

Joe Biden's climate commitments? What impact can we expect?

By Dominique Bocquet

US President-elect Joe Biden made climate change a priority in his election campaign. Contrary to his predecessor, he announced, among other things, the return to the Paris Accord, a vast infrastructure program for renewable energy and climate transition, and a national target of Zero emissions by 2050 (2035 for power production).

With his election, the climate debate is changing. It is true that no other country had followed the United States in withdrawing from the Paris Accord. But the US is the world's second largest CO₂ emitter (after China) and still plays a crucial economic and political role.

Donald Trump's posture had altered the momentum of the Paris Accord signed in 2015, just before his election. How far will the resumption of American efforts in favor of the climate will go? Can we bet on the effective implementation of Joe Biden's program?

There are many obstacles standing in the way of its realization. The President does not have a qualified majority in Congress (60%) and it is not clear whether he will have a simple majority in the Senate. He will have to reckon with the fossil fuel lobby and the consumerist

habits of the population. In addition, the cost of the proposed measures is a challenge in itself, as with any ambitious program.

The implementation of this program will depend, to a large extent, on the support it receives from society and the electorate, as well as on the strategic coherence of the plan itself.

I. The post-Trump period, a period of shadows and lights

The reinstatement of the Paris Accord does not raise any obstacle. Its termination by Donald Trump came late, due to the procedures provided for in the Agreement. The latter had been ratified by the Senate in 2016. No parliamentary formality is therefore required.

At the diplomatic level, one can hope for a knock-on effect on the countries that have remained members of the Agreement but are reputed to be reluctant to

implement it (Saudi Arabia, Brazil, Australia, even India). American contributions to international funding will resume. Attention will focus on the next « COP » (the annual meeting of the contracting parties to the Paris Agreement) in Glasgow (Scotland), in November 2021. It will certainly be a test.

Nevertheless, as the Agreement is non-binding, the implementation dynamic depends on mutual trust: each country makes efforts in the public interest because it relies on the concurrent efforts of other countries. Focus will be on the evolution of US emissions.

Candidate Biden's platform has been developed within a particular context: Donald Trump's whimsical policy. The outgoing president not only dismissed most of the officials responsible for controlling climate change, but also denied climate change and dismantled some of the regulations designed to combat it. He did not hesitate to encourage national production of fossil fuels, including non-conventional hydrocarbons in protected territories. Valuable time has been lost in the US energy transition. However, the excessive outbursts embodied by Donald Trump have also generated reactions within American society. In his recent book, *Le Renouveau de la Démocratie en Amérique*¹ (Renewal of Democracy in America), Renaud Lassus provides a masterful analysis of the crisis of American democracy and the avenues for overcoming it. Overshadowed by Trump's omnipresence in the media, this evolution has remained little known outside the United States. The growing awareness described in the book is essential for understanding what is happening today.

As far as the climate is concerned, many American institutions have refused to follow the Trump administration. Twenty-five federal states, gathered in the US Climate Alliance, have continued to implement the Paris Accord². Many local government authorities and various institutions (hospitals, universities) have followed suit.

Moreover, the Trump administration has frequently fallen into its own trap: while criticizing the impact studies and consultation procedures provided for in environmental

laws, it has circumvented them. However, American courts do not mess around with procedural requirements. Numerous court decisions have invalidated the measures taken under Trump³.

Finally, the laws of the market have reserved some surprises. Although Trump has lifted the constraints introduced by his predecessor Barack Obama on coal-based electricity generation, it fell by 22% between 2016 and 2019, as gas proved more competitive. This, combined with action by the member states of the US Climate alliance, explains why US greenhouse gas emissions decreased de facto during the Trump mandate, which may enable the US meet its targets.

A key factor in the implementation of the Biden program will be the institutional equation. Obstacles to the implementation of his program may come from the Congress. It is true that the double victory of the Democrats in the by-elections of Georgia now grants them parity with the Republicans in the Senate. Vice-President Kamala Harris' voice as the official President of the Senate gives them a majority, which they also hold in the House of Representatives. Nevertheless, some legislative measures will encounter difficulties, as a 60% majority is required to overcome parliamentary obstruction⁴.

The existing legislative framework will be taken into account. First, like President Obama, Joe Biden will be able to use executive orders, i.e., « non-legislative », regulatory measures. Since a 2007 ruling, the Supreme Court has considered greenhouse gases to be among the polluting gases, as defined in the Clean Air Act. This act, passed by Congress in the 1970s (during Republican President Richard Nixon's presidency), thus provides a legal basis for certain executive decisions designed to reduce carbon emissions.

More generally, the existing legislation provides for numerous precautions and health measures in favor of the environment. From January 20, 2021, an important avenue will be opened up for regulatory measures

3. The Trump administration is said to have lost 87% of the litigation related to its environmental decisions (Institute for Policy Integrity at the New York University School of Law cited by Samantha Gross).

4. Filibustering is the first form of obstruction. Congress members may use their right to speak without time limit and delay voting on texts indefinitely. However, this tactic cannot be used in relation to financial legislation. Moreover, it represents a mere practice that may be prohibited by the assemblies. Under the Obama administration, filibustering in the case of appointments was thus ended.

1. See bibliography below.

2. These twenty-five states represent 55% of the population of the United States. They have continued to submit their progress to independent evaluations and to report internationally. Between 2005 and 2017, they have reduced their emissions by 16% compared to the national average of 7%.

applicable to the operations and investments of federal departments, which may, among other things, be subject to decarbonation programs.

But this does not cover everything. Congress agreement will be essential for the most important financial decisions and would also be essential for the possible introduction of a carbon tax.

It is in this context that the balance of power between the President and the Congress will be at stake. This balance of power will not be limited to the distribution of seats: it will also depend on the evolution of the public debate.

II. The role of civil society in Joe Biden's ambitions

Experts and think tanks played a major role in the preparation of Biden's program.

The mobilization of civil society described in Renaud Lassus' book has been strongly demonstrated in this area. Since 2016, some of the climate experts of the Obama administration, fired by Trump, had joined think tanks, universities and environmental organizations. During the Democratic primary elections, several candidates have taken strong positions on climate change, in particular Senator Elizabeth Warren of Massachusetts.

Joe Biden summarized the various contributions. He foresees energy savings in federal buildings and, via incentive financing, in housing that is insufficiently insulated. He strongly insists on investment in renewable energy for energy production and transport. He also provides for the installation, by 2030, of 500,000 charging stations for electric vehicles (a considerable number, justified by the charging time).

Joe Biden's main climate commitments:

- 2,000 billion dollars in investments over ten years;
- Creation of one million « quality » jobs in the automobile industry (manufacturers, equipment suppliers, infrastructures);
- Support to cities with more than 100,000 inhabitants for public transport (zero-

emission transport, improvement of transport infrastructure);

- Energy renovation of 4 million buildings, construction of 1.5 million low-energy cost houses, measures to improve the quality of jobs on these sites;
- Financing of innovation (batteries, decarbonated technologies, building materials);
- Job creation in resilient agriculture (smart agriculture, agricultural reconversion of mine sites ...);
- Environmental justice: job creation in deprived areas, repairing the environmental damage experienced by some communities;
- No federal funding for coal production, a position unfavorable to the opening of new unconventional hydrocarbon deposits on federal sites;
- Zero emissions for electricity production in 2035 and for the whole economy in 2050.

Source: <https://joebiden.com/clean-energy/>

Joe Biden has refused all election financing from the coal sector, and has pledged no federal funding to the sector. In addition to these types of highly symbolic commitments, two other factors marked his campaign:

- Motivated by the prospect of Joe Biden's victory, and persuaded they should not remain neutral in front of Donald Trump's excesses, environmental organizations have fueled the available expertise and the sensitivity of public opinion;
- The Biden campaign used social networks to customize the messages and adapt the climate issues to the actual situation on the ground. For example, in California, forest fires are mobilizing citizens, while in Florida it's the risks of rising sea levels and flooding that are mobilizing citizens. Methodical targeting has been implemented to deliver the right messages.

The Biden campaign has spread out these messages with a level of granularity that extended as far as counties. Beyond the campaign technique, there was a promising element of political communication for the climate cause: as such, the « global » was linked to the « local ». Joe Biden's climate program is characterized by its undeniable breadth and seriousness. This is not alien to the massive support that young people gave to the Democratic candidate at the ballot box. But the obstacles that will arise "will be a test" of the compatibility of the commitments with other economic and social issues.

III. Convergence between ecological and social objectives: a strategic vision?

The obligation to choose between social and environmental objectives can undermine popular support for the climate cause. This is even more true in the United States than in other countries: part of the population has had the feeling of « dropping out ». They look at environmental constraints and spending with suspicion, fearing that they will pay the cost.

Donald Trump's hostility to climate measures is not alien to the decisive electoral support he received in 2016 from white workers homesick for traditional industries (the famous rust belt). The sense that their jobs had been destroyed by free trade fueled the belief that the United States had sacrificed its interests to those of the rest of the world. Hence the slogan « America First ».

With this slogan, it became easy to reject the Paris Agreement, described as the result of a discipline that would do harm to America. Here we are at the heart of a populist rhetoric: no matter what the general interest is, the main thing is to take advantage of the frustrations of the electorate.

The idea of a tradeoff between social and environmental objectives is a fatal danger for the Democratic Party. The party is forced to choose between its two potential bases: on the one hand, young graduates, often from the middle classes, and on the other hand, workers and the poor.

Hence Joe Biden's concern to combine environment and social justice. The link between the two is stressed in every aspect of the program.

To seek such convergence, he relied on the work of think tanks.

These have not only focused on the job creation that will be enabled by the infrastructure programs. They have also devised solutions to improve the quality of these jobs. To this end, they are promoting new forms of collective agreements. These include, for example, « peace clauses » (absence of strikes) with recognition of trade union involvement and wage benefits if the projects are successful.

Such agreements would cover all the companies involved in a construction site or program. The idea is to seek a win-win partnership between employers and employees. The former would obtain the security provided by the stability of social relations. The latter would gain real benefits in terms of wages, social protection and job security.

This vision is notably supported by the Blue Green Alliance, which enables trade unionists and environmentalists to engage in dialogue and define common ground. It enabled Joe Biden to put forward the prospect of « well paid » jobs in the context of Build back better, a vast energy rehabilitation plan referring to the New Deal.

In their role as program initiators, governments and public authorities do have the levers to promote such agreements. It is also possible to include clauses providing for the hiring of apprentices and young people from minorities, another Biden proposal.

These avenues, which have already been tried out in some states, will have to be followed closely. They are, of course, linked to the purely social aspect of the program (increase in the federal minimum wage, for example). The success of the Biden presidency and the sustainability of the United States' climate commitments will depend on their outcome, but also on the exemplary value of the actions carried out.

Finally, the link between social and environmental issues must be viewed in an even broader debate: that of the consensus to be rebuilt, within American society itself, in favor of the country's leadership. This theme was the subject of a comprehensive report published in the fall of 2020 by the Carnegie Foundation Making U.S. Foreign Policy Work Better for the Middle Class⁵.

IV. The debate is just beginning

Some climate activists are concerned that the link between social and environmental objectives will increase the cost of the transition. In 2019, there was an insightful debate on this issue between two environmental advocates, both Democrats and former Obama staffers. On the one hand, Gilda Mac Carthy (currently nominated to be the President's National Climate Advisor). On the other, John Holdren, a former Obama collaborator and Professor

5. See bibliography.

of Environmental Science at Harvard. For the latter, by pursuing too many objectives, the « Green Deal » may give the impression that the fight against climate change is more difficult than it is.

Several issues are intertwined here. One of them is the cost itself. Even spread over 10 years, the \$2,000 billion figure put forward by Joe Biden as the cost of his program is considerable. Republicans will not fail to denounce the surge in public spending and the return to Big Government. Widening deficits under Donald Trump will weaken their credibility but will not necessarily weaken their resolve. Conversely, the financial stakes associated with the production of non-conventional hydrocarbons are not negligible, for the private sector but also for the public accounts⁶.

It should be noted that, at this stage, Joe Biden is not proposing to introduce a carbon tax within the United States (it is only being considered at the border to neutralize the competitive advantage of countries insufficiently committed to reducing emissions). The carbon tax is tempting for some Republicans. In particular, it is advocated by the Climate Leadership Council, an institute that brings together leaders and experts alongside major companies. It makes it possible to combat emissions while respecting market mechanisms, without the drawbacks of regulations. It also has the advantage of affecting all activities. Its advocates hope to exert a wider influence than targeted subsidy programs.

Its disadvantage is that it is not very redistributive; in the short term, it is even anti-redistributive: the poor have to put up with it, especially as their equipment (vehicle, housing) is often not very energy-efficient as things stand at present. This point has been at the heart of some tax revolts (example of the yellow vests in France). Some suggest that the carbon tax be paid, in whole or in part, to the poorest. In this hypothesis, the levy would certainly maintain its incentive role but its proceeds would not be available to finance public policies.

The link between climate transition and redistribution is essential. The subject becomes hot due to the exacerbation of inequalities in the United States. Not

6. In New Mexico, the royalties earned by the state from the production of non-conventional hydrocarbons amount to \$1 billion per year, a sum which this state, although it is led by the Democrats, is not ready to give up from one day to the next.

only have income gaps widened, but these inequalities seem to be increasing from one generation to the next. The cost of education and health for families is becoming an obstacle to equal opportunities.

Joe Biden intends to finance his program partly through borrowing, partly through an increase in taxation for the more prosperous. The increase will focus on businesses and those in households earning more than 400,000 dollars a year.

A simulated implementation of the Biden program was carried out at the University of Pennsylvania (Penn Wharton Budget Model). It concluded that its long-term impact would be clearly beneficial to employment and growth. If this is indeed the case, the social-environmental link would be validated, at least partially. This would not, however, eliminate all rivalry between the different items of public expenditure. The scale of health and education needs is likely to be significant, since each of these two components involves amounts comparable to those announced for the climate transition. Health needs are urgent because of the decline in life expectancy in the United States, compounded by the current health crisis.

Conclusion

The sequence will be essential for the success of Joe Biden's program.

The first measures, those of Day One starting on 20 January, will have to strengthen support for the climate cause among the working classes, otherwise the new administration will soon be locked in a dilemma between climate imperative and social emergency. It is therefore essential to rapidly create quality jobs linked to the environment in order to rally the working class to the climate priority.

The stimulus package that the Biden administration will try to get through before the summer with its climate component will be decisive in this respect. It is only later, perhaps in the mid-terms of 2022, that carbon tax projects will be able to take shape.

The challenges of climate transition are still in their infancy. The good news is that the United States is now one of the main, probably the most innovative, possibly the most important laboratories.

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Platforms and think tanks

- US Climate Alliance: <http://www.usclimatealliance.org/>
- Blue Green Alliance Foundation: <https://www.bgafoundation.org/>
- Climate Leadership Council: <https://clcouncil.org/>

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The views expressed in this publication are those of the author.



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