



## FACT SHEET: THE CLIMATE PRESIDENT'S EMERGENCY POWERS



Photo by Shadia Fayne Wood | Survival Media Agency

*“The United States and the world face a profound climate crisis. We have a narrow moment to pursue action at home and abroad in order to avoid the most catastrophic impacts of that crisis and to seize the opportunity that tackling climate change presents.”*

– U.S. President Joe Biden, Jan. 27, 2021

The president possesses unused executive pathways—through both ordinary and emergency executive powers—to protect the country from increasingly dire climate threats and to speed the end of the fossil fuel era and build a just and renewable energy system in its place.

Congress enacted emergency powers to allow the executive branch flexibility to respond to extraordinary events. The climate emergency is the pinnacle of extraordinary events faced in our lifetimes.

By declaring a national climate emergency, Biden can bypass congressional gridlock and unleash emergency executive powers already granted by Congress to aggressively combat the crisis.

Three key emergency statutes--the National Emergencies Act, the Defense Production Act, and the Stafford Disaster Relief and Emergency Assistance Act--equip President Biden with the necessary tools to speed the end of the fossil fuel era and catalyze a just, democratic and renewable energy revolution.

There are 5 crucial climate actions that President Biden can unlock by declaring a national climate emergency:

- 1. End Crude Oil Exports.** Reinstating the crude oil export ban will *cut greenhouse gas emissions the same amount as closing 42 coal plants per year.*
- 2. Stop Offshore Oil and Gas Drilling.** Suspending all offshore leases will *stop extraction in the more than 11 million acres of federal waters currently subject to active oil and gas leases.*
- 3. Cut the Purse Strings on Fossil Fuel Trade and Foreign Investment.** Halting the flow of hundreds of billions of dollars of U.S. federal investment in fossil fuel projects abroad and restricting fossil fuel imports and exports will *prevent locking in decades of reliance on fossil fuel infrastructure and halt fossil fuel proliferation in other countries.*
- 4. Grow Domestic Clean Technology Manufacturing & Generate Millions of Jobs.** Directing industry to transition to clean energy and transportation manufacturing and using the federal government's \$650 billion per year purchasing power to absorb those goods will *ignite the urgently-needed renewable energy transition. Government dollars should be directed toward companies providing good, union jobs, and clean energy technologies should be deployed in agencies and top priority environmental justice communities and public entities.*
- 5. (Re)Build Renewable & Resilient Energy Systems in Communities Hardest Hit by Climate Change.** Directing the Federal Emergency Management Agency to construct renewable and distributed energy systems in communities vulnerable to climate disasters and banning construction of fossil fuel-related infrastructure will *ensure there are fewer climate-driven natural disasters and that frontline communities are resilient to withstand them.*



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## TAKE ACTION: THE CLIMATE PRESIDENT'S EMERGENCY POWERS

The climate emergency presents a “code read for humanity,” and its devastating impacts are already here; in the past year alone, wildfires, heat domes, droughts, deep freezes, and hurricanes have ravaged the country. The planet has already warmed about 1.2 degrees Celsius above preindustrial levels, due primarily to the production and use of fossil fuels. But there is still time to prevent absolute climate catastrophe if President Biden uses his full emergency powers to unlock the essential tools to protect the future of life on earth. Every delay makes the climate crisis worse and harder to solve.

Declaring a climate emergency is just one step.

President Biden must use all his authority under long-standing laws to keep fossil fuels in the ground and catalyze a just, democratic renewable energy revolution. Over 1000 groups in the [Build Back Fossil Free](#) campaign are organizing for Biden to take immediate steps as follows:

1. Stop approving federal fossil fuel infrastructure permits
2. End federal fossil fuel leasing and drilling
3. Halt gas exports
4. Declare a climate emergency to end crude oil exports and build out distributed renewable energy, creating millions of good union jobs.

The first four of these actions rely on bedrock environmental laws. They don't require Biden to invoke climate emergency powers. More details on the laws are outlined in the [Climate President Action Plan](#) and accompanying [model executive orders](#) and [legal authority memo](#).

**Take action:** Add your organization to the Build Back Fossil Free [campaign](#) and ensure Biden follows through as the Climate President.

After making bold climate promises and denying a federal permit for the Keystone XL pipeline, Biden squandered his chance in 2021 to lead a tectonic political shift in global climate leadership that science and justice demand.

Between setbacks in Congress and failing to use executive authority to stop fossil fuel expansion, Biden is at a crossroads. Will he side with people and the future of life on Earth? Or will he continue to side with a handful of fossil fuel executives?