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UNITED STATES’ LACK OF ENVIRONMENTAL FOREIGN POLICY
Emily Matthews

History of U.S. Foreign Environmental Policy
On September 27, 2014, President Obama addressed the United Nations General Assembly at the U.N. Climate Change Summit, where he encouraged countries to fight global warming.¹ He declared that the United States recognizes its role in the climate change problem and plans to take responsibility for combating it, stating “we can only succeed in combating climate change if we are joined in this effort by every nation.”² President Obama’s speech occurred right after The World Bank released a global carbon pricing declaration which is signed by 74 countries and more than 1,000 businesses and investors.³ Carbon pricing, if adopted globally, “has the potential to bring

³ Op. Cit., fn. 1
down emissions in a way that supports clean energy and low-carbon growth, while giving businesses the flexibility to innovate and find the most efficient choices.”⁴ Despite global enthusiasm for the declaration, the United States has yet to sign it, mainly due to partisan divisions.⁵ Senate Majority Leader Mitch McConnell stated that carbon pricing “won’t have any meaningful impact on global carbon emissions” and that it will ship jobs overseas and raise the cost of living for many dependent on the coal industry.⁶

President Obama’s enthusiasm for global environmental policy highlights a pattern of past practices in United States foreign environmental policy. In the late 1960s through the 1970s, the United States was very active in adopting environmental foreign policies. In fact, the U.S. lead the world in international agreements that were adopted in the 1971 Convention on Wetlands and in the 1973 Convention on International Trade in Endangered Species.⁷ Since the Reagan Administration, presidents have relied largely on executive action to effect environmentally friendly policies as Congress was far too divided to take action.⁸ For example, President Clinton implemented a series of executive orders after Congress was unable to pass legislation in the late 1990s.⁹ In the 2000’s, however, the U.S. has not adopted many new policies as evidenced through its rejection of the declaration for carbon pricing and the 2000 Cartagena Protocol on Biosafety.¹⁰ Although, President Obama did enact an executive order initiating the Climate-Resilient International Development, which requires agencies to “factor climate-resilience considerations systematically into the U.S. government’s international development work.”¹¹ Clearly, such actions reflect a pattern of

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⁵ Op. Cit. , fn. 1
⁶ Op. Cit. , fn. 1
¹⁰ Op. Cit. , fn. 8
¹¹ “President Obama Announces New Actions To Strengthen Global Resilience to Climate Change”
using executive action when Congressional partisan divisions prevent change. The lack of environmental policy agreements has a number of implications for American foreign policy. The United States has experienced a pattern of partisan divisions that have limited domestic leadership in environmental policies. The only way that the U.S. has been able to adopt global agreements has been through executive action as evidenced in the above discussion. However, executive action is still met with criticism from congressional members such as Senator McConnell and House Speaker John Boehner, both of whom indicate that they plan to do all they can to delay the implementation of the Environmental Protection Agency’s (EPA) policies to reduce emissions. Without agreements sanctioned by both Congress and the Obama administration, U.S. efforts will fall flat, and the U.S. will continue to be one of the largest carbon emitters in the world. To understand why the United States has not joined other countries at the forefront of these policy changes leads to the following research question: Why is the United States unable to adopt a leadership role in global environmental politics?

**Partisan Divisions: The Default Answer**

Conventional wisdom blames Congressional partisan divisions for the stagnation of environmentally friendly polices. In a poll of registered voters conducted by the Pew Research Center, the non-partisan research found that 69 percent of Democrats stated that environmental issues are very important when they vote for a congressional candidate, whereas only 36 percent of Republicans said so. In another poll conducted by CBS News and The New York Times, researchers found that 40 percent of Republicans think that the environment should be given priority even at the risk of lowering economic growth, while Democrats were at 63 percent. These polls reveal a stark contrast between Republican and


14 “With which one of these statements about the environment and the economy do you most agree? Protection of the environment should be given priority, even at the risk of curbing
Democrat concern over environmental issues, which reflects what members of Congress prioritize. These polls reflect that these divisions are at the core of the United States’ inability to adopt global environmental policy.

While partisan divisions do inhibit the United States from accepting environmental policies, this conventional wisdom is incomplete. There are additional factors that must be taken into account to fully understand why these partisan divisions occur, and why the United States is unable to adopt environmental policies. Furthermore, there is still debate about whether or not human activity causes climate change. In addition to differing views, special interests and economic growth considerations lead many politicians to be cautious when committing to environmental policies. These factors, combined with partisan divisions in Congress, considerably hinder the U.S. from becoming a global leader in fighting climate change. The following case studies examine these factors and provide an in-depth explanation as to why the U.S. is falling behind many other countries in its environmental policy.

**Economic Growth Concerns**
The United States has participated in several conventions surrounding climate change policies and initiatives, such as the United Nations Convention on Climate Change (UNFCC). These international conventions, and more specifically the UNFCC, have sparked concerns within Congress over the “cost, purpose, direction, efficiency and effectiveness” of the financing of these policies and initiatives. Furthermore, a Congressional Research Service Report (CRS) released in 2011 stated that members in Congress argue that “international financing would incur costs to the United States” and take away from potential funds that could help the U.S. domestically. Congressional members also argue that the U.S. should use available funds for “domestic priorities such as fostering renewed economic growth and creating jobs.” Current estimates place financing...
international environmental efforts at a minimum of $4 billion annually by 2030, and most agreements would have the wealthiest countries, such as the U.S. and China, provide a sizeable amount of such funding.\textsuperscript{18} Environmental policy is associated with U.S. foreign economic aid, which initiates concern over the prevention of economic growth due to the costs of aid, provoking arguments that the funding would take away from domestic issues.

Moreover, Senators argue that the UNFCC agreement could impact the competitiveness of the country, thus impacting U.S. potential growth.\textsuperscript{19} The EPA found that, in order to meet the National Ambient Air Quality Standards (NAAQS) of 0.070 parts per million, as opposed to the current 0.075 ppm standard currently in place, it would cost at least $11 billion by 2020.\textsuperscript{20} In addition to these added domestic costs, the U.S. agreed in 2009 to produce $100 billion annually to “assist developing countries to mitigate [greenhouse gas] emissions and adapt to climate change.”\textsuperscript{21} Senator McConnell also stated that international agreements such as the U.S. agreement to cap emissions with China would “ensure higher utility rates and far fewer jobs.”\textsuperscript{22} The economic growth concerns stem from the reliance on coal mining jobs and the economic growth associated with the industry. The costs to adopt these policies and standards require a large upfront investment, which causes legitimate concerns over the ability to spend this amount of money.

Nevertheless, economic growth and renewable energy have been strong and productive in recent years. As energy efficiency improves, renewable energy growth has met America’s energy needs more so than oil, coal, natural gas and nuclear power combined.\textsuperscript{23} Furthermore, one-eighth of the U.S. electricity

\textsuperscript{18} Ibid.


supply is considered renewable energy, which makes the country likely to meet proposed carbon dioxide emissions standards. This shows that America is beginning to change energy norms, and is shifting more towards cleaner and more efficient energy. Additionally energy efficiency is linked to saving billions of dollars annually, and has allowed the U.S. to adopt greener practices. Therefore, it is in the interest of the United States to favor the trends of environmentally friendly practices because the country will reap economic benefits. Furthermore, it is argued that adopting climate change policies in which the U.S. would give economic aid to developing countries would “allow U.S. industries to make competitive inroads into rapidly expanding markets, improve the advancement and commercialization of U.S. technologies, mobilize greater investment in domestic sectors, and enhance job creation in the United States.” Without this U.S. funding, American influence in global markets could be impaired and it would be difficult for developing countries to improve environmental conditions. Additionally, if the U.S. does not respond to the increasing number climate change related issues, the costs to aid these countries when catastrophes occur could be much higher than it would be to begin preventing them now. Economic growth concerns over environmental policies are misplaced. As the U.S. moves towards renewable energy, economic growth will come from these new clean energy sectors as a result of the creation of jobs and new markets.

**Differing Views in Science**

Within the scientific community, there is a consensus that the world has warmed by “1.1 to 1.5 degrees Fahrenheit since the Industrial Revolution (measured since 1880).” There is debate, however, centered upon the causes of climate change, the impacts of climate change, and how to solve the issues that arise because of that climate change. Some scientists argue that climate change could come from “natural variability” instead of human-induced carbon dioxide emissions.

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24 Ibid.
26 Op. Cit., fn. 19
27 Op. Cit., fn. 19
28 Op. Cit., fn. 19
emissions.  For brevity’s sake, this case study will focus on the theorized causes of climate change, the conflicting views on impacts of climate change, and the different solutions that are proposed.

The arguments pertaining to the cause of climate change concentrate upon whether human activity or natural variability are to blame. This was demonstrated in the scientific community’s reaction to Hurricane Sandy in 2012. The storm itself was a rare occurrence that caused scientific debate over whether the hurricane was an example of climate change’s effects on large storms. Some scientists theorized that the effects of human induced greenhouse gas emissions intensified the storm. Nevertheless, “hurricanes tend to rise and fall in a recurring cycle over time, so it is possible that natural variability accounted for the recent trends.” Furthermore, scientists recognize that there is a fair amount of natural variability in Earth’s climate; however, scientists state that the recent temperatures have been so extreme, that it cannot be solely due to natural weather variability. Researchers have also found that there is a small likelihood that the temperatures induced by greenhouse gases will exceed 9 degrees Fahrenheit, which is above the natural variability, by 2100. With a lack of consensus on what causes climate change, it is difficult to propose whether the solution should be human driven, or if this is just part of the natural environment.

The Intergovernmental Panel on Climate Change (IPCC) report released in 2007 met severe criticism after it was revealed that statements within the report were exaggerated. The report estimates that the Himalayan glaciers have a “very high” likelihood of disappearing by the year 2035 or sooner if the Earth kept warming. The IPCC later issued a statement that this was a

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32 Ibid.
33 Ibid.
35 Ibid.
36 Intergovernmental Panel on Climate Change, “The Himalayan Glaciers,” IPCC Fourth
“poorly substantiated estimate.” This is an example of one of several mistakes contained in the IPCC report feeds the critical arguments from those that see institutions, such as the United Nations, as over-exaggerating climate change. Mistakes like these are detrimental to combating climate change and demean the importance of climate change and data that is presented.

While there is a consensus that the Earth is warming, the impacts of this change are hotly debated. There have been conflicting conclusions about whether or not the “projected increases in [greenhouse gas] concentrations would raise temperatures significantly.” This presents a significant issue because the lack of a consensus that greenhouse gases significantly affect the environment indicates that policies will not be effectively geared towards minimizing greenhouse gas effects. Scientists also have several different views in regards to “how much concern to give to ecological impacts.” These different concerns manifest themselves in the concerns of the severity of climate change impacts that would affect natural systems and humans.

The U.S. has a robust economy and resources that would allow it to adapt successfully to these climate changes. However, developing countries will most likely suffer greatly when addressing these climate changes due to economic barriers. Climate change is projected to impact freshwater sources and agriculture in many regions, but because climate change “will occur with different magnitudes and characteristics in different regions,” disparities in some countries will be greater than others, causing or even exacerbating political instability in regional hotspots. An IPCC synthesis report released in 2014 stated that there is high confidence in food security being negatively affected due to climate change impacts on production as food demands continue to increase. As a result of the U.S. being the world’s largest food producer, it will likely reap the benefits from the lack of food security in other regions. The potential benefits that the

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37 Intergovernmental Panel on Climate Change, “IPCC Statement on the Melting of Himalayan Glaciers” (online statement, Jan. 20, 2010).
38 Op. Cit., fn. 34
39 Op. Cit., fn. 34
40 Op. Cit., fn. 34
U.S. may experience due to climate change could cause the country to avoid adopting certain policies that would inhibit economic growth.

In addition to these scientific disagreements, there are conflicting views on how to solve global warming. One of the proposed solutions to address these issues is through the use of geoengineering. Geoengineering, which is supported by many conservatives, uses technology to counter global warming and regulate the earth's climate system. This solution to climate change would use technology that is already available in order to offset some of the effects that have harmed the environment. This would be through practices such as cloud seeding, filtering sunlight, or man made algae blooms. However, it is uncertain whether these practices would be efficient and what the precise impacts would be on the world's weather systems. Furthermore, if these practices were put into place and a disaster occurred, it would be difficult to know if it was “caused by global warming, the solar filter, or natural variability.” It also inhibit current efforts to curb carbon emissions. Geoengineering could also go against the 1978 Convention on the Prohibition of Military or Any Other Hostile Use of Environmental Modification Treaty, which states that countries cannot “engage in military or any other hostile use of environmental modification techniques having widespread, long-lasting or severe effects.” By using geoengineering, states would directly go against the convention by modifying the natural environment, which would potentially have widespread effects. Other suggestions to curb climate change are through agreements such as the previously mentioned cap on carbon, which would not have the same scientific uncertainties as geoengineering, but does have economic implications. Another option is to provide tax incentives by planting trees, although it doesn’t fully address the emissions issue.

Differences in scientific opinion pose many issues for adopting global policies, because without a consensus on what drives climate change, what the impacts of these changes are, and how to solve this issue, agreements will not be easily made.

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44 Ibid.

Special Interests

Special interests are a fact of politics and they exist on all levels, but pose a critical problem because they drive what different groups prioritize. Coal is a large part of the energy sector that supplies half of the energy used for electricity; as energy consumption continues to grow, reliance on coal has increased.\(^{46}\) Coal exports have been rising in recent years, which shows the demand for coal is still quite high despite its high carbon output.\(^{47}\) The large need for coal and its dominance in the electricity sector, reveal how lucrative the coal business is. In order to protect their industry, coal companies put large amounts of money behind certain political campaigns to help serve their interests. The coal industry sees agreements such as a carbon emissions caps as taking money away from deserving investors. In order to avoid unfavorable legislation, coal companies use Congress members to slow down bills that would not support their industry.\(^{48}\) This was illustrated in the Waxman-Markey bill, which was drafted by two Democratic representatives and was highly favorable to coal, reflecting that these special interests are not purely partisan.\(^{49}\) This bill was supported by Democratic members—despite the party’s preference for environmental protection—which shows that special interests drive many political decisions. Furthermore, lobbyists for the coal companies continually attempt to “slow down the pace of any cap-and-trade system, using lower carbon caps that kick in more slowly.”\(^{50}\) One lobbying firm went so far as to forge letters opposing a climate bill to 12 members of Congress, and was employed by the American Coalition for Clean Coal Electricity.\(^{51}\) Coal companies such as Alpha Natural Resources and American Electric Power have helped bring “hundreds

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\(^{49}\) Ibid.

\(^{50}\) Ibid.

of thousands of additional dollars to the group.” Because coal contributes to high carbon emissions, it is often the target of regulation. Thus, coal companies make great efforts in fighting such restricting policies.

The gas industry is very similar to the coal industry in its special interests regarding climate policies. The gas industry’s activism became clear in a letter to the EPA from Attorney General Scott Pruitt of Oklahoma. He stated that, “federal regulators were grossly overestimating the amount of air pollution caused by energy companies drilling new natural wells in [Oklahoma].” After emails were released between Pruitt and William F. Whitsitt of Devon Energy, Oklahoma’s biggest oil and gas company, it became evident that Pruitt was working with Devon Energy to stop climate change policies that would negatively affect it. In fact, the letter was largely written by Devon Energy’s lawyers and lobbyists, and then given to Pruitt to send to the EPA. The incentive for several attorney generals to work with such companies is that they provide large amounts of money for their campaigns, including at least $16 million in 2014. The oil and gas industry also faces economic restraints as new policies proposed generally have more costly environmental regulations. These alliances with politicians strongly suggest that special interests drive what is prioritized in policy-making.

In addition to politicians and different industries, scientists are also guilty of being driven by special interests. Government money accounted for 55 percent of basic funds supporting scientific research and development conducted within the United States in 2014. Thus, scientific research relies heavily on what the government chooses to fund. Therefore, scientists have a strong incentive to produce significant findings in order to ensure future funding. The funding for scientific research has been increasing steadily since President Bush came into...

53 Ibid.
55 Op. Cit., fn. 52
The role of special interests in science was seen in the incorrect IPCC report issued in 2007. A series of mistakes in a report that is a product of an authority group must be attributed to something more than an oversight, especially because these scientists are quite reputable. It was argued that the exaggerations that occurred in the report were emphasized in a way to support scientists’ funding from several different groups. Additionally, in 2009 hundreds of emails demonstrating scientists discussing ways in which to exaggerate their findings in order to convince skeptics of climate change were exposed to the public. One of those exposed emails contained scientist Phil Jones stating that he manipulated data in order to hide a decline in temperatures. In the interests of scientists, data that supports climate change will allow further funding for research and development on these issues. Scientists, in addition to industries, have their own stake in climate change, and incorporate their interests, such as areas of research and development, into the policies and science behind global warming.

57 Ibid.
59 “The President’s Climate Action Plan,” Executive Office of the President (online report, June 2013).
62 Ibid.
Implications of Research Findings
It is apparent that there are several obstacles to overcome when adopting climate change policies, but it is not impossible to change United States’ practices. The research presented comes at a point where environmental concern is quite high and the stakes are large. The research findings give a more in-depth explanation as to why the U.S. is still unable to adopt environmental policies and why these partisan divisions are occurring in response to environmental issues. The partisan divisions that inhibit the U.S. tend to be confined purely to Republican and Democratic divides by conventional wisdom thinkers. However, the research shows that both parties have interests politically and economically in industries that are not environmentally friendly. These findings are noteworthy because they show that the unwillingness to adopt policies does not rest with one single group. Rather, this research emphasizes that everyone is a player in the game and everyone has his or her own interests to pursue. Furthermore, this research is important because the U.S. is at a critical point in adopting environmental foreign policy. With the upcoming climate summit in Paris in 2015, the U.S. has the chance to seize the opportunity for a leadership role.

These findings have a number of implications for U.S. foreign policy. As one of the world’s largest emitters, the problem will not be solved without the help of America. The economic prosperity in the climate change and energy sectors will increase U.S. interests in environmental policy. The biggest implication is how the different scientific views of climate change will affect whether technology or policy will be a more effective solution. As climate change becomes more accepted in the U.S., foreign policy will focus more on technological and political approaches, rather than whether or not climate change exists. Clearly the United States will only benefit from adopting environmental policies, and as the largest world power, it is the country’s responsibility to adopt a leadership role in the upcoming climate change agreements.