



## Climate Change Statutes

### UNITED STATES FEDERAL LAWS

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*Current through the 2009 Legislative Session.*

#### **§ 7901. Definitions**

In this part:

(1) Carbon sequestration

The term "carbon sequestration" means the capture of carbon dioxide through terrestrial, geological, biological, or other means, which prevents the release of carbon dioxide into the atmosphere.

(2) Greenhouse gas

The term "greenhouse gas" means carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride.

(3) Greenhouse gas intensity

The term "greenhouse gas intensity" means the ratio of greenhouse gas emissions to economic output.

#### **§ 7902. Reduction of greenhouse gas intensity**

(a) Lead agency

(1) In general

The Department of State shall act as the lead agency for integrating into United States foreign policy the goal of reducing greenhouse gas intensity in developing countries.

(2) Reports

(A) Initial report

Not later than 180 days after August 8, 2005, the Secretary of State shall submit to the appropriate authorizing and appropriating committees of Congress an initial report, based on the most recent information available to the Secretary from reliable public sources, that identifies the 25 developing countries that are the largest greenhouse gas emitters, including for each country--

(i) an estimate of the quantity and types of energy used;

- (ii)** an estimate of the greenhouse gas intensity of the energy, manufacturing, agricultural, and transportation sectors;
- (iii)** a description the progress of any significant projects undertaken to reduce greenhouse gas intensity;
- (iv)** a description of the potential for undertaking projects to reduce greenhouse gas intensity;
- (v)** a description of any obstacles to the reduction of greenhouse gas intensity;  
and
- (vi)** a description of the best practices learned by the Agency for International Development from conducting previous pilot and demonstration projects to reduce greenhouse gas intensity.

(B) Update

Not later than 18 months after the date on which the initial report is submitted under subparagraph (A), the Secretary shall submit to the appropriate authorizing and appropriating committees of Congress, based on the best information available to the Secretary, an update of the information provided in the initial report.

(C) Use

(i) Initial report

The Secretary of State shall use the initial report submitted under subparagraph (A) to establish baselines for the developing countries identified in the report with respect to the information provided under clauses (i) and (ii) of that subparagraph.

(ii) Annual reports

The Secretary of State shall use the annual reports prepared under subparagraph (B) and any other information available to the Secretary to track the progress of the developing countries with respect to reducing greenhouse gas intensity.

(b) Projects

The Secretary of State, in coordination with Administrator of the United States Agency for International Development, shall (directly or through agreements with the World Bank, the International Monetary Fund, the Overseas Private Investment Corporation, and other development institutions) provide assistance to developing countries specifically for projects to reduce greenhouse gas intensity, including projects to--

- (1)** leverage, through bilateral agreements, funds for reduction of greenhouse gas intensity;
- (2)** increase private investment in projects and activities to reduce greenhouse gas intensity;  
and
- (3)** expedite the deployment of technology to reduce greenhouse gas intensity.

(c) Focus

In providing assistance under subsection (b) of this section, the Secretary of State shall focus on--

- (1) promoting the rule of law, property rights, contract protection, and economic freedom; and
- (2) increasing capacity, infrastructure, and training.

(d) Priority

In providing assistance under subsection (b) of this section, the Secretary of State shall give priority to projects in the 25 developing countries identified in the report submitted under subsection (a)(2)(A) of this section.

**§ 7903. Technology inventory for developing countries**

(a) In general

The Secretary of Energy, in coordination with the Secretary of State and the Secretary of Commerce, shall conduct an inventory of greenhouse gas intensity reducing technologies that are developed, or under development in the United States, to identify technologies that are suitable for transfer to, deployment in, and commercialization in the developing countries identified in the report submitted under section 7902(a)(2)(A) of this title.

(b) Report

Not later than 180 days after the completion of the inventory under subsection (a) of this section, the Secretary of State and the Secretary of Energy shall jointly submit to Congress a report that--

- (1) includes the results of the completed inventory;
- (2) identifies obstacles to the transfer, deployment, and commercialization of the inventoried technologies;
- (3) includes results from previous Federal reports related to the inventoried technologies; and
- (4) includes an analysis of market forces related to the inventoried technologies.

**§ 7904. Trade-related barriers to export of greenhouse gas intensity reducing technologies**

(a) In general

Not later than 1 year after August 8, 2005, the United States Trade Representative shall (as appropriate and consistent with applicable bilateral, regional, and mutual trade agreements)--

- (1) identify trade-relations barriers maintained by foreign countries to the export of greenhouse gas intensity reducing technologies and practices from the United States to the developing countries identified in the report submitted under section 7902(a)(2)(A) of this title; and
- (2) negotiate with foreign countries for the removal of those barriers.

(b) Annual report

Not later than 1 year after the date on which a report is submitted under subsection (a)(1) of this section and annually thereafter, the United States Trade Representative shall submit to Congress a report that describes any progress made with respect to removing the barriers identified by the United States Trade Representative under subsection (a)(1) of this section.

**§ 7905. Greenhouse Gas Intensity Reducing Technology Export Initiative**

(a) In general

There is established an interagency working group to carry out a Greenhouse Gas Intensity Reducing Technology Export Initiative to--

- (1)** promote the export of greenhouse gas intensity reducing technologies and practices from the United States;
- (2)** identify developing countries that should be designated as priority countries for the purpose of exporting greenhouse gas intensity reducing technologies and practices, based on the report submitted under section 7902(a)(2)(A) of this title;
- (3)** identify potential barriers to adoption of exported greenhouse gas intensity reducing technologies and practices based on the reports submitted under section 7904 of this title; and
- (4)** identify previous efforts to export energy technologies to learn best practices.

(b) Composition

The working group shall be composed of--

- (1)** the Secretary of State, who shall act as the head of the working group;
- (2)** the Administrator of the United States Agency for International Development;
- (3)** the United States Trade Representative;
- (4)** a designee of the Secretary of Energy;
- (5)** a designee of the Secretary of Commerce; and
- (6)** a designee of the Administrator of the Environmental Protection Agency.

(c) Performance reviews and reports

Not later than 180 days after August 8, 2005 and each year thereafter, the interagency working group shall--

**(1)** conduct a performance review of actions taken and results achieved by the Federal Government (including each of the agencies represented on the interagency working group) to promote the export of greenhouse gas intensity reducing technologies and practices from the United States; and

**(2)** submit to the appropriate authorizing and appropriating committees of Congress a report that describes the results of the performance reviews and evaluates progress in promoting the export of greenhouse gas intensity reducing technologies and practices from the United States, including any recommendations for increasing the export of the technologies and practices.

## **§ 7906. Technology demonstration projects**

### (a) In general

The Secretary of State, in coordination with the Secretary of Energy and the Administrator of the United States Agency for International Development, shall promote the adoption of technologies and practices that reduce greenhouse gas intensity in developing countries in accordance with this section.

### (b) Demonstration projects

#### (1) In general

The Secretaries and the Administrator shall plan, coordinate, and carry out, or provide assistance for the planning, coordination, or carrying out of, demonstration projects under this section in at least 10 eligible countries, as determined by the Secretaries and the Administrator.

#### (2) Eligibility

A country shall be eligible for assistance under this subsection if the Secretaries and the Administrator determine that the country has demonstrated a commitment to--

##### **(A)** just governance, including--

- (i)** promoting the rule of law;
- (ii)** respecting human and civil rights;
- (iii)** protecting private property rights; and
- (iv)** combating corruption; and

##### **(B)** economic freedom, including economic policies that--

- (i)** encourage citizens and firms to participate in global trade and international capital markets;
- (ii)** promote private sector growth and the sustainable management of natural resources; and
- (iii)** strengthen market forces in the economy.

#### (3) Selection

In determining which eligible countries to provide assistance to under paragraph (1), the Secretaries and the Administrator shall consider--

- (A) the opportunity to reduce greenhouse gas intensity in the eligible country; and
- (B) the opportunity to generate economic growth in the eligible country.

(4) Types of projects

Demonstration projects under this section may include--

- (A) coal gasification, coal liquefaction, and clean coal projects;
- (B) carbon sequestration projects;
- (C) cogeneration technology initiatives;
- (D) renewable projects; and
- (E) lower emission transportation.

#### **§ 7907. Fellowship and exchange programs**

The Secretary of State, in coordination with the Secretary of Energy, the Secretary of Commerce, and the Administrator of the Environmental Protection Agency, shall carry out fellowship and exchange programs under which officials from developing countries visit the United States to acquire expertise and knowledge of best practices to reduce greenhouse gas intensity in their countries.

#### **§ 7908. Authorization of appropriations**

There are authorized to be appropriated such sums as are necessary to carry out this chapter.