

107TH CONGRESS
1ST SESSION

S. 1008

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.

IN THE SENATE OF THE UNITED STATES

JUNE 8, 2001

Mr. BYRD (for himself and Mr. STEVENS) introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

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
16 would prevent dangerous anthropogenic interference
17 with the climate system”;

18 (3) although science currently cannot determine
19 precisely what atmospheric concentrations are “dan-
20 gerous”, the current trajectory of greenhouse gas

1 emissions will lead to a continued rise in greenhouse
2 gas concentrations in the atmosphere, not stabiliza-
3 tion;

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

6 (5) greenhouse gases are associated with a wide
7 range of human activities, including energy produc-
8 tion, transportation, agriculture, forestry, manufac-
9 turing, buildings, and other activities;

10 (6) the economic consequences of poorly de-
11 signed climate change response strategies, or of in-
12 action, may cost the global economy trillions of dol-
13 lars;

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

16 (8) stabilization of greenhouse gas concentra-
17 tions in the atmosphere will require transformational
18 change in the global energy system and other emit-
19 ting sectors at an almost unimaginable level—a
20 veritable industrial revolution is required;

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

24 (10) over the decade preceding the date of en-
25 actment of this Act—

1 (A) energy research and development
2 budgets in the public and private sectors have
3 declined precipitously and have not been fo-
4 cused on the climate change response challenge;
5 and

6 (B) the investments that have been made
7 have not been guided by a comprehensive strat-
8 egy;

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

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

18 (A) stabilization of greenhouse gas con-
19 centrations in the atmosphere at a level that
20 would prevent dangerous anthropogenic inter-
21 ference with the climate system; and

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

24 (i) definition of interim emission miti-
25 gation targets coupled with specific mitiga-

1 tion approaches that cumulatively yield
2 stabilized atmospheric greenhouse gas con-
3 centrations;

4 (ii) a national commitment—

5 (I) to double energy research and
6 development by the United States
7 public and private sectors; and

8 (II) in carrying out such research
9 and development, to provide a high
10 degree of emphasis on bold, break-
11 through technologies that will make
12 possible a profound transformation of
13 the energy, transportation, industrial,
14 agricultural, and building sectors of
15 the United States;

16 (iii) climate adaptation research that
17 focuses on response actions necessary to
18 adapt to climate change that may have oc-
19 curred or may occur under any future cli-
20 mate change scenario; and

21 (iv) continued research, building on
22 the substantial scientific understanding of
23 climate change that exists as of the date of
24 enactment of this Act, that focuses on re-
25 solving the remaining scientific, technical,

1 and economic uncertainties, to aid in the
2 development of sound response strategies;
3 and

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

8 (A) establishment of joint climate response
9 strategies and joint research programs;

10 (B) assistance to developing countries and
11 countries in transition for building technical
12 and institutional capacities and incentives for
13 addressing the challenge; and

14 (C) promotion of public awareness of the
15 issue.

16 **SEC. 3. PURPOSE.**

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

20 (1) the establishment of the National Office of
21 Climate Change Response within the Executive Of-
22 fice of the President (referred to in this section as
23 the “White House Office”) to develop the United
24 States Climate Change Response Strategy (referred
25 to in this section as the “Strategy”) that—

1 (A) incorporates the 4 key elements of that
2 new approach;

3 (B) is supportive of and integrated in the
4 overall energy, transportation, industrial, agri-
5 cultural, forestry, and environmental policies of
6 the United States;

7 (C) takes into account—

8 (i) the diversity of energy sources and
9 technologies;

10 (ii) supply-side and demand-side solu-
11 tions; and

12 (iii) national infrastructure, energy
13 distribution, and transportation systems;

14 (D) provides for the inclusion and equi-
15 table participation of Federal, State, tribal, and
16 local government agencies, nongovernmental or-
17 ganizations, academia, scientific bodies, indus-
18 try, the public, and other interested parties;

19 (E) incorporates new models of Federal-
20 State cooperation;

21 (F) defines a comprehensive energy tech-
22 nology research and development program
23 that—

24 (i) recognizes the important contribu-
25 tions that research and development pro-

1 grams in existence on the date of enact-
2 ment of this Act make toward addressing
3 the climate change response challenge; and

4 (ii) includes an additional research
5 and development agenda that focuses on
6 the bold, breakthrough technologies that
7 are critical to the long-term stabilization of
8 greenhouse gas concentrations in the at-
9 mosphere;

10 (G) includes consideration of other efforts
11 to address critical environmental and health
12 concerns, including clean air, clean water, and
13 responsible land use policies; and

14 (H) incorporates initiatives to promote the
15 deployment of clean energy technologies devel-
16 oped in the United States and abroad;

17 (2) the establishment of the Interagency Task
18 Force, chaired by the Director of the White House
19 Office, to serve as the primary mechanism through
20 which the heads of Federal agencies work together
21 to develop and implement the Strategy;

22 (3) the establishment of the Office of Carbon
23 Management and the Center for Strategic Climate
24 Change Response within the Department of
25 Energy—

1 (A) to manage, as their primary responsi-
2 bility, an innovative research and development
3 program that focuses on the bold, breakthrough
4 technologies that are critical to the long-term
5 stabilization of greenhouse gas concentrations
6 in the atmosphere; and

7 (B) to provide analytical support and data
8 to the White House Office, other agencies, and
9 the public;

10 (4) the establishment of an independent review
11 board—

12 (A) to review the Strategy and annually
13 assess United States and international progress
14 toward the goal of stabilization of greenhouse
15 gas concentrations in the atmosphere at a level
16 that would prevent dangerous anthropogenic in-
17 terference with the climate system; and

18 (B) to assess—

19 (i) the performance of each Federal
20 agency that has responsibilities under the
21 Strategy; and

22 (ii) the adequacy of the budget of
23 each such Federal agency to fulfill the re-
24 sponsibilities of the Federal agency under
25 the Strategy; and

1 supply or end-use technology that, over the life of
2 the technology and compared to similar technology
3 in commercial use as of the date of enactment of
4 this subtitle—

5 “(A) results in reduced emissions of green-
6 house gases;

7 “(B) may substantially lower emissions of
8 other pollutants; and

9 “(C) may generate substantially smaller or
10 less hazardous quantities of solid or liquid
11 waste.

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

14 “(4) DEPARTMENT OFFICE.—The term ‘De-
15 partment Office’ means the Office of Carbon Man-
16 agement of the Department established by section
17 1624(a).

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

21 “(6) GREENHOUSE GAS.—The term ‘greenhouse
22 gas’ means an anthropogenic gaseous constituent of
23 the atmosphere that absorbs and re-emits infrared
24 radiation.

1 “(7) INTERAGENCY TASK FORCE.—The term
2 ‘Interagency Task Force’ means the United States
3 Climate Change Response Interagency Task Force
4 established under section 1623(d).

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

7 “(A) definition of interim emission mitiga-
8 tion targets coupled with specific mitigation ap-
9 proaches that cumulatively result in stabiliza-
10 tion of greenhouse gas concentrations;

11 “(B) a national commitment—

12 “(i) to double energy research and de-
13 velopment by the United States public and
14 private sectors; and

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

22 “(C) climate adaptation research that fo-
23 cuses on response actions necessary to adapt to
24 climate change that may have occurred or may

1 occur under any future climate change scenario;
2 and

3 “(D) research that focuses on resolving the
4 remaining scientific, technical, and economic
5 uncertainties associated with climate change to
6 the extent that those uncertainties bear on
7 strategies to achieve the long-term goal of sta-
8 bilization of greenhouse gas concentrations.

9 “(9) QUALIFIED INDIVIDUAL.—

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

16 “(B) FIELDS OF KNOWLEDGE.—The fields
17 of knowledge referred to in subparagraph (A)
18 are—

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

21 “(ii) energy and environmental eco-
22 nomics;

23 “(iii) technology transfer and diffu-
24 sion;

1 “(iv) the social dimensions of climate
2 change;

3 “(v) climate change adaptation strate-
4 gies;

5 “(vi) fossil, nuclear, and renewable en-
6 ergy technology;

7 “(vii) energy efficiency and energy
8 conservation;

9 “(viii) energy systems integration;

10 “(ix) engineered and terrestrial car-
11 bon sequestration;

12 “(x) transportation, industrial, and
13 building sector concerns;

14 “(xi) regulatory and market-based
15 mechanisms for addressing climate change;

16 “(xii) risk and decision analysis;

17 “(xiii) strategic planning; and

18 “(xiv) the international implications of
19 climate change response strategies.

20 “(10) REVIEW BOARD.—The term ‘Review
21 Board’ means the United States Climate Change
22 Response Strategy Review Board established by sec-
23 tion 1626.

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

1 “(3) be developed on the basis of an examina-
2 tion of a broad range of emission reduction targets
3 and implementation dates (including those con-
4 templated by the United Nations Framework Con-
5 vention on Climate Change, done at New York on
6 May 9, 1992) that culminate in the stabilization of
7 greenhouse gas concentrations;

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

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

14 “(6) be consistent with the goals of energy,
15 transportation, industrial, agricultural, forestry, en-
16 vironmental, and other relevant policies of the
17 United States;

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

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

1 “(A) a variety of cost-effective Federal and
2 State policies, programs, standards, and incen-
3 tives;

4 “(B) policies that integrate and promote
5 innovative, market-based solutions in the
6 United States and in foreign countries; and

7 “(C) participation in other international
8 institutions, or in the support of international
9 activities, that are established or conducted to
10 facilitate stabilization of greenhouse gas con-
11 centrations;

12 “(9) in the final recommendations of the Strat-
13 egy, emphasize response strategies that achieve the
14 long-term goal and provide specific recommendations
15 concerning—

16 “(A) measures determined to be appro-
17 priate for short-term implementation, giving
18 preference to cost-effective and technologically
19 feasible measures that will—

20 “(i) produce measurable net reduc-
21 tions in United States emissions that lead
22 toward achievement of the long-term goal;
23 and

1 “(ii) minimize any adverse short-term
2 and long-term economic and social impacts
3 on the United States;

4 “(B) the development of technologies that
5 have the potential for long-term
6 implementation—

7 “(i) giving preference to technologies
8 that have the potential to reduce signifi-
9 cantly the overall cost of stabilization of
10 greenhouse gas concentrations; and

11 “(ii) considering a full range of energy
12 sources, energy conversion and use tech-
13 nologies, and efficiency options;

14 “(C) such changes in institutional and
15 technology systems as are necessary to adapt to
16 climate change in the short term and the long
17 term;

18 “(D) such review, modification, and en-
19 hancement of the scientific, technical, and eco-
20 nomic research efforts of the United States,
21 and improvements to the data resulting from
22 research, as are appropriate to improve the ac-
23 curacy of predictions concerning climate change
24 and the economic and social costs and opportu-
25 nities relating to climate change; and

1 “(E) changes that should be made to
2 project and grant evaluation criteria under
3 other Federal research and development pro-
4 grams so that those criteria do not inhibit de-
5 velopment of climate-friendly technologies;

6 “(10) be developed in a manner that provides
7 for meaningful participation by, and consultation
8 among, Federal, State, tribal, and local government
9 agencies, nongovernmental organizations, academia,
10 scientific bodies, industry, the public, and other in-
11 terested parties in accordance with subsections
12 (b)(4)(C)(iv)(II) and (d)(3)(B)(iii) of section 1623;

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

16 “(12) promote, to the maximum extent prac-
17 ticable, public awareness, outreach, and information-
18 sharing to further the understanding of the full
19 range of climate change-related issues;

20 “(13) include recommendations for legislative
21 and administrative actions necessary to implement
22 the Strategy;

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

1 “(15) recommend which Federal agencies are,
2 or should be, responsible for the various aspects of
3 implementation of the Strategy and any budgetary
4 implications;

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

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

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

13 “(c) UPDATING.—Not later than 2 years after the
14 date of submission of the Strategy to Congress under sub-
15 section (b), and at the end of each 2-year period there-
16 after, the President shall submit to Congress an updated
17 version of the Strategy.

18 “(d) PROGRESS REPORTS.—Not later than 1 year
19 after the date of submission of the Strategy to Congress
20 under subsection (b), and at the end of each 1-year period
21 thereafter, the President shall submit to Congress a report
22 that—

23 “(1) describes the progress on implementation
24 of the Strategy; and

1 “(2) provides recommendations for improve-
2 ment of the Strategy and the implementation of the
3 Strategy.

4 “(e) ALIGNMENT WITH ENERGY, TRANSPORTATION,
5 INDUSTRIAL, AGRICULTURAL, FORESTRY, AND OTHER
6 POLICIES.—The President, the Director of the White
7 House Office, the Secretary, and the other members of
8 the Interagency Task Force shall work together to align
9 the actions carried out under the Strategy and actions as-
10 sociated with the energy, transportation, industrial, agri-
11 cultural, forestry, and other relevant policies of the United
12 States so that the objectives of both the Strategy and the
13 policies are met without compromising the climate change-
14 related goals of the Strategy or the goals of the policies.

15 “(f) NATIONAL LABORATORY CERTIFICATION.—

16 “(1) IN GENERAL.—The directors of the major
17 national laboratories of the Department specified in
18 paragraph (3) shall annually meet with the Presi-
19 dent and individually and simultaneously certify
20 whether the energy technology research and develop-
21 ment programs of the United States collectively are
22 technically and financially on a trajectory that is
23 consistent with—

24 “(A) the directions and progress outlined
25 in the Strategy; and

1 “(B) the long-term goal of stabilization of
2 greenhouse gas concentrations.

3 “(2) EFFECT OF NEGATIVE CERTIFICATION.—If
4 the certification described in paragraph (1) is in the
5 negative, the directors shall submit to the President
6 a report that—

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

9 “(B) describes corrective actions that must
10 be taken so that the certification can be made
11 in the affirmative.

12 “(3) DIRECTORS OF MAJOR NATIONAL LABORA-
13 TORIES AFFILIATED WITH SCIENCE AND ENERGY
14 PROGRAMS.—The directors of the national labora-
15 tories that shall participate in the certification under
16 this subsection are the director of each of—

17 “(A) the Argonne National Laboratory;

18 “(B) the Lawrence Berkeley National Lab-
19 oratory;

20 “(C) the National Energy Technology Lab-
21 oratory;

22 “(D) the National Renewable Energy Lab-
23 oratory;

24 “(E) the Oak Ridge National Laboratory;
25 and

1 “(F) the Pacific Northwest National Lab-
2 oratory.

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

7 **“SEC. 1623. NATIONAL OFFICE OF CLIMATE CHANGE RE-**
8 **SPONSE OF THE EXECUTIVE OFFICE OF THE**
9 **PRESIDENT.**

10 “(a) ESTABLISHMENT.—

11 “(1) IN GENERAL.—There is established, within
12 the Executive Office of the President, the National
13 Office of Climate Change Response.

14 “(2) FOCUS.—The White House Office shall
15 have the focus of achieving the long-term goal of
16 stabilization of greenhouse gas concentrations while
17 minimizing adverse short-term and long-term eco-
18 nomic and social impacts.

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

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

23 “(B) in accordance with subsection (d), es-
24 tablish the Interagency Task Force to serve as
25 the primary mechanism through which the

1 heads of Federal agencies shall assist the Direc-
2 tor of the White House Office in developing and
3 implementing the Strategy;

4 “(C) to the maximum extent practicable,
5 ensure that the Strategy is based on objective,
6 quantitative analysis, drawing on the analytical
7 capabilities of Federal and State agencies, espe-
8 cially the Center;

9 “(D) advise the President concerning nec-
10 essary changes in organization, management,
11 budgeting, and personnel allocation of Federal
12 agencies involved in climate change response ac-
13 tivities; and

14 “(E) notify a Federal agency if the policies
15 and discretionary programs of the agency are
16 not well aligned with, or are not contributing
17 effectively to, the long-term goal of stabilization
18 of greenhouse gas concentrations.

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

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

23 “(2) APPOINTMENT.—The Director of the
24 White House Office shall be a qualified individual

1 appointed by the President, by and with the advice
2 and consent of the Senate.

3 “(3) TERM; VACANCIES.—

4 “(A) TERM.—The Director of the White
5 House Office shall be appointed for a term of
6 4 years.

7 “(B) VACANCIES.—A vacancy in the posi-
8 tion of Director of the White House Office shall
9 be filled in the same manner as the original ap-
10 pointment was made.

11 “(4) DUTIES OF THE DIRECTOR OF THE WHITE
12 HOUSE OFFICE.—

13 “(A) STRATEGY.—In accordance with sec-
14 tion 1622, the Director of the White House Of-
15 fice shall coordinate the development and up-
16 dating of the Strategy.

17 “(B) INTERAGENCY TASK FORCE.—The
18 Director of the White House Office shall serve
19 as Chairperson of the Interagency Task Force.

20 “(C) ADVISORY DUTIES.—

21 “(i) CLIMATE, ENERGY, TRANSPOR-
22 TATION, INDUSTRIAL, AGRICULTURAL,
23 BUILDING, FORESTRY, AND OTHER PRO-
24 GRAMS.—The Director of the White House
25 Office, using an integrated perspective con-

1 sidering the totality of actions in the
2 United States, shall advise the President
3 and the heads of Federal agencies on—

4 “(I) the extent to which United
5 States energy, transportation, indus-
6 trial, agricultural, forestry, building,
7 and other relevant programs are capa-
8 ble of producing progress on the long-
9 term goal of stabilization of green-
10 house gas concentrations; and

11 “(II) the extent to which pro-
12 posed or newly created energy, trans-
13 portation, industrial, agricultural, for-
14 estry, building, and other relevant
15 programs positively or negatively af-
16 fect the ability of the United States to
17 achieve the long-term goal of stabiliza-
18 tion of greenhouse gas concentrations.

19 “(ii) TAX, TRADE, AND FOREIGN
20 POLICIES.—The Director of the White
21 House Office, using an integrated perspec-
22 tive considering the totality of actions in
23 the United States, shall advise the Presi-
24 dent and the heads of Federal agencies
25 on—

1 “(I) the extent to which the
2 United States tax policy, trade policy,
3 and foreign policy are capable of pro-
4 ducing progress on the long-term goal
5 of stabilization of greenhouse gas con-
6 centrations; and

7 “(II) the extent to which pro-
8 posed or newly created tax policy,
9 trade policy, and foreign policy posi-
10 tively or negatively affect the ability of
11 the United States to achieve the long-
12 term goal of stabilization of green-
13 house gas concentrations.

14 “(iii) INTERNATIONAL TREATIES.—
15 The Secretary of State, acting in conjunc-
16 tion with the Interagency Task Force and
17 using the analytical tools available to the
18 White House Office, shall provide to the
19 Director of the White House Office an
20 opinion that—

21 “(I) specifies the economic and
22 environmental costs and benefits of
23 any proposed international treaties or
24 components of treaties that have an

1 influence on greenhouse gas manage-
2 ment; and

3 “(II) assesses the extent to which
4 the treaties advance the long-term
5 goal of stabilization of greenhouse gas
6 concentrations, while minimizing ad-
7 verse short-term and long-term eco-
8 nomic and social impacts and consid-
9 ering other impacts.

10 “(iv) CONSULTATION.—

11 “(I) WITH MEMBERS OF INTER-
12 AGENCY TASK FORCE.—To the extent
13 practicable and appropriate, the Di-
14 rector of the White House Office shall
15 consult with all members of the Inter-
16 agency Task Force and other inter-
17 ested parties before providing advice
18 to the President.

19 “(II) WITH OTHER INTERESTED
20 PARTIES.—The Director of the White
21 House Office shall establish a process
22 for obtaining the meaningful partici-
23 pation of Federal, State, tribal, and
24 local government agencies, nongovern-
25 mental organizations, academia, sci-

1 entific bodies, industry, the public,
2 and other interested parties in the
3 formulation of advice to be provided
4 to the President.

5 “(D) PUBLIC EDUCATION, AWARENESS,
6 OUTREACH, AND INFORMATION-SHARING.—The
7 Director of the White House Office, to the max-
8 imum extent practicable, shall promote public
9 awareness, outreach, and information-sharing
10 to further the understanding of the full range
11 of climate change-related issues.

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

17 “(A) assesses progress in implementation
18 of the Strategy;

19 “(B) assesses progress, in the United
20 States and in foreign countries, toward the
21 long-term goal of stabilization of greenhouse
22 gas concentrations;

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

1 “(D) makes recommendations for actions
2 by the Federal Government designed to close
3 any gap between progress-to-date and the meas-
4 ures that are necessary to achieve the long-term
5 goal of stabilization of greenhouse gas con-
6 centrations; and

7 “(E) addresses the totality of actions in
8 the United States that relate to the 4 key ele-
9 ments.

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

18 “(c) STAFF.—

19 “(1) IN GENERAL.—The Director of the White
20 House Office shall employ a professional staff of not
21 more than 25 individuals to carry out the duties of
22 the White House Office.

23 “(2) INTERGOVERNMENTAL PERSONNEL AND
24 FELLOWSHIPS.—The Director of the White House
25 Office may use the authority provided by the Inter-

1 governmental Personnel Act of 1970 (42 U.S.C.
2 4701 et seq.) and subchapter VI of chapter 33 of
3 title 5, United States Code, and fellowships, to ob-
4 tain staff from academia, scientific bodies, private
5 industry, nongovernmental organizations, other De-
6 partment programs, other Federal agencies, and na-
7 tional laboratories, for appointments of a limited
8 term.

9 “(d) INTERAGENCY TASK FORCE.—

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

13 “(2) COMPOSITION.—The Interagency Task
14 Force shall be composed of—

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

17 “(B) the Secretary of State;

18 “(C) the Secretary;

19 “(D) the Secretary of Commerce;

20 “(E) the Secretary of the Treasury;

21 “(F) the Secretary of Transportation;

22 “(G) the Secretary of Agriculture;

23 “(H) the Administrator of the Environ-
24 mental Protection Agency;

1 “(I) the Administrator of the Agency for
2 International Development;

3 “(J) the United States Trade Representa-
4 tive;

5 “(K) the National Security Advisor;

6 “(L) the Director of the National Eco-
7 nomic Council;

8 “(M) the Chairman of the Council on En-
9 vironmental Quality;

10 “(N) the Director of the Office of Science
11 and Technology Policy;

12 “(O) the Chairperson of the Subcommittee
13 on Global Change Research (which performs
14 the functions of the Committee on Earth and
15 Environmental Sciences established by section
16 102 of the Global Change Research Act of 1990
17 (15 U.S.C. 2932)); and

18 “(P) the heads of such other Federal agen-
19 cies as the Chairperson determines should be
20 members of the Interagency Task Force.

21 “(3) STRATEGY.—

22 “(A) IN GENERAL.—The Interagency Task
23 Force shall serve as the primary forum through
24 which the Federal agencies represented on the
25 Interagency Task Force jointly—

1 “(i) assist the Director of the White
2 House Office in developing and updating
3 the Strategy; and

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

7 “(B) REQUIRED ELEMENTS.—In carrying
8 out subparagraph (A), the Interagency Task
9 Force shall—

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

13 “(ii) give full consideration to the
14 facts and opinions presented by the mem-
15 bers of the Interagency Task Force;

16 “(iii) consult with State, tribal, and
17 local government agencies, nongovern-
18 mental organizations, academia, scientific
19 bodies, industry, the public, and other in-
20 terested parties; and

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

24 “(4) WORKING GROUPS.—The Chairperson of
25 the Interagency Task Force may establish such top-

1 ical working groups as are necessary to carry out
2 the duties of the Interagency Task Force.

3 “(e) PROVISION OF SUPPORT STAFF.—In accordance
4 with procedures established by the Chairperson of the
5 Interagency Task Force, the Federal agencies represented
6 on the Interagency Task Force shall provide staff from
7 the agencies to support information, data collection, and
8 analyses required by the Interagency Task Force.

9 “(f) HEARINGS.—On request of the Chairperson, the
10 Interagency Task Force may hold such hearings, meet and
11 act at such times and places, take such testimony, and
12 receive such evidence as the Interagency Task Force con-
13 siderers to be appropriate.

14 **“SEC. 1624. TECHNOLOGY INNOVATION PROGRAM IMPLE-**
15 **MENTED THROUGH THE OFFICE OF CARBON**
16 **MANAGEMENT OF THE DEPARTMENT OF EN-**
17 **ERGY AND THE CENTER FOR STRATEGIC CLI-**
18 **MATE CHANGE RESPONSE.**

19 “(a) ESTABLISHMENT OF OFFICE OF CARBON MAN-
20 AGEMENT OF THE DEPARTMENT OF ENERGY.—

21 “(1) IN GENERAL.—There is established, within
22 the Department, the Office of Carbon Management.

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

1 “(A) manage an energy technology re-
2 search and development program that directly
3 supports the Strategy by—

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

6 “(I) are critical to the long-term
7 stabilization of greenhouse gas con-
8 centrations;

9 “(II) are not significantly ad-
10 dressed by other Federal programs;
11 and

12 “(III) move technology substan-
13 tially beyond the state of usual inno-
14 vation;

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

1 “(iii) forging international research
2 and development partnerships that are in
3 the interests of the United States and
4 make progress on stabilization of green-
5 house gas concentrations;

6 “(iv) making available, through moni-
7 toring, experimentation, and analysis, data
8 that are essential to proving the technical
9 and economic viability of technology cen-
10 tral to addressing climate change; and

11 “(v) transitioning research and devel-
12 opment programs to other program offices
13 of the Department once such a research
14 and development program crosses the
15 threshold of high-risk research and moves
16 into the realm of more conventional tech-
17 nology development;

18 “(B) in accordance with subsection
19 (b)(5)(C), prepare a 10-year program plan for
20 the activities of the Department Office and up-
21 date the plan biennially;

22 “(C) prepare annual reports in accordance
23 with subsection (b)(6);

1 “(D) identify the total contribution of all
2 Department programs to climate change re-
3 sponse;

4 “(E) provide substantial analytical support
5 to the White House Office, particularly support
6 in the development of the Strategy and associ-
7 ated progress reporting; and

8 “(F) advise the Secretary on climate
9 change-related issues, including necessary
10 changes in Department organization, manage-
11 ment, budgeting, and personnel allocation in the
12 programs involved in climate change response-
13 related activities.

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

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

18 “(2) APPOINTMENT.—The Director of the De-
19 partment Office shall be an employee of the Federal
20 Government who is a qualified individual appointed
21 by the President.

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

24 “(4) VACANCIES.—A vacancy in the position of
25 the Director of the Department Office shall be filled

1 in the same manner as the original appointment was
2 made.

3 “(5) DUTIES OF THE DIRECTOR OF THE DE-
4 PARTMENT OFFICE.—

5 “(A) STRATEGY.—The Director of the De-
6 partment Office shall support development of
7 the Strategy through the provision of staff and
8 analytical support.

9 “(B) INTERAGENCY TASK FORCE.—
10 Through active participation in the Interagency
11 Task Force, the Director of the Department
12 Office shall—

13 “(i) based on the analytical capabili-
14 ties of the Department Office and the Cen-
15 ter, share analyses of alternative climate
16 change response strategies with other
17 members of the Interagency Task Force to
18 assist all members in understanding—

19 “(I) the scale of the climate
20 change response challenge; and

21 “(II) how the actions of the Fed-
22 eral agencies of the members posi-
23 tively or negatively contribute to cli-
24 mate change solutions; and

1 “(ii) determine how the energy tech-
2 nology research and development program
3 described in subsection (a)(2)(A) can be
4 designed for maximum impact on the long-
5 term goal of stabilization of greenhouse
6 gas concentrations.

7 “(C) 10-YEAR PROGRAM PLAN.—

8 “(i) IN GENERAL.—Not later than 1
9 year after the date of enactment of this
10 subtitle, the Director of the Department
11 Office shall prepare a 10-year program
12 plan.

13 “(ii) REQUIRED ELEMENTS.—The
14 plan shall—

15 “(I) consider all elements of the
16 Strategy that relate to technology re-
17 search and development;

18 “(II) become an integral compo-
19 nent of the Strategy;

20 “(III) focus the activities of the
21 Department Office on gaps identified
22 by the Strategy;

23 “(IV) emphasize the funding of
24 activities that meet the goals de-

1 scribed in clauses (i) through (iv) of
2 subsection (a)(2)(A);

3 “(V) identify creative and innova-
4 tive approaches for building partner-
5 ships and managing research and de-
6 velopment that have the potential to
7 result in significant advances of tech-
8 nologies and other innovative actions;
9 and

10 “(VI) place a high level of em-
11 phasis on bold, breakthrough research
12 and development programs that can—

13 “(aa) be created with the in-
14 volvement of 1 or more Federal
15 research and development pro-
16 grams; and

17 “(bb) upon reaching a suffi-
18 cient level of technological matu-
19 rity, be transitioned to other pro-
20 gram offices of the Department
21 without loss of the creative man-
22 agement approaches and partner-
23 ships of the innovative research
24 and development programs.

1 “(iii) SUBMISSION OF PLAN.—The
2 Secretary shall submit the 10-year pro-
3 gram plan to Congress and the Director of
4 the White House Office.

5 “(iv) UPDATING.—

6 “(I) IN GENERAL.—The Director
7 of the Department Office shall update
8 the 10-year program plan biennially.

9 “(II) SUBMISSION.—The Sec-
10 retary shall submit each updated 10-
11 year program plan to Congress and
12 the Director of the White House Of-
13 fice.

14 “(D) CENTER.—

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

18 “(ii) DELEGATION OF DEPARTMENT
19 OFFICE FUNCTIONS.—The Director of the
20 Department Office may choose to delegate
21 selected program management and re-
22 search and development functions of the
23 Department Office to the Center.

24 “(iii) FOCUS.—

1 “(I) IN GENERAL.—Funds for
2 the Center should be used to build a
3 Center with focused capability that
4 has a limited number of focused off-
5 site locations.

6 “(II) INVOLVEMENT OF ORGANI-
7 ZATIONS.—Notwithstanding subclause
8 (I), the Director of the Department
9 Office may involve any number of or-
10 ganizations in the operation of the
11 Center.

12 “(iv) TOOLS, DATA, AND CAPABILI-
13 TIES.—The Director of the Department
14 Office shall foster the development of tools,
15 data, and capabilities at the Center to en-
16 sure that—

17 “(I) the United States has a ro-
18 bust capability for evaluating alter-
19 native climate change response sce-
20 narios; and

21 “(II) the Center provides long-
22 term analytical continuity during the
23 terms of service of successive Presi-
24 dents.

1 “(E) ADVISORY DUTIES.—The Director of
2 the Department Office shall advise the Sec-
3 retary on all aspects of climate change re-
4 sponse.

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

9 “(A) assesses progress toward meeting the
10 goals of the energy technology research and de-
11 velopment program described in subsection
12 (a)(2)(A);

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

14 “(C) assesses the contributions of all en-
15 ergy technology research and development pro-
16 grams of the Department (including science
17 programs) to the long-term goal and other re-
18 quirements of the Strategy specified in section
19 1622(a); and

20 “(D) makes recommendations for actions
21 by the Department and other Federal agencies
22 to address the components of technology devel-
23 opment that are necessary to support the Strat-
24 egy.

1 “(7) ANALYSIS.—During development of the
2 Strategy, the 10-year program plan submitted under
3 paragraph (5)(C), annual reports submitted under
4 paragraph (6), and advice to the Secretary, the Di-
5 rector of the Department Office shall place signifi-
6 cant emphasis on the use of objective, quantitative
7 analysis, taking into consideration any associated
8 uncertainties.

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

12 “(d) INTERGOVERNMENTAL PERSONNEL AND FEL-
13 LOWSHIPS.—The Department Office may use the author-
14 ity provided by the Intergovernmental Personnel Act of
15 1970 (42 U.S.C. 4701 et seq.) and subchapter VI of chap-
16 ter 33 of title 5, United States Code, and fellowships, to
17 obtain staff from academia, scientific bodies, private in-
18 dustry, nongovernmental organizations, other Department
19 programs, other Federal agencies, and national labora-
20 tories, for appointments of a limited term.

21 “(e) CENTER FOR STRATEGIC CLIMATE CHANGE RE-
22 SPONSE.—

23 “(1) IN GENERAL.—

24 “(A) ESTABLISHMENT.—There is estab-
25 lished the Center for Strategic Climate Change

1 Response, which shall report to the Director of
2 the Department Office.

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

7 “(C) CENTER DIRECTOR.—The Center
8 shall be headed by a Director, who shall be se-
9 lected by the Director of the Department Of-
10 fice.

11 “(2) DUTIES.—

12 “(A) IN GENERAL.—

13 “(i) GOAL.—The Center shall foster
14 the development and application of ad-
15 vanced computational tools, data, and ca-
16 pabilities that support integrated assess-
17 ment of alternative climate change re-
18 sponse scenarios and implementation of
19 the Strategy.

20 “(ii) PARTICIPATION AND SUPPORT.—
21 The Center may include participation of,
22 and be supported by, each other Federal
23 agency that has a direct or indirect role in
24 the development, commercialization, or
25 transfer of energy, transportation, indus-

1 trial, agricultural, forestry, or other cli-
2 mate change-related technology.

3 “(B) PROGRAMS.—

4 “(i) IN GENERAL.—The Center
5 shall—

6 “(I) develop and maintain core
7 analytical competencies and complex,
8 integrated computational modeling ca-
9 pabilities that are necessary to sup-
10 port the design and implementation of
11 the Strategy;

12 “(II) track United States and
13 international progress toward the
14 long-term goal of stabilization of
15 greenhouse gas concentrations; and

16 “(III) in support of the Depart-
17 ment Office, support the management
18 and implementation of research and
19 development programs.

20 “(ii) INTERNATIONAL CARBON DIOX-
21 IDE SEQUESTRATION MONITORING AND
22 DATA PROGRAM.—In consultation with
23 Federal, State, academic, scientific, private
24 sector, nongovernmental, tribal, and inter-
25 national carbon capture and sequestration

1 technology programs, the Center shall de-
2 sign and carry out an international carbon
3 dioxide sequestration monitoring and data
4 program to collect, analyze, and make
5 available the technical and economic data
6 to ascertain—

7 “(I) whether engineered seques-
8 tration and terrestrial sequestration
9 will be acceptable technologies from
10 regulatory, economic, and inter-
11 national perspectives;

12 “(II) whether carbon dioxide se-
13 questered in geological formations or
14 ocean systems is stable and has incon-
15 sequential leakage rates on a geologic
16 time-scale; and

17 “(III) the extent to which forest,
18 agricultural, and other terrestrial sys-
19 tems are suitable carbon sinks.

20 “(C) AREAS OF EXPERTISE.—

21 “(i) IN GENERAL.—The Center shall
22 develop and maintain expertise in inte-
23 grated assessment, modeling, and related
24 capabilities necessary—

1 “(I) to understand the relation-
2 ship between natural, agricultural, in-
3 dustrial, energy, and economic sys-
4 tems;

5 “(II) to design effective research
6 and development programs; and

7 “(III) to develop and implement
8 the Strategy.

9 “(ii) TECHNOLOGY TRANSFER AND
10 DIFFUSION.—The expertise described in
11 clause (i) shall include knowledge of tech-
12 nology transfer and technology diffusion in
13 United States markets and foreign mar-
14 kets.

15 “(D) DISSEMINATION OF INFORMATION.—
16 The Center shall ensure, to the maximum ex-
17 tent practicable, that technical and scientific
18 knowledge relating to greenhouse gas emission
19 reduction, avoidance, and sequestration is
20 broadly disseminated through publications, fel-
21 lowships, and training programs.

22 “(E) ASSESSMENTS.—In a manner con-
23 sistent with the Strategy, the Center shall con-
24 duct assessments of deployment of climate-
25 friendly technology.

1 “(F) USE OF PRIVATE SECTOR FUND-
2 ING.—

3 “(i) IN GENERAL.—The Center shall
4 create an operating model that allows for
5 collaboration, division of effort, and cost
6 sharing with industry on individual climate
7 change response projects.

8 “(ii) REQUIREMENTS.—Although cost
9 sharing in some cases may be appropriate,
10 the Center shall focus on long-term high-
11 risk research and development and should
12 not make industrial partnerships or cost
13 sharing a requirement, if such a require-
14 ment would bias the activities of the Cen-
15 ter toward incremental innovations.

16 “(iii) REEVALUATION ON TRANSI-
17 TION.—At such time as any bold, break-
18 through research and development pro-
19 gram reaches a sufficient level of techno-
20 logical maturity such that the program is
21 transitioned to a program office of the De-
22 partment other than the Department Of-
23 fice, the cost-sharing requirements and cri-
24 teria applicable to the program should be
25 reevaluated.

1 “(iv) PUBLICATION IN FEDERAL REG-
2 ISTER.—Each cost-sharing agreement en-
3 tered into under this subparagraph shall be
4 published in the Federal Register.

5 “(G) INTERGOVERNMENTAL PERSONNEL
6 AND FELLOWSHIPS.—The Director of the Cen-
7 ter may use the authority provided by the Inter-
8 governmental Personnel Act of 1970 (42 U.S.C.
9 4701 et seq.) and subchapter VI of chapter 33
10 of title 5, United States Code, and fellowships,
11 to obtain staff from academia, scientific bodies,
12 private industry, nongovernmental organiza-
13 tions, other Department programs, other Fed-
14 eral agencies, and national laboratories, for ap-
15 pointments of a limited term.

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

17 “The Secretary of Agriculture, the Secretary of
18 Transportation, the Administrator of the Environmental
19 Protection Agency, and the heads of other Federal agen-
20 cies may establish such offices and carry out such activi-
21 ties, in addition to those established or authorized by this
22 subtitle, as are necessary to carry out this subtitle.

1 **“SEC. 1626. UNITED STATES CLIMATE CHANGE RESPONSE**
2 **STRATEGY REVIEW BOARD.**

3 “(a) ESTABLISHMENT.—There is established as an
4 independent establishment within the executive branch the
5 United States Climate Change Response Strategy Review
6 Board.

7 “(b) MEMBERSHIP.—

8 “(1) COMPOSITION.—The Review Board shall
9 consist of 11 members who shall be appointed, not
10 later than 90 days after the date of enactment of
11 this subtitle, by the President by and with the advice
12 and consent of the Senate, from among qualified in-
13 dividuals nominated by the National Academy of
14 Sciences in accordance with paragraph (2).

15 “(2) NOMINATIONS.—Not later than 60 days
16 after the date of enactment of this subtitle, after
17 taking into strong consideration the guidance and
18 recommendations of a broad range of scientific and
19 technical societies that have the capability of recom-
20 mending qualified individuals, the National Academy
21 of Sciences shall nominate for appointment to the
22 Review Board not fewer than 22 individuals who—

23 “(A) are—

24 “(i) qualified individuals; or

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

1 “(B) as a group represent broad, balanced
2 expertise.

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

6 “(4) TERMS; VACANCIES.—

7 “(A) TERMS.—

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

11 “(ii) INITIAL TERMS.—

12 “(I) COMMENCEMENT DATE.—
13 The term of each member initially ap-
14 pointed to the Review Board shall
15 commence 120 days after the date of
16 enactment of this subtitle.

17 “(II) TERMINATION DATE.—Of
18 the 11 members initially appointed to
19 the Review Board, 5 members shall be
20 appointed for a term of 2 years and 6
21 members shall be appointed for a
22 term of 4 years, to be designated by
23 the President at the time of appoint-
24 ment.

25 “(B) VACANCIES.—

1 “(i) IN GENERAL.—A vacancy on the
2 Review Board shall be filled in the manner
3 described in this subparagraph.

4 “(ii) NOMINATIONS BY THE NATIONAL
5 ACADEMY OF SCIENCES.—Not later than
6 60 days after the date on which a vacancy
7 commences, the National Academy of
8 Sciences shall—

9 “(I) after taking into strong con-
10 sideration the guidance and rec-
11 ommendations of a broad range of sci-
12 entific and technical societies that
13 have the capability of recommending
14 qualified individuals, nominate, from
15 among qualified individuals, not fewer
16 than 2 individuals to fill the vacancy;
17 and

18 “(II) submit the names of the
19 nominees to the President.

20 “(iii) SELECTION.—Not later than 30
21 days after the date on which the nomina-
22 tions under clause (ii) are submitted to the
23 President, the President shall select from
24 among the nominees an individual to fill
25 the vacancy.

1 “(iv) SENATE CONFIRMATION.—An
2 individual appointed to fill a vacancy on
3 the Review Board shall be appointed by
4 and with the advice and consent of the
5 Senate.

6 “(5) DISCLOSURE OF POTENTIAL CONFLICTS
7 OF INTEREST.—

8 “(A) EMPLOYMENT OF NOMINEES.—If a
9 nominee to the Review Board 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—

13 “(i) disclosed to the President by the
14 National Academy of Sciences at the time
15 of the nomination; and

16 “(ii) publicly disclosed by the nominee
17 as part of the Senate confirmation process
18 of the nominee.

19 “(B) EMPLOYMENT OF MEMBERS.—If,
20 during the period of service of a member on the
21 Review Board, the member 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 publicly disclosed by

1 the Chairperson of the Review Board on a semi-
2 annual basis.

3 “(C) FINANCIAL BENEFIT TO MEMBERS.—
4 If, during the period of service of a member on
5 the Review Board, the Review Board makes any
6 written recommendation that may financially
7 benefit a member or an entity that employs the
8 member, the fact of that financial benefit shall
9 be publicly disclosed by the Chairperson of the
10 Review Board at the time of the recommenda-
11 tion.

12 “(D) APPLICABILITY OF ETHICS IN GOV-
13 ERNMENT ACT OF 1978.—A member of the Re-
14 view Board shall be deemed to be an individual
15 subject to the Ethics in Government Act of
16 1978 (5 U.S.C. App.).

17 “(6) CHAIRPERSON; VICE CHAIRPERSON.—The
18 members of the Review Board shall select a Chair-
19 person and a Vice Chairperson of the Review Board
20 from among the members of the Review Board.

21 “(c) DUTIES.—

22 “(1) IN GENERAL.—Not later than 180 days
23 after the date of submission of the initial Strategy
24 under section 1622(b), each updated version of the
25 Strategy under section 1622(c), each progress report

1 under section 1622(d), and each national laboratory
2 certification under section 1622(f), the Review
3 Board shall submit to the President, Congress, and
4 the heads of Federal agencies as appropriate a re-
5 port assessing the adequacy of the Strategy, report,
6 or certification.

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

10 “(A) the adequacy of effort and the appro-
11 priateness of focus of the totality of all public,
12 private, and public-private sector actions of the
13 United States with respect to the 4 key ele-
14 ments;

15 “(B) the extent to which actions of the
16 United States, with respect to climate change,
17 complement or leverage international research
18 and other efforts designed to manage global
19 emissions of greenhouse gases, to further the
20 long-term goal of stabilization of greenhouse
21 gas concentrations;

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

24 “(D)(i) the effectiveness with which each
25 Federal agency is carrying out the responsibil-

1 ities of the Federal agency with respect to the
2 short-term and long-term greenhouse gas man-
3 agement goals; and

4 “(ii) the adequacy of the budget of each
5 such Federal agency to carry out those respon-
6 sibilities.

7 “(3) ADDITIONAL RECOMMENDATIONS.—

8 “(A) IN GENERAL.—Subject to subpara-
9 graph (B), the Review Board, at the request of
10 the President or Congress, may provide rec-
11 ommendations on additional climate change-re-
12 lated topics.

13 “(B) SECONDARY DUTY.—The provision of
14 recommendations under subparagraph (A) shall
15 be a secondary duty to the primary duty of the
16 Review Board of providing independent review
17 of the Strategy and the reports and certifi-
18 cations under paragraphs (1) and (2).

19 “(d) POWERS.—

20 “(1) HEARINGS.—

21 “(A) IN GENERAL.—On request of the
22 Chairperson or a majority of the members of
23 the Review Board, the Review Board may hold
24 such hearings, meet and act at such times and
25 places, take such testimony, and receive such

1 evidence as the Review Board considers to be
2 appropriate.

3 “(B) ADMINISTRATION OF OATHS.—Any
4 member of the Review Board may administer
5 an oath or affirmation to any witness that ap-
6 pears before the Review Board.

7 “(2) PRODUCTION OF DOCUMENTS.—

8 “(A) IN GENERAL.—On request of the
9 Chairperson or a majority of the members of
10 the Review Board, and subject to applicable
11 law, the Secretary or head of a Federal agency
12 represented on the Interagency Task Force, or
13 a contractor of such an agency, shall provide
14 the Review Board with such records, files, pa-
15 pers, data, and information as are necessary to
16 respond to any inquiry of the Review Board
17 under this subtitle.

18 “(B) INCLUSION OF WORK IN
19 PROGRESS.—Subject to applicable law, informa-
20 tion obtainable under subparagraph (A)—

21 “(i) shall not be limited to final work
22 products; but

23 “(ii) shall include draft work products
24 and documentation of work in progress.

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

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

12 “(f) TRAVEL EXPENSES.—A member of the Review
13 Board shall be allowed travel expenses, including per diem
14 in lieu of subsistence, at rates authorized for an employee
15 of an agency under subchapter I of chapter 57 of title
16 5, United States Code, while away from the home or reg-
17 ular place of business of the member in the performance
18 of the duties of the Review Board.

19 “(g) STAFF.—

20 “(1) IN GENERAL.—The Chairperson of the Re-
21 view Board may, without regard to the civil service
22 laws (including regulations), appoint and terminate
23 an executive director and such other additional per-
24 sonnel as are necessary to enable the Review Board
25 to perform the duties of the Review Board.

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

4 “(3) COMPENSATION.—

5 “(A) IN GENERAL.—Except as provided in
6 subparagraph (B), the Chairperson of the Re-
7 view Board may fix the compensation of the ex-
8 ecutive director and other personnel without re-
9 gard to the provisions of chapter 51 and sub-
10 chapter III of chapter 53 of title 5, United
11 States Code, relating to classification of posi-
12 tions and General Schedule pay rates.

13 “(B) MAXIMUM RATE OF PAY.—The rate
14 of pay for the executive director and other per-
15 sonnel shall not exceed the rate payable for
16 level V of the Executive Schedule under section
17 5316 of title 5, United States Code.

18 “(h) PROCUREMENT OF TEMPORARY AND INTERMIT-
19 TENT SERVICES.—The Chairperson of the Review Board
20 may procure temporary and intermittent services in ac-
21 cordance with section 3109(b) of title 5, United States
22 Code, at rates for individuals that do not exceed the daily
23 equivalent of the annual rate of basic pay prescribed for
24 level V of the Executive Schedule under section 5316 of
25 that title.

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

2 “(a) WHITE HOUSE OFFICE.—

3 “(1) USE OF AVAILABLE APPROPRIATIONS.—

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

10 “(2) AUTHORIZATION OF APPROPRIATIONS.—

11 There is authorized to be appropriated to the White
12 House Office to carry out the duties of the White
13 House Office under this subtitle \$5,000,000 for each
14 of fiscal years 2002 through 2011, to remain avail-
15 able through September 30, 2011.

16 “(b) DEPARTMENT OFFICE.—

17 “(1) USE OF AVAILABLE APPROPRIATIONS.—

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

24 “(2) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to the De-
26 partment Office to carry out the duties of the De-

1 partment Office under this subtitle \$4,000,000,000
2 for the period of fiscal years 2002 through 2011, to
3 remain available through September 30, 2011.

4 “(c) CENTER.—

5 “(1) USE OF AVAILABLE APPROPRIATIONS.—

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

12 “(2) AUTHORIZATION OF APPROPRIATIONS.—

13 There is authorized to be appropriated to the Center
14 to carry out the duties of the Center under this sub-
15 title \$75,000,000 for each of fiscal years 2002
16 through 2011, to remain available through Sep-
17 tember 30, 2011.

18 “(d) REVIEW BOARD.—

19 “(1) USE OF AVAILABLE APPROPRIATIONS.—

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

1 “(2) AUTHORIZATION OF APPROPRIATIONS.—

2 There is authorized to be appropriated to the Review
3 Board to carry out the duties of the Review Board
4 under this subtitle \$3,000,000 for each of fiscal
5 years 2002 through 2011, to remain available until
6 expended.

7 “(e) ADDITIONAL AMOUNTS.—Amounts authorized
8 to be appropriated under this section shall be in addition
9 to—

10 “(1) amounts made available to carry out the
11 United States Global Change Research Program
12 under the Global Change Research Act of 1990 (15
13 U.S.C. 2921 et seq.); and

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

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