

November 20, 2025

# THE SURGE

BY THE COMPETITIVE ENTERPRISE INSTITUTE

In this edition of *The Surge*:

- The UN wants to impose carbon taxes on Americans
- One simple solution regarding rare earths
- Marlo Lewis provides a must-read on climate science
- and more!

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## 1) Will the UN Impose Carbon Taxes on Americans?

Yes, this is a real question. In fact, the UN's International Maritime Organization was all set to impose a global carbon tax on the shipping industry, including on Americans. This tax is an attack on national sovereignty and is yet another example of Europe and the U.N. trying to dictate the domestic climate policies of other countries. The State Department made it clear that it understood the fundamental problem this posed when it stated that the U.S. would penalize nations "that sponsor this European-led neocolonial export of global climate regulations." Fortunately, the Trump administration helped to delay this tax, but it remains an ongoing issue.

[U.N.'s Global Carbon Tax Should Be a Wake-Up Call to Fight International Climate Extremism](#) (Daren Bakst, NRO)

## 2) DC Circuit's Bad Appliances Decision Will Hurt Consumers

On November 4, the U.S. Court of Appeals for the District of Columbia Circuit handed down a decision that is bad news for millions of homeowners in need of a new furnace. The only silver lining from *American Gas Association et al. v. Dept. of Energy* is that it might encourage Congress to step in and address the issue. In a 2-1 decision, it upheld a Biden DOE rule that effectively outlawed non-condensing gas furnaces in favor of condensing models. This mandated transition will be most difficult—and in some cases virtually impossible—for older and space-constrained homes, which are disproportionately owned by low-income homeowners. The American Gas Association cites [DOE data](#) estimating that 30 percent of senior households and 26 percent of low-income households would experience net costs from the rule.

[A Bad Court Decision on Furnace Regulations Strengthens the Case for a Legislative Fix](#) (Ben Lieberman, Open Market)

## 3) For Policymakers Concerned About Rare Earths: Stop the Flawed Subsidies

Trade wars with China over rare earth minerals have sparked a number of policy responses, ranging from good ideas like [streamlining the permitting process](#) for domestic rare earths mining projects to bad ones like imposing retaliatory trade measures such as [price controls](#). But one free-market idea should top the list: ending federal subsidies for uneconomic technologies that depend on rare earths.

[Stop Artificially Increasing Demand for Rare Earths](#) (Ben Lieberman, Open Market)

## 4) Politico Attacks DOE Report on Climate Science: CEI's Marlo Lewis Pushes Back

In a detailed and comprehensive [analysis](#) for Watts Up With That?, Marlo Lewis goes after a Politico attack on DOE's climate report and demonstrates where the truth lies.

"Hiding the Endangerment Finding's Systemic Biases – Politico's Failed

Attack on DOE's Climate Science Report." [Part 1](#) and [Part 2](#) (Marlo Lewis, Watts Up With That?)

## 5) BLM Proposes to Undo Radical Biden Public Lands Rule

The Mountain States Legal Foundation (MSLF) led a coalition comment addressing a Biden rule that would have radically changed federal land management. CEI joined in the comment. MSLF has [explained](#):

At issue is whether unelected regulators can create a new category of "conservation use" that could have excluded other lawful and productive activities across more than 245 million acres of public land. For nearly 50 years, the Federal Land Policy and Management Act (FLPMA) has governed how BLM manages public lands. Congress made its intent clear: these lands must be managed for multiple uses and sustained yield: a balance between conservation and productive activity like grazing, mining, timber, energy, and recreation. The 2024 Conservation and Landscape Health Rule disrupted that balance. By redefining "conservation" as a dominant "use," BLM created a mechanism to exclude all other lawful uses of public lands. without clear statutory authority or congressional oversight.

[Comments Supporting the Recission of the BLM's "Conservation and Landscape Health Rule."](#)

## 6) Environmental Costs of Wind and Solar

A Center of the American Experiment [report](#), authored by Sarah Montalbano, explores the environmental costs of wind, solar, and battery storage technologies. These "green" technologies are often hailed for their ability to reduce carbon emissions, but their environmental costs are often not even considered. Just one quick example: Land use is another essential problem with wind and solar. The paper points out that wind and solar facilities use 10 times more land than natural gas and coal facilities. Nuclear facilities are even less land intensive than natural gas and coal, so the ratio for those facilities is even higher.

[CEI's Paige Lambermont Interview with Sarah Montalbano](#)

## FEATURING OUR FRIENDS

[What UN's Climate Conference Needs to Know About America First,](#)  
Carla Sands, America First Policy Institute.

[Did California's Carbon Cap-and-Trade Program Increase Toxic Waste?](#),  
Jeffrey Miron, Cato Institute.

[Just When You Thought Congress Was Totally Dysfunctional](#), Greg E.  
Walcher, The Heartland Institute.

[Drs. Happer and Lindzen Guests on Joe Rogan Experience](#), CO2  
Coalition.

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