

**Calendar No. 226**107<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION**S. 1008****[Report No. 107-99]**

To amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

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**IN THE SENATE OF THE UNITED STATES**

JUNE 8, 2001

Mr. BYRD (for himself and Mr. STEVENS, Mr. ROCKEFELLER, Ms. COLLINS, Mr. REID, Mr. LIEBERMAN, Mr. NELSON of Florida, and Mr. VOINOVICH) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

NOVEMBER 15, 2001

Reported by Mr. LIEBERMAN, with amendments

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**A BILL**

To amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with

the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
 2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE.**

4        This Act may be cited as the “Climate Change Strat-  
 5        egy and Technology Innovation Act of 2001”.

6        **SEC. 2. FINDINGS.**

7        Congress finds that—

8            (1) evidence continues to build that increases in  
 9            atmospheric concentrations of greenhouse gases are  
 10          contributing to global climate change;

11          (2) in 1992, the Senate ratified the United Na-  
 12          tions Framework Convention on Climate Change,  
 13          done at New York on May 9, 1992, the ultimate ob-  
 14          jective of which is the “stabilization of greenhouse  
 15          gas concentrations in the atmosphere at a level that

1 would prevent dangerous anthropogenic interference  
2 with the climate system”;

3 (3) although science currently cannot determine  
4 precisely what atmospheric concentrations are “dan-  
5 gerous”, the current trajectory of greenhouse gas  
6 emissions will lead to a continued rise in greenhouse  
7 gas concentrations in the atmosphere, not stabiliza-  
8 tion;

9 (4) the remaining scientific uncertainties call  
10 for temperance of human actions, but not inaction;

11 (5) greenhouse gases are associated with a wide  
12 range of human activities, including energy produc-  
13 tion, transportation, agriculture, forestry, manufac-  
14 turing, buildings, and other activities;

15 (6) the economic consequences of poorly de-  
16 signed climate change response strategies, or of in-  
17 action, may cost the global economy trillions of dol-  
18 lars;

19 (7) a large share of this economic burden would  
20 be borne by the United States;

21 (8) stabilization of greenhouse gas concentra-  
22 tions in the atmosphere will require transformational  
23 change in the global energy system and other emit-  
24 ting sectors at an almost unimaginable level—a  
25 veritable industrial revolution is required;

1           (9) such a revolution can occur only if the revo-  
2           lution is preceded by research and development that  
3           leads to bold technological breakthroughs;

4           (10) over the decade preceding the date of en-  
5           actment of this Act—

6                   (A) energy research and development  
7           budgets in the public and private sectors have  
8           declined precipitously and have not been fo-  
9           cused on the climate change response challenge;  
10          and

11                   (B) the investments that have been made  
12          have not been guided by a comprehensive strat-  
13          egy;

14          (11) the negative trends in research and devel-  
15          opment funding described in paragraph (10) must  
16          be reversed with a focus on not only traditional en-  
17          ergy research and development, but also bolder,  
18          breakthrough research;

19          (12) much more progress could be made on the  
20          issue of climate change if the United States were to  
21          adopt a new approach for addressing climate change  
22          that included, as an ultimate long-term goal—

23                   (A) stabilization of greenhouse gas con-  
24          centrations in the atmosphere at a level that

1 would prevent dangerous anthropogenic inter-  
2 ference with the climate system; and

3 (B) a response strategy with 4 key ele-  
4 ments consisting of—

5 (i) definition of interim emission miti-  
6 gation targets coupled with specific mitiga-  
7 tion approaches that cumulatively yield  
8 stabilized atmospheric greenhouse gas con-  
9 centrations;

10 (ii) a national commitment—

11 (I) to double energy research and  
12 development by the United States  
13 public and private sectors; and

14 (II) in carrying out such research  
15 and development, to provide a high  
16 degree of emphasis on bold, break-  
17 through technologies that will make  
18 possible a profound transformation of  
19 the energy, transportation, industrial,  
20 agricultural, and building sectors of  
21 the United States;

22 (iii) climate adaptation research that  
23 focuses on response actions necessary to  
24 adapt to climate change that may have oc-

1           curred or may occur under any future cli-  
2           mate change scenario; and

3                   (iv) continued research, building on  
4           the substantial scientific understanding of  
5           climate change that exists as of the date of  
6           enactment of this Act, that focuses on re-  
7           solving the remaining scientific, technical,  
8           and economic uncertainties, to aid in the  
9           development of sound response strategies;  
10          and

11           (13) inherent in each of the 4 key elements of  
12          the response strategy is consideration of the inter-  
13          national nature of the challenge, which will  
14          require—

15                   (A) establishment of joint climate response  
16           strategies and joint research programs;

17                   (B) assistance to developing countries and  
18           countries in transition for building technical  
19           and institutional capacities and incentives for  
20           addressing the challenge; and

21                   (C) promotion of public awareness of the  
22           issue.

1 **SEC. 3. PURPOSE.**

2 The purpose of this Act is to implement the new ap-  
3 proach described in section 2(12) by developing a national  
4 focal point for climate change response through—

5 (1) the establishment of the National Office of  
6 Climate Change Response within the Executive Of-  
7 fice of the President (referred to in this section as  
8 the “White House Office”) to develop the United  
9 States Climate Change Response Strategy (referred  
10 to in this section as the “Strategy”) that—

11 (A) incorporates the 4 key elements of that  
12 new approach;

13 (B) is supportive of and integrated in the  
14 overall energy, transportation, industrial, agri-  
15 cultural, forestry, and environmental policies of  
16 the United States;

17 (C) takes into account—

18 (i) the diversity of energy sources and  
19 technologies;

20 (ii) supply-side and demand-side solu-  
21 tions; and

22 (iii) national infrastructure, energy  
23 distribution, and transportation systems;

24 (D) provides for the inclusion and equi-  
25 table participation of Federal, State, tribal, and  
26 local government agencies, nongovernmental or-

1 organizations, academia, scientific bodies, indus-  
2 try, the public, and other interested parties;

3 (E) incorporates new models of Federal-  
4 State cooperation;

5 (F) defines a comprehensive energy tech-  
6 nology research and development program  
7 that—

8 (i) recognizes the important contribu-  
9 tions that research and development pro-  
10 grams in existence on the date of enact-  
11 ment of this Act make toward addressing  
12 the climate change response challenge; and

13 (ii) includes an additional research  
14 and development agenda that focuses on  
15 the bold, breakthrough technologies that  
16 are critical to the long-term stabilization of  
17 greenhouse gas concentrations in the at-  
18 mosphere;

19 (G) includes consideration of other efforts  
20 to address critical environmental and health  
21 concerns, including clean air, clean water, and  
22 responsible land use policies; and

23 (H) incorporates initiatives to promote the  
24 deployment of clean energy technologies devel-  
25 oped in the United States and abroad;



1           (2) the establishment of the Interagency Task  
2 Force, chaired by the Director of the White House  
3 Office, to serve as the primary mechanism through  
4 which the heads of Federal agencies work together  
5 to develop and implement the Strategy;

6           (3) the establishment of the ~~Office of Carbon~~  
7 ~~Management~~ *Office of Climate Change Technology*  
8 and the Center for Strategic Climate Change Re-  
9 sponse within the Department of Energy—

10           (A) to manage, as their primary responsi-  
11 bility, an innovative research and development  
12 program that focuses on the bold, breakthrough  
13 technologies that are critical to the long-term  
14 stabilization of greenhouse gas concentrations  
15 in the atmosphere; and

16           (B) to provide analytical support and data  
17 to the White House Office, other agencies, and  
18 the public;

19           (4) the establishment of an independent review  
20 board—

21           (A) to review the Strategy and annually  
22 assess United States and international progress  
23 toward the goal of stabilization of greenhouse  
24 gas concentrations in the atmosphere at a level

1 that would prevent dangerous anthropogenic in-  
2 terference with the climate system; and

3 (B) to assess—

4 (i) the performance of each Federal  
5 agency that has responsibilities under the  
6 Strategy; and

7 (ii) the adequacy of the budget of  
8 each such Federal agency to fulfill the re-  
9 sponsibilities of the Federal agency under  
10 the Strategy; and

11 (5) the establishment of offices in, or the car-  
12 rying out of activities by, the Department of Agri-  
13 culture, the Department of Transportation, the En-  
14 vironmental Protection Agency, and other Federal  
15 agencies as necessary to carry out the amendment  
16 made by section 4.

17 **SEC. 4. UNITED STATES CLIMATE CHANGE STRATEGY AND**  
18 **TECHNOLOGY INNOVATION.**

19 Title XVI of the Energy Policy Act of 1992 (42  
20 U.S.C. 13381 et seq.) is amended—

21 (1) by inserting after the title heading the fol-  
22 lowing:

23 **“Subtitle A—General Provisions”;**

24 and

25 (2) by adding at the end the following:

1 **“Subtitle B—United States Climate**  
2 **Change Strategy and Tech-**  
3 **nology Innovation**

4 **“SEC. 1621. DEFINITIONS.**

5 “In this subtitle:

6 “(1) CENTER.—The term ‘Center’ means the  
7 Center for Strategic Climate Change Response es-  
8 tablished by section 1624(e).

9 “(2) CLIMATE-FRIENDLY TECHNOLOGY.—The  
10 term ‘climate-friendly technology’ means any energy  
11 supply or end-use technology that, over the life of  
12 the technology and compared to similar technology  
13 in commercial use as of the date of enactment of  
14 this subtitle—

15 “(A) results in reduced emissions of green-  
16 house gases;

17 “(B) may substantially lower emissions of  
18 other pollutants; and

19 “(C) may generate substantially smaller or  
20 less hazardous quantities of solid or liquid  
21 waste.

22 “(3) DEPARTMENT.—The term ‘Department’  
23 means the Department of Energy.

24 “(4) DEPARTMENT OFFICE.—The term ‘De-  
25 partment Office’ means the ~~Office of Carbon Man-~~

1 ~~agement~~ *Office of Climate Change Technology* of the  
2 Department established by section 1624(a).

3 “(5) FEDERAL AGENCY.—The term ‘Federal  
4 agency’ has the meaning given the term ‘agency’ in  
5 section 551 of title 5, United States Code.

6 ~~“(6) GREENHOUSE GAS.—The term ‘greenhouse  
7 gas’ means an anthropogenic gaseous constituent of  
8 the atmosphere that absorbs and re-emits infrared  
9 radiation.~~

10 “(6) *GREENHOUSE GAS.—The term ‘greenhouse  
11 gas’ means—*

12 *“(A) an anthropogenic gaseous constituent  
13 of the atmosphere (including, but not limited to,  
14 carbon dioxide, methane, nitrous oxide,  
15 chlorofluorocarbons, hydrofluorocarbons,  
16 perfluorocarbons, sulfur hexafluoride, and tropo-  
17 spheric ozone) that absorbs and re-emits infrared  
18 radiation and influences climate; and*

19 *“(B) an anthropogenic aerosol (including,  
20 but not limited to, black soot) that absorbs solar  
21 radiation and influences climate.*

22 “(7) INTERAGENCY TASK FORCE.—The term  
23 ‘Interagency Task Force’ means the United States  
24 Climate Change Response Interagency Task Force  
25 established under section 1623(d).

1           “(8) KEY ELEMENT.—The term ‘key element’,  
2 with respect to the Strategy, means—

3           “(A) definition of interim emission mitiga-  
4 tion targets coupled with specific mitigation ap-  
5 proaches that cumulatively result in stabiliza-  
6 tion of greenhouse gas concentrations;

7           “(B) a national commitment—

8           “(i) to double energy research and de-  
9 velopment by the United States public and  
10 private sectors; and

11           “(ii) in carrying out such research  
12 and development, to provide a high degree  
13 of emphasis on bold, breakthrough tech-  
14 nologies that will make possible a profound  
15 transformation of the energy, transpor-  
16 tation, industrial, agricultural, and build-  
17 ing sectors of the United States;

18           “(C) climate adaptation research that fo-  
19 cuses on response actions necessary to adapt to  
20 climate change that may have occurred or may  
21 occur under any future climate change scenario;  
22 and

23           “(D) research that focuses on resolving the  
24 remaining scientific, technical, and economic  
25 uncertainties associated with climate change to

1 the extent that those uncertainties bear on  
2 strategies to achieve the long-term goal of sta-  
3 bilization of greenhouse gas concentrations.

4 “(9) QUALIFIED INDIVIDUAL.—

5 “(A) IN GENERAL.—The term ‘qualified  
6 individual’ means an individual who has dem-  
7 onstrated expertise and leadership skills to  
8 draw on other experts in diverse fields of knowl-  
9 edge that are relevant to addressing the climate  
10 change response challenge.

11 “(B) FIELDS OF KNOWLEDGE.—The fields  
12 of knowledge referred to in subparagraph (A)  
13 are—

14 “(i) the science of primary and sec-  
15 ondary climate change impacts;

16 “(ii) energy and environmental eco-  
17 nomics;

18 “(iii) technology transfer and diffu-  
19 sion;

20 “(iv) the social dimensions of climate  
21 change;

22 “(v) climate change adaptation strate-  
23 gies;

24 “(vi) fossil, nuclear, and renewable en-  
25 ergy technology;

1           “(vii) energy efficiency and energy  
2           conservation;

3           “(viii) energy systems integration;

4           “(ix) engineered and terrestrial car-  
5           bon sequestration;

6           “(x) transportation, industrial, and  
7           building sector concerns;

8           “(xi) regulatory and market-based  
9           mechanisms for addressing climate change;

10          “(xii) risk and decision analysis;

11          “(xiii) strategic planning; and

12          “(xiv) the international implications of  
13          climate change response strategies.

14          “(10) REVIEW BOARD.—The term ‘Review  
15          Board’ means the United States Climate Change  
16          Response Strategy Review Board established by sec-  
17          tion 1626.

18          “(11) SECRETARY.—The term ‘Secretary’  
19          means the Secretary of Energy.

20          “(12) STABILIZATION OF GREENHOUSE GAS  
21          CONCENTRATIONS.—The term ‘stabilization of  
22          greenhouse gas concentrations’ means the stabiliza-  
23          tion of greenhouse gas concentrations in the atmos-  
24          phere at a level that would prevent dangerous an-  
25          thropogenic interference with the climate system, as

1 contemplated by the United Nations Framework  
2 Convention on Climate Change, done at New York  
3 on May 9, 1992.

4 “(13) STRATEGY.—The term ‘Strategy’ means  
5 the United States Climate Change Response Strat-  
6 egy developed under section 1622.

7 “(14) WHITE HOUSE OFFICE.—The term  
8 ‘White House Office’ means the National Office of  
9 Climate Change Response of the Executive Office of  
10 the President established by section 1623(a).

11 **“SEC. 1622. UNITED STATES CLIMATE CHANGE RESPONSE**  
12 **STRATEGY.**

13 “(a) IN GENERAL.—The Director of the White House  
14 Office shall develop the United States Climate Change Re-  
15 sponse Strategy, which shall—

16 “(1) have the long-term goal of stabilization of  
17 greenhouse gas concentrations;

18 “(2) build on the 4 key elements;

19 “(3) be developed on the basis of an examina-  
20 tion of a broad range of emission reduction targets  
21 and implementation dates (including those con-  
22 templated by the United Nations Framework Con-  
23 vention on Climate Change, done at New York on  
24 May 9, 1992) that culminate in the stabilization of  
25 greenhouse gas concentrations;



1           “(4) incorporate mitigation approaches to re-  
2           duce, avoid, and sequester greenhouse gas emissions;

3           “(5) include an evaluation of whether and how  
4           each emission reduction target and implementation  
5           date achieves the emission reductions in an economi-  
6           cally and environmentally sound manner;

7           “(6) be consistent with the goals of energy,  
8           transportation, industrial, agricultural, forestry, en-  
9           vironmental, and other relevant policies of the  
10          United States;

11          “(7) have a scope that considers the totality of  
12          United States public, private, and public-private sec-  
13          tor actions that bear on the long-term goal;

14          “(8) be based on an evaluation of a wide range  
15          of approaches for achieving the long-term goal, in-  
16          cluding evaluation of—

17                  “(A) a variety of cost-effective Federal and  
18                  State policies, programs, standards, and incen-  
19                  tives;

20                  “(B) policies that integrate and promote  
21                  innovative, market-based solutions in the  
22                  United States and in foreign countries; and

23                  “(C) participation in other international  
24                  institutions, or in the support of international  
25                  activities, that are established or conducted to

1 facilitate stabilization of greenhouse gas con-  
2 centrations;

3 “(9) in the final recommendations of the Strat-  
4 egy, emphasize response strategies that achieve the  
5 long-term goal and provide specific recommendations  
6 concerning—

7 “(A) measures determined to be appro-  
8 priate for short-term implementation, giving  
9 preference to cost-effective and technologically  
10 feasible measures that will—

11 “(i) produce measurable net reduc-  
12 tions in United States emissions that lead  
13 toward achievement of the long-term goal;  
14 and

15 “(ii) minimize any adverse short-term  
16 and long-term economic and social impacts  
17 on the United States;

18 “(B) the development of technologies that  
19 have the potential for long-term  
20 implementation—

21 “(i) giving preference to technologies  
22 that have the potential to reduce signifi-  
23 cantly the overall cost of stabilization of  
24 greenhouse gas concentrations; and

1                   “(ii) considering a full range of energy  
2                   sources, energy conversion and use tech-  
3                   nologies, and efficiency options;

4                   “(C) such changes in institutional and  
5                   technology systems as are necessary to adapt to  
6                   climate change in the short term and the long  
7                   term;

8                   “(D) such review, modification, and en-  
9                   hancement of the scientific, technical, and eco-  
10                  nomic research efforts of the United States,  
11                  and improvements to the data resulting from  
12                  research, as are appropriate to improve the ac-  
13                  curacy of predictions concerning climate change  
14                  and the economic and social costs and opportu-  
15                  nities relating to climate change; and

16                  “(E) changes that should be made to  
17                  project and grant evaluation criteria under  
18                  other Federal research and development pro-  
19                  grams so that those criteria do not inhibit de-  
20                  velopment of climate-friendly technologies;

21                  “(10) be developed in a manner that provides  
22                  for meaningful participation by, and consultation  
23                  among, Federal, State, tribal, and local government  
24                  agencies, nongovernmental organizations, academia,  
25                  scientific bodies, industry, the public, and other in-

1 interested parties in accordance with subsections  
2 (b)(4)(C)(iv)(II) and (d)(3)(B)(iii) of section 1623;

3 “(11) address how the United States should en-  
4 gage State, tribal, and local governments in devel-  
5 oping and carrying out a response to climate change;

6 “(12) promote, to the maximum extent prac-  
7 ticable, public awareness, outreach, and information-  
8 sharing to further the understanding of the full  
9 range of climate change-related issues;

10 “(13) include recommendations for legislative  
11 and administrative actions necessary to implement  
12 the Strategy;

13 “(14) serve as a framework for climate change  
14 response actions by all Federal agencies;

15 “(15) recommend which Federal agencies are,  
16 or should be, responsible for the various aspects of  
17 implementation of the Strategy and any budgetary  
18 implications;

19 “(16) address how the United States should en-  
20 gage foreign governments in developing an inter-  
21 national response to climate change; and

22 “(17) be subject to review by an independent  
23 review board in accordance with section 1626.

1       “(b) SUBMISSION TO CONGRESS.—Not later than 1  
2 year after the date of enactment of this subtitle, the Presi-  
3 dent shall submit to Congress the Strategy.

4       “(c) UPDATING.—Not later than 2 years after the  
5 date of submission of the Strategy to Congress under sub-  
6 section (b), and at the end of each 2-year period there-  
7 after, the President shall submit to Congress an updated  
8 version of the Strategy.

9       “(d) PROGRESS REPORTS.—Not later than 1 year  
10 after the date of submission of the Strategy to Congress  
11 under subsection (b), and at the end of each 1-year period  
12 thereafter, the President shall submit to Congress a report  
13 that—

14               “(1) describes the progress on implementation  
15 of the Strategy; and

16               “(2) provides recommendations for improve-  
17 ment of the Strategy and the implementation of the  
18 Strategy.

19       “(e) ALIGNMENT WITH ENERGY, TRANSPORTATION,  
20 INDUSTRIAL, AGRICULTURAL, FORESTRY, AND OTHER  
21 POLICIES.—The President, the Director of the White  
22 House Office, the Secretary, and the other members of  
23 the Interagency Task Force shall work together to align  
24 the actions carried out under the Strategy and actions as-  
25 sociated with the energy, transportation, industrial, agri-

1 cultural, forestry, and other relevant policies of the United  
2 States so that the objectives of both the Strategy and the  
3 policies are met without compromising the climate change-  
4 related goals of the Strategy or the goals of the policies.

5 “(f) NATIONAL LABORATORY CERTIFICATION.—

6 “(1) IN GENERAL.—The directors of the major  
7 national laboratories of the Department specified in  
8 paragraph (3) shall annually meet with the Presi-  
9 dent and individually and simultaneously certify  
10 whether the energy technology research and develop-  
11 ment programs of the United States collectively are  
12 technically and financially on a trajectory that is  
13 consistent with—

14 “(A) the directions and progress outlined  
15 in the Strategy; and

16 “(B) the long-term goal of stabilization of  
17 greenhouse gas concentrations.

18 “(2) EFFECT OF NEGATIVE CERTIFICATION.—If  
19 the certification described in paragraph (1) is in the  
20 negative, the directors shall submit to the President  
21 a report that—

22 “(A) specifies the reasons why the certifi-  
23 cation is in the negative; and

1           “(B) describes corrective actions that must  
2           be taken so that the certification can be made  
3           in the affirmative.

4           “(3) DIRECTORS OF MAJOR NATIONAL LABORA-  
5           TORIES AFFILIATED WITH SCIENCE AND ENERGY  
6           PROGRAMS.—The directors of the national labora-  
7           tories that shall participate in the certification under  
8           this subsection are the director of each of—

9                   “(A) the Argonne National Laboratory;

10                   “(B) the Lawrence Berkeley National Lab-  
11           oratory;

12                   “(C) the National Energy Technology Lab-  
13           oratory;

14                   “(D) the National Renewable Energy Lab-  
15           oratory;

16                   “(E) the Oak Ridge National Laboratory;  
17           and

18                   “(F) the Pacific Northwest National Lab-  
19           oratory.

20           “(4) COORDINATION.—The director of the Na-  
21           tional Energy Technology Laboratory shall serve as  
22           coordinator of the group of the directors of the na-  
23           tional laboratories specified in paragraph (3).

1 **“SEC. 1623. NATIONAL OFFICE OF CLIMATE CHANGE RE-**  
2 **SPONSE OF THE EXECUTIVE OFFICE OF THE**  
3 **PRESIDENT.**

4 “(a) ESTABLISHMENT.—

5 “(1) IN GENERAL.—There is established, within  
6 the Executive Office of the President, the National  
7 Office of Climate Change Response.

8 “(2) FOCUS.—The White House Office shall  
9 have the focus of achieving the long-term goal of  
10 stabilization of greenhouse gas concentrations while  
11 minimizing adverse short-term and long-term eco-  
12 nomic and social impacts.

13 “(3) DUTIES.—Consistent with paragraph (2),  
14 the White House Office shall—

15 “(A) establish policies, objectives, and pri-  
16 orities for the Strategy;

17 “(B) in accordance with subsection (d), es-  
18 tablish the Interagency Task Force to serve as  
19 the primary mechanism through which the  
20 heads of Federal agencies shall assist the Direc-  
21 tor of the White House Office in developing and  
22 implementing the Strategy;

23 “(C) to the maximum extent practicable,  
24 ensure that the Strategy is based on objective,  
25 quantitative analysis, drawing on the analytical



1 capabilities of Federal and State agencies, espe-  
2 cially the Center;

3 “(D) advise the President concerning nec-  
4 essary changes in organization, management,  
5 budgeting, and personnel allocation of Federal  
6 agencies involved in climate change response ac-  
7 tivities; and

8 “(E) notify a Federal agency if the policies  
9 and discretionary programs of the agency are  
10 not well aligned with, or are not contributing  
11 effectively to, the long-term goal of stabilization  
12 of greenhouse gas concentrations.

13 “(b) DIRECTOR OF THE WHITE HOUSE OFFICE.—

14 “(1) IN GENERAL.—The White House Office  
15 shall be headed by a Director, who shall report di-  
16 rectly to the President.

17 “(2) APPOINTMENT.—The Director of the  
18 White House Office shall be a qualified individual  
19 appointed by the President, by and with the advice  
20 and consent of the Senate.

21 “(3) TERM; VACANCIES.—

22 “(A) TERM.—The Director of the White  
23 House Office shall be appointed for a term of  
24 4 years.

1           “(B) VACANCIES.—A vacancy in the posi-  
2           tion of Director of the White House Office shall  
3           be filled in the same manner as the original ap-  
4           pointment was made.

5           “(4) DUTIES OF THE DIRECTOR OF THE WHITE  
6           HOUSE OFFICE.—

7           “(A) STRATEGY.—In accordance with sec-  
8           tion 1622, the Director of the White House Of-  
9           fice shall coordinate the development and up-  
10          dating of the Strategy.

11          “(B) INTERAGENCY TASK FORCE.—The  
12          Director of the White House Office shall serve  
13          as Chairperson of the Interagency Task Force.

14          “(C) ADVISORY DUTIES.—

15                 “(i) CLIMATE, ENERGY, TRANSPOR-  
16                 TATION, INDUSTRIAL, AGRICULTURAL,  
17                 BUILDING, FORESTRY, AND OTHER PRO-  
18                 GRAMS.—The Director of the White House  
19                 Office, using an integrated perspective con-  
20                 sidering the totality of actions in the  
21                 United States, shall advise the President  
22                 and the heads of Federal agencies on—

23                         “(I) the extent to which United  
24                         States energy, transportation, indus-  
25                         trial, agricultural, forestry, building,

1 and other relevant programs are capa-  
2 ble of producing progress on the long-  
3 term goal of stabilization of green-  
4 house gas concentrations; and

5 “(II) the extent to which pro-  
6 posed or newly created energy, trans-  
7 portation, industrial, agricultural, for-  
8 estry, building, and other relevant  
9 programs positively or negatively af-  
10 fect the ability of the United States to  
11 achieve the long-term goal of stabiliza-  
12 tion of greenhouse gas concentrations.

13 “(ii) TAX, TRADE, AND FOREIGN  
14 POLICIES.—The Director of the White  
15 House Office, using an integrated perspec-  
16 tive considering the totality of actions in  
17 the United States, shall advise the Presi-  
18 dent and the heads of Federal agencies  
19 on—

20 “(I) the extent to which the  
21 United States tax policy, trade policy,  
22 and foreign policy are capable of pro-  
23 ducing progress on the long-term goal  
24 of stabilization of greenhouse gas con-  
25 centrations; and

1                   “(II) the extent to which pro-  
2                   posed or newly created tax policy,  
3                   trade policy, and foreign policy posi-  
4                   tively or negatively affect the ability of  
5                   the United States to achieve the long-  
6                   term goal of stabilization of green-  
7                   house gas concentrations.

8                   “(iii) INTERNATIONAL TREATIES.—  
9                   The Secretary of State, acting in conjunc-  
10                  tion with the Interagency Task Force and  
11                  using the analytical tools available to the  
12                  White House Office, shall provide to the  
13                  Director of the White House Office an  
14                  opinion that—

15                         “(I) specifies the economic and  
16                         environmental costs and benefits of  
17                         any proposed international treaties or  
18                         components of treaties that have an  
19                         influence on greenhouse gas manage-  
20                         ment; and

21                         “(II) assesses the extent to which  
22                         the treaties advance the long-term  
23                         goal of stabilization of greenhouse gas  
24                         concentrations, while minimizing ad-  
25                         verse short-term and long-term eco-

1            nomic and social impacts and consid-  
2            ering other impacts.

3            “(iv) CONSULTATION.—

4                    “(I) WITH MEMBERS OF INTER-  
5            AGENCY TASK FORCE.—To the extent  
6            practicable and appropriate, the Di-  
7            rector of the White House Office shall  
8            consult with all members of the Inter-  
9            agency Task Force and other inter-  
10           ested parties before providing advice  
11           to the President.

12                   “(II) WITH OTHER INTERESTED  
13           PARTIES.—The Director of the White  
14           House Office shall establish a process  
15           for obtaining the meaningful partici-  
16           pation of Federal, State, tribal, and  
17           local government agencies, nongovern-  
18           mental organizations, academia, sci-  
19           entific bodies, industry, the public,  
20           and other interested parties in the  
21           formulation of advice to be provided  
22           to the President.

23                   “(D) PUBLIC EDUCATION, AWARENESS,  
24           OUTREACH, AND INFORMATION-SHARING.—The  
25           Director of the White House Office, to the max-

1           imum extent practicable, shall promote public  
2           awareness, outreach, and information-sharing  
3           to further the understanding of the full range  
4           of climate change-related issues.

5           “(5) ANNUAL REPORTS.—The Director of the  
6           White House Office, in consultation with the Inter-  
7           agency Task Force and other interested parties,  
8           shall prepare an annual report for submission by the  
9           President to Congress that—

10                   “(A) assesses progress in implementation  
11                   of the Strategy;

12                   “(B) assesses progress, in the United  
13                   States and in foreign countries, toward the  
14                   long-term goal of stabilization of greenhouse  
15                   gas concentrations;

16                   “(C) assesses progress toward meeting cli-  
17                   mate change-related international obligations;

18                   “(D) makes recommendations for actions  
19                   by the Federal Government designed to close  
20                   any gap between progress-to-date and the meas-  
21                   ures that are necessary to achieve the long-term  
22                   goal of stabilization of greenhouse gas con-  
23                   centrations; and

1           “(E) addresses the totality of actions in  
2           the United States that relate to the 4 key ele-  
3           ments.

4           “(6) ANALYSIS.—During development of the  
5           Strategy, preparation of the annual reports sub-  
6           mitted under paragraph (5), and provision of advice  
7           to the President and the heads of Federal agencies,  
8           the Director of the White House Office shall place  
9           significant emphasis on the use of objective, quan-  
10          titative analysis, taking into consideration any un-  
11          certainties associated with the analysis.

12          “(c) STAFF.—

13           “(1) IN GENERAL.—The Director of the White  
14          House Office shall employ a professional staff of not  
15          more than 25 individuals to carry out the duties of  
16          the White House Office.

17           “(2) INTERGOVERNMENTAL PERSONNEL AND  
18          FELLOWSHIPS.—The Director of the White House  
19          Office may use the authority provided by the Inter-  
20          governmental Personnel Act of 1970 (42 U.S.C.  
21          4701 et seq.) and subchapter VI of chapter 33 of  
22          title 5, United States Code, and fellowships, to ob-  
23          tain staff from academia, scientific bodies, private  
24          industry, nongovernmental organizations, other De-  
25          partment programs, other Federal agencies, and na-

1 tional laboratories, for appointments of a limited  
2 term.

3 “(d) INTERAGENCY TASK FORCE.—

4 “(1) IN GENERAL.—The Director of the White  
5 House Office shall establish the United States Cli-  
6 mate Change Response Interagency Task Force.

7 “(2) COMPOSITION.—The Interagency Task  
8 Force shall be composed of—

9 “(A) the Director of the White House Of-  
10 fice, who shall serve as Chairperson;

11 “(B) the Secretary of State;

12 “(C) the Secretary;

13 “(D) the Secretary of Commerce;

14 “(E) the Secretary of the Treasury;

15 “(F) the Secretary of Transportation;

16 “(G) the Secretary of Agriculture;

17 “(H) the Administrator of the Environ-  
18 mental Protection Agency;

19 “(I) the Administrator of the Agency for  
20 International Development;

21 “(J) the United States Trade Representa-  
22 tive;

23 “(K) the National Security Advisor;

24 “(L) the Director of the National Eco-  
25 nomic Council;



1           “(M) the Chairman of the Council on En-  
2           vironmental Quality;

3           “(N) the Director of the Office of Science  
4           and Technology Policy;

5           “(O) the Chairperson of the Subcommittee  
6           on Global Change Research (which performs  
7           the functions of the Committee on Earth and  
8           Environmental Sciences established by section  
9           102 of the Global Change Research Act of 1990  
10          (15 U.S.C. 2932)); and

11          “(P) the heads of such other Federal agen-  
12          cies as the Chairperson determines should be  
13          members of the Interagency Task Force.

14          “(3) STRATEGY.—

15                 “(A) IN GENERAL.—The Interagency Task  
16                 Force shall serve as the primary forum through  
17                 which the Federal agencies represented on the  
18                 Interagency Task Force jointly—

19                         “(i) assist the Director of the White  
20                         House Office in developing and updating  
21                         the Strategy; and

22                         “(ii) assist the Director of the White  
23                         House Office in preparing annual reports  
24                         under subsection (b)(5).

1           “(B) REQUIRED ELEMENTS.—In carrying  
2 out subparagraph (A), the Interagency Task  
3 Force shall—

4           “(i) take into account the long-term  
5 goal and other requirements of the Strat-  
6 egy specified in section 1622(a);

7           “(ii) give full consideration to the  
8 facts and opinions presented by the mem-  
9 bers of the Interagency Task Force;

10           “(iii) consult with State, tribal, and  
11 local government agencies, nongovern-  
12 mental organizations, academia, scientific  
13 bodies, industry, the public, and other in-  
14 terested parties; and

15           “(iv) build consensus around a Strat-  
16 egy that is based on strong scientific, tech-  
17 nical, and economic analyses.

18           “(4) WORKING GROUPS.—The Chairperson of  
19 the Interagency Task Force may establish such top-  
20 ical working groups as are necessary to carry out  
21 the duties of the Interagency Task Force.

22           “(e) PROVISION OF SUPPORT STAFF.—In accordance  
23 with procedures established by the Chairperson of the  
24 Interagency Task Force, the Federal agencies represented  
25 on the Interagency Task Force shall provide staff from

1 the agencies to support information, data collection, and  
 2 analyses required by the Interagency Task Force.

3 “(f) HEARINGS.—On request of the Chairperson, the  
 4 Interagency Task Force may hold such hearings, meet and  
 5 act at such times and places, take such testimony, and  
 6 receive such evidence as the Interagency Task Force con-  
 7 siders to be appropriate.

8 **“SEC. 1624. TECHNOLOGY INNOVATION PROGRAM IMPLE-**  
 9 **MENTED THROUGH THE OFFICE OF CARBON**  
 10 **MANAGEMENT OFFICE OF CLIMATE CHANGE**  
 11 **TECHNOLOGY OF THE DEPARTMENT OF EN-**  
 12 **ERGY AND THE CENTER FOR STRATEGIC CLI-**  
 13 **MATE CHANGE RESPONSE.**

14 “(a) ESTABLISHMENT OF OFFICE OF CARBON MAN-  
 15 ~~AGEMENT~~ *OFFICE OF CLIMATE CHANGE TECHNOLOGY* OF  
 16 THE DEPARTMENT OF ENERGY.—

17 “(1) IN GENERAL.—There is established, within  
 18 the Department, the ~~Office of Carbon Management~~  
 19 *Office of Climate Change Technology*.

20 “(2) DUTIES.—The Department Office shall—

21 “(A) manage an energy technology re-  
 22 search and development program that directly  
 23 supports the Strategy by—

24 “(i) focusing on high-risk, bold, break-  
 25 through technologies that—

1           “(I) are critical to the long-term  
2           stabilization of greenhouse gas con-  
3           centrations;

4           “(II) are not significantly ad-  
5           dressed by other Federal programs;  
6           and

7           “(III) move technology substan-  
8           tially beyond the state of usual inno-  
9           vation;

10          “(ii) forging fundamentally new re-  
11          search and development partnerships  
12          among various Departments, other Fed-  
13          eral, and State programs, particularly be-  
14          tween basic science and energy technology  
15          programs, in cases in which such partner-  
16          ships have significant potential to affect  
17          the ability of the United States to achieve  
18          stabilization of greenhouse gas concentra-  
19          tions at the lowest possible cost;

20          “(iii) forging international research  
21          and development partnerships that are in  
22          the interests of the United States and  
23          make progress on stabilization of green-  
24          house gas concentrations;

1           “(iv) making available, through moni-  
2           toring, experimentation, and analysis, data  
3           that are essential to proving the technical  
4           and economic viability of technology cen-  
5           tral to addressing climate change; and

6           “(v) transitioning research and devel-  
7           opment programs to other program offices  
8           of the Department once such a research  
9           and development program crosses the  
10          threshold of high-risk research and moves  
11          into the realm of more conventional tech-  
12          nology development;

13          “(B) in accordance with subsection  
14          (b)(5)(C), prepare a 10-year program plan for  
15          the activities of the Department Office and up-  
16          date the plan biennially;

17          “(C) prepare annual reports in accordance  
18          with subsection (b)(6);

19          “(D) identify the total contribution of all  
20          Department programs to climate change re-  
21          sponse;

22          “(E) provide substantial analytical support  
23          to the White House Office, particularly support  
24          in the development of the Strategy and associ-  
25          ated progress reporting; and

1           “(F) advise the Secretary on climate  
2 change-related issues, including necessary  
3 changes in Department organization, manage-  
4 ment, budgeting, and personnel allocation in the  
5 programs involved in climate change response-  
6 related activities.

7           “(b) DIRECTOR OF THE DEPARTMENT OFFICE.—

8           “(1) IN GENERAL.—The Department Office  
9 shall be headed by a Director, who shall report di-  
10 rectly to the Secretary.

11           “(2) APPOINTMENT.—The Director of the De-  
12 partment Office shall be an employee of the Federal  
13 Government who is a qualified individual appointed  
14 by the President.

15           “(3) TERM.—The Director of the Department  
16 Office shall be appointed for a term of 4 years.

17           “(4) VACANCIES.—A vacancy in the position of  
18 the Director of the Department Office shall be filled  
19 in the same manner as the original appointment was  
20 made.

21           “(5) DUTIES OF THE DIRECTOR OF THE DE-  
22 PARTMENT OFFICE.—

23           “(A) STRATEGY.—The Director of the De-  
24 partment Office shall support development of

1 the Strategy through the provision of staff and  
2 analytical support.

3 “(B) INTERAGENCY TASK FORCE.—  
4 Through active participation in the Interagency  
5 Task Force, the Director of the Department  
6 Office shall—

7 “(i) based on the analytical capabili-  
8 ties of the Department Office and the Cen-  
9 ter, share analyses of alternative climate  
10 change response strategies with other  
11 members of the Interagency Task Force to  
12 assist all members in understanding—

13 “(I) the scale of the climate  
14 change response challenge; and

15 “(II) how the actions of the Fed-  
16 eral agencies of the members posi-  
17 tively or negatively contribute to cli-  
18 mate change solutions; and

19 “(ii) determine how the energy tech-  
20 nology research and development program  
21 described in subsection (a)(2)(A) can be  
22 designed for maximum impact on the long-  
23 term goal of stabilization of greenhouse  
24 gas concentrations.

25 “(C) 10-YEAR PROGRAM PLAN.—

1           “(i) IN GENERAL.—Not later than 1  
2 year after the date of enactment of this  
3 subtitle, the Director of the Department  
4 Office shall prepare a 10-year program  
5 plan.

6           “(ii) REQUIRED ELEMENTS.—The  
7 plan shall—

8                   “(I) consider all elements of the  
9 Strategy that relate to technology re-  
10 search and development;

11                   “(II) become an integral compo-  
12 nent of the Strategy;

13                   “(III) focus the activities of the  
14 Department Office on gaps identified  
15 by the Strategy;

16                   “(IV) emphasize the funding of  
17 activities that meet the goals de-  
18 scribed in clauses (i) through (iv) of  
19 subsection (a)(2)(A);

20                   “(V) identify creative and innova-  
21 tive approaches for building partner-  
22 ships and managing research and de-  
23 velopment that have the potential to  
24 result in significant advances of tech-



1 nologies and other innovative actions;  
2 and

3 “(VI) place a high level of em-  
4 phasis on bold, breakthrough research  
5 and development programs that can—

6 “(aa) be created with the in-  
7 volvement of 1 or more Federal  
8 research and development pro-  
9 grams; and

10 “(bb) upon reaching a suffi-  
11 cient level of technological matu-  
12 rity, be transitioned to other pro-  
13 gram offices of the Department  
14 without loss of the creative man-  
15 agement approaches and partner-  
16 ships of the innovative research  
17 and development programs.

18 “(iii) SUBMISSION OF PLAN.—The  
19 Secretary shall submit the 10-year pro-  
20 gram plan to Congress and the Director of  
21 the White House Office.

22 “(iv) UPDATING.—

23 “(I) IN GENERAL.—The Director  
24 of the Department Office shall update  
25 the 10-year program plan biennially.

1                   “(II) SUBMISSION.—The Sec-  
2                   retary shall submit each updated 10-  
3                   year program plan to Congress and  
4                   the Director of the White House Of-  
5                   fice.

6                   “(D) CENTER.—

7                   “(i) OPERATING MODEL.—The Direc-  
8                   tor of the Department Office shall estab-  
9                   lish an operating model for the Center.

10                  “(ii) DELEGATION OF DEPARTMENT  
11                  OFFICE FUNCTIONS.—The Director of the  
12                  Department Office may choose to delegate  
13                  selected program management and re-  
14                  search and development functions of the  
15                  Department Office to the Center.

16                  “(iii) FOCUS.—

17                  “(I) IN GENERAL.—Funds for  
18                  the Center should be used to build a  
19                  Center with focused capability that  
20                  has a limited number of focused off-  
21                  site locations.

22                  “(II) INVOLVEMENT OF ORGANI-  
23                  ZATIONS.—Notwithstanding subclause  
24                  (I), the Director of the Department  
25                  Office may involve any number of or-

1 organizations in the operation of the  
2 Center.

3 “(iv) TOOLS, DATA, AND CAPABILI-  
4 TIES.—The Director of the Department  
5 Office shall foster the development of tools,  
6 data, and capabilities at the Center to en-  
7 sure that—

8 “(I) the United States has a ro-  
9 bust capability for evaluating alter-  
10 native climate change response sce-  
11 narios; and

12 “(II) the Center provides long-  
13 term analytical continuity during the  
14 terms of service of successive Presi-  
15 dents.

16 “(E) ADVISORY DUTIES.—The Director of  
17 the Department Office shall advise the Sec-  
18 retary on all aspects of climate change re-  
19 sponse.

20 “(6) ANNUAL REPORTS.—The Director of the  
21 Department Office shall prepare an annual report  
22 for submission by the Secretary to Congress and the  
23 White House Office that—

24 “(A) assesses progress toward meeting the  
25 goals of the energy technology research and de-

1           velopment program described in subsection  
2           (a)(2)(A);

3           “(B) assesses the activities of the Center;

4           “(C) assesses the contributions of all en-  
5           ergy technology research and development pro-  
6           grams of the Department (including science  
7           programs) to the long-term goal and other re-  
8           quirements of the Strategy specified in section  
9           1622(a); and

10           “(D) makes recommendations for actions  
11           by the Department and other Federal agencies  
12           to address the components of technology devel-  
13           opment that are necessary to support the Strat-  
14           egy.

15           “(7) ANALYSIS.—During development of the  
16           Strategy, the 10-year program plan submitted under  
17           paragraph (5)(C), annual reports submitted under  
18           paragraph (6), and advice to the Secretary, the Di-  
19           rector of the Department Office shall place signifi-  
20           cant emphasis on the use of objective, quantitative  
21           analysis, taking into consideration any associated  
22           uncertainties.

23           “(c) STAFF.—The Director of the Department Office  
24           shall employ a professional staff of not more than 25 indi-  
25           viduals to carry out the duties of the Department Office.

1       “(d) INTERGOVERNMENTAL PERSONNEL AND FEL-  
2       LOWSHIPS.—The Department Office may use the author-  
3       ity provided by the Intergovernmental Personnel Act of  
4       1970 (42 U.S.C. 4701 et seq.) and subchapter VI of chap-  
5       ter 33 of title 5, United States Code, and fellowships, to  
6       obtain staff from academia, scientific bodies, private in-  
7       dustry, nongovernmental organizations, other Department  
8       programs, other Federal agencies, and national labora-  
9       tories, for appointments of a limited term.

10       “(e) CENTER FOR STRATEGIC CLIMATE CHANGE RE-  
11       SPONSE.—

12               “(1) IN GENERAL.—

13                       “(A) ESTABLISHMENT.—There is estab-  
14                       lished the Center for Strategic Climate Change  
15                       Response, which shall report to the Director of  
16                       the Department Office.

17                       “(B) LOCATIONS.—The Center shall main-  
18                       tain 1 headquarters location and such addi-  
19                       tional temporary or permanent locations as are  
20                       necessary to carry out the duties of the Center.

21                       “(C) CENTER DIRECTOR.—The Center  
22                       shall be headed by a Director, who shall be se-  
23                       lected by the Director of the Department Of-  
24                       fice.

25               “(2) DUTIES.—

1 “(A) IN GENERAL.—

2 “(i) GOAL.—The Center shall foster  
3 the development and application of ad-  
4 vanced computational tools, data, and ca-  
5 pabilities that support integrated assess-  
6 ment of alternative climate change re-  
7 sponse scenarios and implementation of  
8 the Strategy.

9 “(ii) PARTICIPATION AND SUPPORT.—

10 The Center may include participation of,  
11 and be supported by, each other Federal  
12 agency that has a direct or indirect role in  
13 the development, commercialization, or  
14 transfer of energy, transportation, indus-  
15 trial, agricultural, forestry, or other cli-  
16 mate change-related technology.

17 “(B) PROGRAMS.—

18 “(i) IN GENERAL.—The Center  
19 shall—

20 “(I) develop and maintain core  
21 analytical competencies and complex,  
22 integrated computational modeling ca-  
23 pabilities that are necessary to sup-  
24 port the design and implementation of  
25 the Strategy;

1                   “(II) track United States and  
2                   international progress toward the  
3                   long-term goal of stabilization of  
4                   greenhouse gas concentrations; and

5                   “(III) in support of the Depart-  
6                   ment Office, support the management  
7                   and implementation of research and  
8                   development programs.

9                   “(ii) INTERNATIONAL CARBON DIOX-  
10                  IDE SEQUESTRATION MONITORING AND  
11                  DATA PROGRAM.—In consultation with  
12                  Federal, State, academic, scientific, private  
13                  sector, nongovernmental, tribal, and inter-  
14                  national carbon capture and sequestration  
15                  technology programs, the Center shall de-  
16                  sign and carry out an international carbon  
17                  dioxide sequestration monitoring and data  
18                  program to collect, analyze, and make  
19                  available the technical and economic data  
20                  to ascertain—

21                   “(I) whether engineered seques-  
22                   tration and terrestrial sequestration  
23                   will be acceptable technologies from  
24                   regulatory, economic, and inter-  
25                   national perspectives;

1                   “(II) whether carbon dioxide se-  
2                   questered in geological formations or  
3                   ocean systems is stable and has incon-  
4                   sequential leakage rates on a geologic  
5                   time-scale; and

6                   “(III) the extent to which forest,  
7                   agricultural, and other terrestrial sys-  
8                   tems are suitable carbon sinks.

9                   “(C) AREAS OF EXPERTISE.—

10                   “(i) IN GENERAL.—The Center shall  
11                   develop and maintain expertise in inte-  
12                   grated assessment, modeling, and related  
13                   capabilities necessary—

14                   “(I) to understand the relation-  
15                   ship between natural, agricultural, in-  
16                   dustrial, energy, and economic sys-  
17                   tems;

18                   “(II) to design effective research  
19                   and development programs; and

20                   “(III) to develop and implement  
21                   the Strategy.

22                   “(ii) TECHNOLOGY TRANSFER AND  
23                   DIFFUSION.—The expertise described in  
24                   clause (i) shall include knowledge of tech-  
25                   nology transfer and technology diffusion in



1 United States markets and foreign mar-  
2 kets.

3 “(D) DISSEMINATION OF INFORMATION.—

4 The Center shall ensure, to the maximum ex-  
5 tent practicable, that technical and scientific  
6 knowledge relating to greenhouse gas emission  
7 reduction, avoidance, and sequestration is  
8 broadly disseminated through publications, fel-  
9 lowships, and training programs.

10 “(E) ASSESSMENTS.—In a manner con-  
11 sistent with the Strategy, the Center shall con-  
12 duct assessments of deployment of climate-  
13 friendly technology.

14 “(F) USE OF PRIVATE SECTOR FUND-  
15 ING.—

16 “(i) IN GENERAL.—The Center shall  
17 create an operating model that allows for  
18 collaboration, division of effort, and cost  
19 sharing with industry on individual climate  
20 change response projects.

21 “(ii) REQUIREMENTS.—Although cost  
22 sharing in some cases may be appropriate,  
23 the Center shall focus on long-term high-  
24 risk research and development and should  
25 not make industrial partnerships or cost

1 sharing a requirement, if such a require-  
2 ment would bias the activities of the Cen-  
3 ter toward incremental innovations.

4 “(iii) REEVALUATION ON TRANSI-  
5 TION.—At such time as any bold, break-  
6 through research and development pro-  
7 gram reaches a sufficient level of techno-  
8 logical maturity such that the program is  
9 transitioned to a program office of the De-  
10 partment other than the Department Of-  
11 fice, the cost-sharing requirements and cri-  
12 teria applicable to the program should be  
13 reevaluated.

14 “(iv) PUBLICATION IN FEDERAL REG-  
15 ISTER.—Each cost-sharing agreement en-  
16 tered into under this subparagraph shall be  
17 published in the Federal Register.

18 “(G) INTERGOVERNMENTAL PERSONNEL  
19 AND FELLOWSHIPS.—The Director of the Cen-  
20 ter may use the authority provided by the Inter-  
21 governmental Personnel Act of 1970 (42 U.S.C.  
22 4701 et seq.) and subchapter VI of chapter 33  
23 of title 5, United States Code, and fellowships,  
24 to obtain staff from academia, scientific bodies,  
25 private industry, nongovernmental organiza-

1           tions, other Department programs, other Fed-  
2           eral agencies, and national laboratories, for ap-  
3           pointments of a limited term.

4   **“SEC. 1625. ADDITIONAL OFFICES AND ACTIVITIES.**

5           “The Secretary of Agriculture, the Secretary of  
6   Transportation, the Administrator of the Environmental  
7   Protection Agency, and the heads of other Federal agen-  
8   cies may establish such offices and carry out such activi-  
9   ties, in addition to those established or authorized by this  
10   subtitle, as are necessary to carry out this subtitle.

11   **“SEC. 1626. UNITED STATES CLIMATE CHANGE RESPONSE**  
12                           **STRATEGY REVIEW BOARD.**

13           “(a) ESTABLISHMENT.—There is established as an  
14   independent establishment within the executive branch the  
15   United States Climate Change Response Strategy Review  
16   Board.

17           “(b) MEMBERSHIP.—

18                   “(1) COMPOSITION.—The Review Board shall  
19   consist of 11 members who shall be appointed, not  
20   later than 90 days after the date of enactment of  
21   this subtitle, by the President by and with the advice  
22   and consent of the Senate, from among qualified in-  
23   dividuals nominated by the National Academy of  
24   Sciences in accordance with paragraph (2).

1           “(2) NOMINATIONS.—Not later than 60 days  
2 after the date of enactment of this subtitle, after  
3 taking into strong consideration the guidance and  
4 recommendations of a broad range of scientific and  
5 technical societies that have the capability of recom-  
6 mending qualified individuals, the National Academy  
7 of Sciences shall nominate for appointment to the  
8 Review Board not fewer than 22 individuals who—

9           “(A) are—

10           “(i) qualified individuals; or

11           “(ii) experts in a field of knowledge  
12 specified in section 1621(9)(B); and

13           “(B) as a group represent broad, balanced  
14 expertise.

15           “(3) PROHIBITION ON FEDERAL GOVERNMENT  
16 EMPLOYMENT.—A member of the Review Board  
17 shall not be an employee of the Federal Government.

18           “(4) TERMS; VACANCIES.—

19           “(A) TERMS.—

20           “(i) IN GENERAL.—Subject to clause  
21 (ii), each member of the Review Board  
22 shall be appointed for a term of 4 years.

23           “(ii) INITIAL TERMS.—

24           “(I) COMMENCEMENT DATE.—

25           The term of each member initially ap-

1 pointed to the Review Board shall  
2 commence 120 days after the date of  
3 enactment of this subtitle.

4 “(II) TERMINATION DATE.—Of  
5 the 11 members initially appointed to  
6 the Review Board, 5 members shall be  
7 appointed for a term of 2 years and 6  
8 members shall be appointed for a  
9 term of 4 years, to be designated by  
10 the President at the time of appoint-  
11 ment.

12 “(B) VACANCIES.—

13 “(i) IN GENERAL.—A vacancy on the  
14 Review Board shall be filled in the manner  
15 described in this subparagraph.

16 “(ii) NOMINATIONS BY THE NATIONAL  
17 ACADEMY OF SCIENCES.—Not later than  
18 60 days after the date on which a vacancy  
19 commences, the National Academy of  
20 Sciences shall—

21 “(I) after taking into strong con-  
22 sideration the guidance and rec-  
23 ommendations of a broad range of sci-  
24 entific and technical societies that  
25 have the capability of recommending

1 qualified individuals, nominate, from  
2 among qualified individuals, not fewer  
3 than 2 individuals to fill the vacancy;  
4 and

5 “(II) submit the names of the  
6 nominees to the President.

7 “(iii) SELECTION.—Not later than 30  
8 days after the date on which the nomina-  
9 tions under clause (ii) are submitted to the  
10 President, the President shall select from  
11 among the nominees an individual to fill  
12 the vacancy.

13 “(iv) SENATE CONFIRMATION.—An  
14 individual appointed to fill a vacancy on  
15 the Review Board shall be appointed by  
16 and with the advice and consent of the  
17 Senate.

18 “(5) DISCLOSURE OF POTENTIAL CONFLICTS  
19 OF INTEREST.—

20 “(A) EMPLOYMENT OF NOMINEES.—If a  
21 nominee to the Review Board is employed by an  
22 entity that receives any funding from the De-  
23 partment or any other Federal agency, the fact  
24 of the employment shall be—

1           “(i) disclosed to the President by the  
2           National Academy of Sciences at the time  
3           of the nomination; and

4           “(ii) publicly disclosed by the nominee  
5           as part of the Senate confirmation process  
6           of the nominee.

7           “(B) EMPLOYMENT OF MEMBERS.—If,  
8           during the period of service of a member on the  
9           Review Board, the member is employed by an  
10          entity that receives any funding from the De-  
11          partment or any other Federal agency, the fact  
12          of the employment shall be publicly disclosed by  
13          the Chairperson of the Review Board on a semi-  
14          annual basis.

15          “(C) FINANCIAL BENEFIT TO MEMBERS.—  
16          If, during the period of service of a member on  
17          the Review Board, the Review Board makes any  
18          written recommendation that may financially  
19          benefit a member or an entity that employs the  
20          member, the fact of that financial benefit shall  
21          be publicly disclosed by the Chairperson of the  
22          Review Board at the time of the recommenda-  
23          tion.

24          “(D) APPLICABILITY OF ETHICS IN GOV-  
25          ERNMENT ACT OF 1978.—A member of the Re-

1 view Board shall be deemed to be an individual  
2 subject to the Ethics in Government Act of  
3 1978 (5 U.S.C. App.).

4 “(6) CHAIRPERSON; VICE CHAIRPERSON.—The  
5 members of the Review Board shall select a Chair-  
6 person and a Vice Chairperson of the Review Board  
7 from among the members of the Review Board.

8 “(c) DUTIES.—

9 “(1) IN GENERAL.—Not later than 180 days  
10 after the date of submission of the initial Strategy  
11 under section 1622(b), each updated version of the  
12 Strategy under section 1622(c), each progress report  
13 under section 1622(d), and each national laboratory  
14 certification under section 1622(f), the Review  
15 Board shall submit to the President, Congress, and  
16 the heads of Federal agencies as appropriate a re-  
17 port assessing the adequacy of the Strategy, report,  
18 or certification.

19 “(2) COMMENTS.—In reviewing the Strategy, or  
20 a report or certification, under paragraph (1), the  
21 Review Board shall consider and comment on—

22 “(A) the adequacy of effort and the appro-  
23 priateness of focus of the totality of all public,  
24 private, and public-private sector actions of the



1 United States with respect to the 4 key ele-  
2 ments;

3 “(B) the extent to which actions of the  
4 United States, with respect to climate change,  
5 complement or leverage international research  
6 and other efforts designed to manage global  
7 emissions of greenhouse gases, to further the  
8 long-term goal of stabilization of greenhouse  
9 gas concentrations;

10 “(C) the funding implications of any rec-  
11 ommendations made by the Review Board; and

12 “(D)(i) the effectiveness with which each  
13 Federal agency is carrying out the responsibil-  
14 ities of the Federal agency with respect to the  
15 short-term and long-term greenhouse gas man-  
16 agement goals; and

17 “(ii) the adequacy of the budget of each  
18 such Federal agency to carry out those respon-  
19 sibilities.

20 “(3) ADDITIONAL RECOMMENDATIONS.—

21 “(A) IN GENERAL.—Subject to subpara-  
22 graph (B), the Review Board, at the request of  
23 the President or Congress, may provide rec-  
24 ommendations on additional climate change-re-  
25 lated topics.

1           “(B) SECONDARY DUTY.—The provision of  
2           recommendations under subparagraph (A) shall  
3           be a secondary duty to the primary duty of the  
4           Review Board of providing independent review  
5           of the Strategy and the reports and certifi-  
6           cations under paragraphs (1) and (2).

7           “(d) POWERS.—

8           “(1) HEARINGS.—

9           “(A) IN GENERAL.—On request of the  
10          Chairperson or a majority of the members of  
11          the Review Board, the Review Board may hold  
12          such hearings, meet and act at such times and  
13          places, take such testimony, and receive such  
14          evidence as the Review Board considers to be  
15          appropriate.

16          “(B) ADMINISTRATION OF OATHS.—Any  
17          member of the Review Board may administer  
18          an oath or affirmation to any witness that ap-  
19          pears before the Review Board.

20          “(2) PRODUCTION OF DOCUMENTS.—

21          “(A) IN GENERAL.—On request of the  
22          Chairperson or a majority of the members of  
23          the Review Board, and subject to applicable  
24          law, the Secretary or head of a Federal agency  
25          represented on the Interagency Task Force, or

1 a contractor of such an agency, shall provide the Review  
2 Board with such records, files, papers, data, and informa-  
3 tion as are necessary to respond to any inquiry of the Re-  
4 view Board under this subtitle.

5 “(B) INCLUSION OF WORK IN  
6 PROGRESS.—Subject to applicable law, informa-  
7 tion obtainable under subparagraph (A)—

8 “(i) shall not be limited to final work  
9 products; but

10 “(ii) shall include draft work products  
11 and documentation of work in progress.

12 “(3) POSTAL SERVICES.—The Review Board  
13 may use the United States mails in the same man-  
14 ner and under the same conditions as other agencies  
15 of the Federal Government.

16 “(e) COMPENSATION OF MEMBERS.—A member of  
17 the Review Board shall be compensated at a rate equal  
18 to the daily equivalent of the annual rate of basic pay pre-  
19 scribed for level IV of the Executive Schedule under sec-  
20 tion 5315 of title 5, United States Code, for each day (in-  
21 cluding travel time) during which the member is engaged  
22 in the performance of the duties of the Review Board.

23 “(f) TRAVEL EXPENSES.—A member of the Review  
24 Board shall be allowed travel expenses, including per diem  
25 in lieu of subsistence, at rates authorized for an employee

1 of an agency under subchapter I of chapter 57 of title  
2 5, United States Code, while away from the home or reg-  
3 ular place of business of the member in the performance  
4 of the duties of the Review Board.

5 “(g) STAFF.—

6 “(1) IN GENERAL.—The Chairperson of the Re-  
7 view Board may, without regard to the civil service  
8 laws (including regulations), appoint and terminate  
9 an executive director and such other additional per-  
10 sonnel as are necessary to enable the Review Board  
11 to perform the duties of the Review Board.

12 “(2) CONFIRMATION OF EXECUTIVE DIREC-  
13 TOR.—The employment of an executive director shall  
14 be subject to confirmation by the Review Board.

15 “(3) COMPENSATION.—

16 “(A) IN GENERAL.—Except as provided in  
17 subparagraph (B), the Chairperson of the Re-  
18 view Board may fix the compensation of the ex-  
19 ecutive director and other personnel without re-  
20 gard to the provisions of chapter 51 and sub-  
21 chapter III of chapter 53 of title 5, United  
22 States Code, relating to classification of posi-  
23 tions and General Schedule pay rates.

24 “(B) MAXIMUM RATE OF PAY.—The rate  
25 of pay for the executive director and other per-

1           sonnel shall not exceed the rate payable for  
2           level V of the Executive Schedule under section  
3           5316 of title 5, United States Code.

4           “(h) **PROCUREMENT OF TEMPORARY AND INTERMIT-**  
5 **TENT SERVICES.**—The Chairperson of the Review Board  
6 may procure temporary and intermittent services in ac-  
7 cordance with section 3109(b) of title 5, United States  
8 Code, at rates for individuals that do not exceed the daily  
9 equivalent of the annual rate of basic pay prescribed for  
10 level V of the Executive Schedule under section 5316 of  
11 that title.

12 **“SEC. 1627. AUTHORIZATION OF APPROPRIATIONS.**

13           “(a) **WHITE HOUSE OFFICE.**—

14           “(1) **USE OF AVAILABLE APPROPRIATIONS.**—  
15 From funds made available to Federal agencies for  
16 the fiscal year in which this subtitle is enacted, the  
17 President shall provide such sums as are necessary  
18 to carry out the duties of the White House Office  
19 under this subtitle until the date on which funds are  
20 made available under paragraph (2).

21           “(2) **AUTHORIZATION OF APPROPRIATIONS.**—

22 There is authorized to be appropriated to the White  
23 House Office to carry out the duties of the White  
24 House Office under this subtitle \$5,000,000 for each

1 of fiscal years 2002 through 2011, to remain avail-  
2 able through September 30, 2011.

3 “(b) DEPARTMENT OFFICE.—

4 “(1) USE OF AVAILABLE APPROPRIATIONS.—

5 From funds made available to Federal agencies for  
6 the fiscal year in which this subtitle is enacted, the  
7 President shall provide such sums as are necessary  
8 to carry out the duties of the Department Office  
9 under this subtitle until the date on which funds are  
10 made available under paragraph (2).

11 “(2) AUTHORIZATION OF APPROPRIATIONS.—

12 There is authorized to be appropriated to the De-  
13 partment Office to carry out the duties of the De-  
14 partment Office under this subtitle \$4,000,000,000  
15 for the period of fiscal years 2002 through 2011, to  
16 remain available through September 30, 2011.

17 “(c) CENTER.—

18 “(1) USE OF AVAILABLE APPROPRIATIONS.—

19 From funds made available to Federal agencies for  
20 the fiscal year in which this subtitle is enacted, the  
21 President shall provide such sums as are necessary  
22 to carry out the duties of the Center under this sub-  
23 title until the date on which funds are made avail-  
24 able under paragraph (2).

1           “(2) AUTHORIZATION OF APPROPRIATIONS.—

2           There is authorized to be appropriated to the Center  
3           to carry out the duties of the Center under this sub-  
4           title \$75,000,000 for each of fiscal years 2002  
5           through 2011, to remain available through Sep-  
6           tember 30, 2011.

7           “(d) REVIEW BOARD.—

8           “(1) USE OF AVAILABLE APPROPRIATIONS.—

9           From funds made available to Federal agencies for  
10          the fiscal year in which this subtitle is enacted, the  
11          President shall provide such sums as are necessary  
12          to carry out the duties of the Review Board under  
13          this subtitle until the date on which funds are made  
14          available under paragraph (2).

15          “(2) AUTHORIZATION OF APPROPRIATIONS.—

16          There is authorized to be appropriated to the Review  
17          Board to carry out the duties of the Review Board  
18          under this subtitle \$3,000,000 for each of fiscal  
19          years 2002 through 2011, to remain available until  
20          expended.

21          “(e) ADDITIONAL AMOUNTS.—Amounts authorized  
22          to be appropriated under this section shall be in addition  
23          to—

24                  “(1) amounts made available to carry out the  
25          United States Global Change Research Program

1       under the Global Change Research Act of 1990 (15  
2       U.S.C. 2921 et seq.); and

3               “(2) amounts made available under other provi-  
4       sions of law for energy research and development.”.



Calendar No. 226

107TH CONGRESS  
1ST SESSION

**S. 1008**

[Report No. 107-99]

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## **A BILL**

To amend the Energy Policy Act of 1992 to develop the United States Climate Change Response Strategy with the goal of stabilization of greenhouse gas concentrations in the atmosphere at a level that would prevent dangerous anthropogenic interference with the climate system, while minimizing adverse short-term and long-term economic and social impacts, aligning the Strategy with United States energy policy, and promoting a sound national environmental policy, to establish a research and development program that focuses on bold technological breakthroughs that make significant progress toward the goal of stabilization of greenhouse gas concentrations, to establish the National Office of Climate Change Response within the Executive Office of the President, and for other purposes.

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NOVEMBER 15, 2001

Reported with amendments