

**AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 9
OFFERED BY MR. MCCAUL OF TEXAS**

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Climate Action Now
3 Act”.

4 SEC. 2. FINDINGS.

5 Congress finds the following:

6 (1) Despite claims by the proponents of the
7 Paris Agreement of its historic nature, the 2019
8 Worldwide Threat Assessment of the United States
9 Intelligence Community states “Global environ-
10 mental and ecological degradation, as well as climate
11 change, are likely to fuel competition for resources,
12 economic distress, and social discontent through
13 2019 and beyond.”.

14 (2) As a party to the Paris Agreement, United
15 States Government actions taken to address the
16 challenge of climate change pursuant to such agree-
17 ment should enjoy broad, bipartisan support, includ-

1 ing policies that promote private sector-led innova-
2 tion and technological advancement.

3 (3) Whether the United States remains a party
4 to the Paris Agreement or not, climate change re-
5 quires an international effort, which the United
6 States should lead as a role model for other coun-
7 tries.

8 (4) The United States Energy Information Ad-
9 ministration estimates that United States energy-re-
10 lated carbon dioxide emissions declined by 14 per-
11 cent from 2005 to 2017, starting well before the
12 United States became a party to the Paris Agree-
13 ment. This impressive decline brought greenhouse
14 gas emissions to their lowest levels since 1992.

15 (5) In 2016, President Obama signed an instru-
16 ment of acceptance of the Paris Agreement on be-
17 half of the United States without submitting the
18 agreement to the Senate for its advice and consent
19 to ratification. When asked at a congressional hear-
20 ing on April 2, 2019, if anyone disagreed that Presi-
21 dent Obama should have submitted the Paris Agree-
22 ment to the Senate for ratification, none of the four
23 witnesses expressed any disagreement.

24 (6) According to an analysis by the World Re-
25 sources Institute of the top 100 greenhouse gas

1 emitters, the United States is one of just twelve
2 countries to adopt the Paris Agreement through uni-
3 lateral action by the President, without any role for
4 the legislature.

5 (7) Pursuant to the Paris Agreement, in 2016
6 the United States communicated its nationally deter-
7 mined contribution (NDC) to achieve an economy-
8 wide target of reducing its greenhouse gas emissions
9 by 26 to 28 percent below its 2005 level in 2025 and
10 to make best efforts to reduce its emissions by 28
11 percent. China, the world's largest emitter of green-
12 house gases, plans to continue to increase emissions
13 through 2030, according to its NDC.

14 (8) Congress had no formal input on the NDC
15 submitted by the United States and President
16 Obama did not provide any economic justification or
17 cost-benefit analysis to rationalize the greenhouse
18 gas reduction targets pledged by the United States.

19 (9) A report prepared by NERA Economic Con-
20 sulting in 2017 found that meeting the commitments
21 President Obama made as part of the Paris Agree-
22 ment could cost United States gross domestic prod-
23 uct \$250 billion and 2.7 million jobs by 2025.

24 (10) On June 1, 2017, President Trump an-
25 nounced his intent to withdraw the United States

1 from the agreement “but begin negotiations to reen-
2 ter either the Paris Accord or a really entirely new
3 transaction on terms that are fair to the United
4 States, its businesses, its workers, its people, its tax-
5 payers”.

6 **SEC. 3. CONGRESSIONAL NOTIFICATION WITH RESPECT TO**
7 **THE PARIS AGREEMENT.**

8 (a) IN GENERAL.— Notwithstanding any other provi-
9 sion of law, the President shall notify Congress not less
10 than 30 days prior to submitting any nationally deter-
11 mined contribution (NDC) on behalf of the United States
12 pursuant to Article 4 of the Paris Agreement.

13 (b) MATTERS TO BE INCLUDED.—The notification
14 required by subsection (a) shall include the following:

15 (1) A detailed economic justification of the
16 NDC.

17 (2) A cost-benefit analysis of the NDC.

18 (3) A description of how the NDC will promote
19 availability of diversified energy supplies and a well-
20 functioning global market for energy resources, tech-
21 nologies, and expertise for the benefit of the United
22 States and United States allies and trading part-
23 ners.

1 (4) A description of how the NDC will support
2 United States international efforts to alleviate en-
3 ergy poverty.

4 (5) A description of how the NDC will impact
5 United States global economic competitiveness.

6 (6) A description of how the NDC will impact
7 United States national security interests.

8 (c) CONGRESSIONAL REVIEW.—Any NDC shall be
9 treated as a rule for the purposes of chapter 8 of title
10 5, United States Code (commonly known as the “Congres-
11 sional Review Act”).

12 **SEC. 4. PARIS AGREEMENT DEFINED.**

13 In this Act, the term “Paris Agreement” means the
14 decision by the United Nations Framework Convention on
15 Climate Change’s 21st Conference of Parties in Paris,
16 France, adopted December 12, 2015.

