



Written by [Joe Wolverton, II, J.D.](#) on March 17, 2016

Obama Admin. Writes \$500M Check to UN Climate Change Fund in Defiance of Congress

A U.S. senator has accused the Obama administration of bypassing Congress and giving \$500 million to the United Nations Green Climate Fund.

During a hearing before the Senate Foreign Relations Committee on March 8, Senator John Barrasso (R-Wyo.) asked a State Department official how the president was able to give a “handout to foreign bureaucrats” without congressional approval.



“We have reviewed our authorities and made a determination that we can make this payment to the Green Climate Fund,” replied Heather Higginbottom, deputy secretary for Management and Resources. “We do not believe we are in violation of the Anti-Deficiency Act, and clearly our lawyers and others have looked at our authorities and our abilities to do this,” she added.

That didn’t seem to satisfy Barrasso. “It appears to be latest example of the administration going around Congress because the American people don’t really support what the president is doing with this initiative,” he said. “I firmly oppose what the president is doing here and this misuse, I believe, of taxpayer dollars, I think completely in violation of the law,” Barrasso told Higginbottom.

“The United States’ national debt currently is \$19 trillion. We have struggling communities across this country in need of help,” he added.

Higginbottom, almost certainly, was just following orders when she sent the check for half a billion dollars to the globalist green lobby headquartered at Turtle Bay in Manhattan.

And, she’s right. Here’s the statement released by the White House on November 14, 2014:

Today, President Obama is announcing the intention of the United States to contribute \$3 billion to the Green Climate Fund (GCF), reflecting the U.S. commitment to reduce carbon pollution and strengthen resilience in developing countries, especially the poorest and most vulnerable.

Then, just to show that the climate-change con isn’t a Democratic invention, he added:

The U.S. contribution to the GCF builds on a history of U.S. leadership to support climate action. In 2008, the Bush Administration pledged \$2 billion to the Climate Investment Funds, which were established as a transitional measure to finance efforts to help developing countries address climate change. The U.S. pledge to the GCF demonstrates a continuation of the bipartisan resolve to help developing nations reduce their own emissions, whose dangerous impacts on the climate affect us all, as well as to help the most vulnerable cope with the impacts of climate change. The GCF will also help spur global markets in clean energy technologies, creating opportunities for U.S. entrepreneurs and manufacturers who are leading the way to a low-carbon future.

The president then goes on to cite the 2009 Copenhagen Accord as the legislation that enabled this



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expenditure of taxpayer dollars.

There's just one little problem: the Constitution.

Article I, Section 9 reads, in relevant part: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law."

Combine that with the fact that Article I, Section 1 grants exclusive lawmaking power to the Congress, and the president and his climate-change cronies at the United Nations have themselves in a familiar place: ignoring the Constitution.

Barrasso informed Higginbottom of a couple of very important facts about the money her boss had drawn from the Treasury to give to the UN Green Climate Fund.

Not only did the Congress not authorize this expenditure of funds, but, Barrasso told Higginbottom, the latest budget "specifically prohibited the transfer of funds to create new programs."

How, then, the senator wondered, were the White House and State Department able to get around that explicit prohibition in the budget?

"We reviewed the authorities and opportunities available to us to do that, and believe we are fully compliant with that," Higginbottom answered. "I'll be happy to follow up with you and your staff."

Then, when Barrasso followed up, asking Higginbottom if the State Department program was raided to come up with the "pledge," Higginbottom had an answer for that, too. "We looked across the appropriations bills and made allocations based on what our budget was and what resources were provided to us," she said.

Barrasso was obviously fuming about this payment, and for good reason.

In a letter sent to President Obama on November 19, 2015, Barrasso and 36 of his colleagues promised that "Congress will not allow U.S. taxpayer dollars to go to the Green Climate Fund" unless the UN Framework Convention on Climate Change was "submitted to the Senate for its constitutional advice and consent."

In the letter, the senators remind the president that "Congress holds the power of the purse."

So much for separation of powers.

And the Obama administration isn't shy about admitting it, either. In a statement made to Fox News, State Department spokeswoman Katherine Pfaff put the people in their place. As reported by Fox News, Pfaff said, "Did Congress authorize the Green Climate Fund? No," she said, adding that department lawyers "reviewed the authority and the process under which we can do it."

To his credit, Barrasso isn't backing down.

According to a story in *Politico*, Barrasso believes the payment may have violated the Anti-Deficiency Act, a law prohibiting the federal government from spending money in advance of an allocation of funds by the Congress.

Barrasso is prepared to take the issue to court.

He may want to consider other options, however, in light of another aspect of the story that shows the Senate in a less than flattering light.

As reported by Fox News:



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The department may have been able to effectively use a loophole to contribute the money — namely, because Congress did not include specific language barring spending to the GCF. Analysts say this dispute could have been avoided if Congress had simply included a specific prohibition on spending for the climate fund.

H. Sterling Burnett, a senior fellow with the Heartland Institute, stated,

The problem is that the horse has already left the barn. There was not a specific line item in the budget prohibiting spending on the GCF. I am sure [State Department lawyers] have come up with some creative way to fund it, but it would not be an issue if Congress had explicitly prohibited it.

Senate Republicans backed away from including a specific rider in last year’s omnibus bill after President Obama threatened to veto it if such a rider were included.

“They were gutless,” said Burnett, who noted the first installment is a “drop in the bucket” when compared with the \$3 billion.

In other words, the Senate could have refused to pass the omnibus spending bill until language was added that explicitly prohibited the payment of any money to the GCF. They did not do so, however, and now the president is showcasing a maneuver he’s proven very adept at performing: slipping through loopholes left open by a less-than-courageous Congress.



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