenced by the climate legislation that has been adopted in the past. There is no reason to think that these groups have suddenly disappeared, they are simply not in power at this moment. It is therefore important to keep engaging with policy-makers in these areas as well, in order for climate change to remain on the public agenda and for the pro-climate coalitions to become stronger again in the longer term.

Additionally, regional climate initiatives such as carbon trading systems like the California-driven Western Climate Initiative (WCI) and the Northeastern Regional Greenhouse Gas Initiative (RGGI) can certainly benefit from the EU's experience. While both of these initiatives started with many good intentions, they are currently experiencing difficulties. Within the WCI, only California has implemented the required carbon emissions trading scheme. The other US states, even the liberal ones, decided to withdraw from the agreement when the economic costs were considered to be too high. The RGGI is also experiencing difficulties, with New Hampshire for example looking for ways to leave. Based on its own experience with the Emissions Trading System (ETS), the EU could be a prime source of information and inspiration on how these regional initiatives might be re-energized.

The EU is already quite active when it comes to public diplomacy in the US, both through the EU Delegation and member states' embassies. For example, the EU Delegation's Twitter and Facebook accounts regularly mention climate change and the Delegation actively participates in high-level

summits and seminars on climate, as evidenced by the EU Ambassador's participation in the first North American Climate Summit in Chicago in December 2017. This event provided a high-level platform for several dozen mayors to exchange views on environmental policy.

Moreover, the EU should also aim to share concrete, technical expertise, for example with the carbon trading initiatives mentioned above. The lead actor for this would be the European Commission's Directorate-General for Climate Action (DG CLIMA), which has the required expertise and was the powerbroker of the reforms to the EU's own carbon trading system. Concretely, DG CLIMA could participate in the meetings that are regularly held by the states participating in these regional initiatives. During these meetings, representatives from each state's Environment Department discuss progress and potential reforms, making DG CLIMA's expertise particularly relevant. Such efforts can be complemented by facilitating contacts between EU legislators with specific expertise, such as the European Parliament's rapporteur on ETS or members of the EP delegation to the US that are also part of the EP's environment committee (ENVI), and US state legislators.

The EU could even go further in sharing its experience by also engaging with very conservative states. Coal-mining states like Kentucky, West Virginia and Wyoming fear the social and economic consequences of closing their mines, even though their continued operation is not economically viable (Mufson 2017). These are concerns that are shared in EU member states like Germany and Poland. It is no coincidence that Poland will host the next UN climate summit in Katowice, in the heart of a coal-mining region. It is arguably not a bad thing that this will result in increased attention for those regions and countries where coal is still an important part of the energy mix, as long as discussions are focused on the technological and financial aid needed to achieve the transition to renewable energy. This would then definitely result in a valuable precedent that the Polish government could share with US states facing similar challenges.

Engaging with all these actors will require more and different sorts of efforts than simply interacting with Democratic policy-makers from liberal, coastal states. It will require reaching out to a broader range of states to ensure progress in US domestic climate politics. Indeed, it is relatively easy to convince a vegetarian that eating meat is not good for the environment. However, persuading convinced meat fans of this fact is much harder, even though their collective contribution to a more limited meat consumption would be more significant in the fight against climate change.

## EU options to engage with US federal-level climate policies

### *Identifying partners at the federal level*

It seems obvious that little progress on climate policies will be made at the US federal level, at least in the short term. The announced US withdrawal from the Paris Agreement, the nomination of climate sceptic Pruitt as Administrator of the Environmental Protection Agency as well as statements by President Trump himself, have made that very clear. It is also evident that climate change is not an issue like US sanctions against Russia, where Congress would act in a unified manner to impose its own view on the administration, against the wishes of President Trump. Nevertheless, it is important to continue to engage with actors at the federal level as well, in order to at the very least block anti-climate legislation, as well as to ensure that the US becomes again involved in global climate governance in the medium term.

While it has become commonplace to associate every Republican with climate denial, the reality is more complex. Not each Republican party member associates himself or herself with Senate Environment Committee Chairman Inhofe (Oklahoma) who called climate change a 'hoax'. Ahead of the 2015 Paris Climate Summit (COP 21), the Senators had to voice their opinion on a series of amendments on climate change. All but one Senator stated that climate change is real, 59 voted in favour of a statement saying that human activity contributes to climate change, and 50 Senators judged that human activity significantly contributes to climate change. All Democrats were in favour of these motions, and so were several Republicans. Key Senators in this group are Murkowski (Alaska), Flake and McCain (Arizona), Collins (Maine), Heller (Nevada), Portman (Ohio), Toomey (Pennsylvania), Graham (South Carolina), Alexander and Corker (Tennessee) and Hatch (Utah). In addition to these, a group of conservative Democrats is often overlooked as well, namely Senators Donnelly (Indiana), Tester (Montana), McCaskill (Missouri), Heitkamp (North Dakota) and Manchin (West Virginia) – as well as, possibly, Jones (Alabama).

This group of conservative Democrats and moderate Republicans agrees that climate change is a real threat driven by human activity, but is still susceptible to short-term economic benefits brought about by climate-unfriendly initiatives like the Keystone XL pipeline or oil drilling in the Arctic National Wildlife Refuge. If the EU wants to have a real influence in the US Congress, it has to engage with this group of Senators. Although they may be somewhat more difficult conversation partners, US (anti-)climate legislation nevertheless depends on their swing votes.

The same goes for the House of Representatives, where possible partners in the fight against climate change can however be identified more easily. Some moderates have united in the bipartisan Climate Solutions Caucus, which aims

to promote economically viable climate measures within the chamber. This group consists of an equal number of Republicans and Democrats and, together with the above-mentioned group in the Senate, can be important to make sure that climate change continues to receive attention at the federal level. This can be done by organizing Congressional hearings and other public events, proposing (non-)binding legislation, and by ensuring the issue remains important during electoral campaigns. While the group is too small to advance federal climate policy by itself, it has already proven to have a real impact on legislation by being key in the defeat of some anti-climate measures, such as anti-climate amendments to the bill financing the Defence Department.

### *How the EU and its members can engage with actors at the federal level*

A good interlocutor for these federal lawmakers would be the EP, which has a long-standing involvement in the UNFCCC process. Since the Lisbon Treaty, it has to approve EU-level multilateral environmental agreements, such as the Paris Agreement. But even before 2009, the EP already tried to influence EU and third country negotiators by organizing parliamentary hearings, adopting non-binding resolutions, sending delegations to global climate summits and promoting climate legislation through interparliamentary contacts. In addition to that, the EP is also involved in the making of internal EU climate policies. All these factors combined have allowed it to build up a rather extensive expertise in the area (Biedenkopf 2015).

Much of this expertise would also be very relevant for Members of Congress, because they operate in similar multilevel systems of governance. Legislators on both sides are directly elected in a process that is heavily dominated by political parties. This results in legislators having a 'double hat', namely member of their party, but also representative of a specific (member) state or district. As such, they have to continuously balance between commitments to their national party (or EU-level party), their local party as well as their own constituents. Moreover, there is a disconnect between the legislative and the executive branch in both the EU and the US political systems. The US President is directly elected, the members of the European Commission as well as the President of the European Council are nominated by the member states. In both systems, the designation of the executive operates thus separately from the election of the legislature, meaning that the executive does not necessarily have a majority in the legislature. This complicates decision-making somewhat, particularly in cases of 'divided government'. Conversely, it can also allow for broader public debate and it provides more opportunities for individual legislators to play a key role in law-making, particularly at the level of (sub-)committees, as they are somewhat less constrained by party discipline.

In order to share its legislative experience on climate change, the EP can make use of the already existing mechanisms, such as its delegation to the US, which is the oldest and largest of all EP delegations. This EP delegation comes together with representatives from the US Congress in the Transatlantic Legislators' Dialogue for high-level discussions. Moreover, this Dialogue also allows for a continuous and structural communication at staff-level (Jančić 2015). Furthermore, with the establishment of the EP Liaison Office in Washington, DC, the EP has a permanent representation for its relations with the US Congress. The EP can easily use these existing mechanisms to increase its engagement with Members of Congress on climate issues and to specifically target the key players that were identified earlier, developing a genuine 'parliamentary climate diplomacy'.

## Conclusion

President Trump has undoubtedly dealt a major blow to global climate governance with his intent to withdraw a major greenhouse gas emitter from the Paris Agreement. Nevertheless, this policy brief shows that there are numerous possibilities to engage with US political actors other than the

current administration. This could lead to further progress at the state level even in the short term, but is also important in order for climate change to remain on the public agenda and for the US to re-engage in multilateral climate action in the medium term. The EU can offer its support by sharing expertise and information. This would allow for the climate debate to continue, while preventing it from being hijacked by vocal climate sceptics.

To really protect the spirit of the Paris Agreement, EU engagement with the US cannot simply focus on Democrats from liberal, coastal states, however. A comprehensive strategy also needs to target moderate Republican and conservative Democratic lawmakers and states. This policy brief identified some potential interlocutors for the EU and discussed which EU actor(s) would be best suited to engage with these (sub)national US actors.

If such forms of engagement were to be reinforced, President Trump's decision on the Paris Agreement could actually offer an opportunity for the EU to demonstrate its environmental leadership not only on the international stage, but also by influencing domestic US climate policies.

## Further Reading

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