

**PRACTICAL NEWS
LEGAL ALERTS**

President-elect Biden Names John Kerry Special Presidential Envoy for Climate, Signaling Increased Attention to Climate Change

In a sign of the critical importance that the Biden Administration attributes to global climate control, President-elect Biden, in one of his first announcements, named former Secretary of State John Kerry as Special Presidential Envoy for Climate. In this role, Secretary Kerry, who was one of the architects of the Paris Climate Agreement during the Obama Administration, will assume a seat on the National Security Council, the first time that the Security Council will include an official dedicated to combatting climate change. While Secretary Kerry's responsibility will primarily focus on international strategy, it is expected that President-elect Biden will soon designate a domestic climate official to complement Secretary Kerry's efforts. Shortly after the announcement, Secretary Kerry tweeted: "America will soon have a government that treats the climate crisis as the urgent national security threat it is."

While Secretary Kerry's plans have not yet been explicitly outlined, he has made it clear that he believes the world's countries must transition away from what he has called a "high-carbon economy" to avoid further harm to our habitat, infrastructure, food production, and water supplies. The new administration's first plan of action is to rejoin the Paris Climate Agreement, from which President Trump withdrew several years ago.

The Paris Climate Agreement is a nonbinding agreement amongst 195 countries to set voluntary targets to reduce domestic emissions and keep the increase in global temperatures below 2 degrees Celsius. While President Trump withdrew from the accord early in his presidency, the effective exit took place recently. The Agreement is not technically enforceable against any of the participating countries and requires only voluntary compliance, but the impact and significance of America's withdrawal was a major setback to the global coordinated effort to address climate control. Secretary Kerry's responsibility will be to reinvigorate that effort, with the United States once more assuming a leadership role. The next global summit is scheduled for November 2021 in Glasgow, Scotland, at which countries will be expected to submit new, more ambitious targets.

Until Secretary Kerry releases more information about his plans, businesses can look to President-elect Biden's proposed environmental policies, which include a pledge for climate neutrality by 2050. President-elect Biden also plans to issue executive orders that will:

1. Require public companies to disclose climate risks and greenhouse gas emissions in their operations and supply chains.
2. Require aggressive methane pollution limits for new and existing oil and gas operations.
3. Institute new, aggressive appliance- and building-efficiency standards.
4. Ensure that all federal government installations, buildings, and facilities are more efficient and climate-ready.
5. Commit to federal infrastructure investments reducing climate pollution, and require any federal permitting decision to consider the effects of greenhouse gas emissions and climate change.
6. Use the federal government procurement system to move toward 100% clean energy and zero-emissions vehicles.
7. Reduce greenhouse gas emissions from transportation by preserving and implementing the existing Clean Air Act, developing rigorous new fuel economy standards aimed at annual improvements for heavy duty vehicles and ensuring that 100% of new sales for light- and medium-duty vehicles are electrified.
8. Continue efforts to build the first plants for biofuels.
9. Protect biodiversity, slowing extinction rates and helping leverage natural climate solutions by conserving 30% of America's lands and waters by 2030.
10. Permanently protect the Arctic National Wildlife Refuge and other areas impacted by President Trump's policies and establish national parks and monuments that reflect America's natural heritage.
11. Ban new oil and gas permitting on public lands and waters, modify royalties to account for climate costs, and establish targeted programs to enhance reforestation and develop renewables on federal lands and waters with the goal of doubling offshore wind by 2030.

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