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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAR 1 1988

THE ADMINISTRATOR

MEMORANDUM TO NANCY J. RISQUE  
ASSISTANT TO THE PRESIDENT  
AND CABINET SECRETARY

SUBJECT: Interagency Panel on Global Climate Change

INTRODUCTION

The Global Climate Protection Act, enacted by Congress and signed by President Reagan on December 22, 1987, states that the President, through the Environmental Protection Agency, shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change. The Clean Air Act states that the EPA will be responsible for coordinating the assessment of stratospheric ozone depletion and developing proposals for action as may be required. The purpose of this memorandum is to inform you of the establishment of an Interagency panel, chaired by the Administrator of the Environmental Protection Agency, to ensure full coordination of the development of scientific information and policy options among interested federal agencies for both of these interrelated issues. This will facilitate implementation of the Climate Protection Act and the Clean Air Act and provide a vehicle for developing a consensus on the key science and policy issues in this area.

The potential for climate change is of concern because measured atmospheric concentrations of carbon dioxide and other "trace gases" (e.g., chlorofluorocarbons and methane) have been steadily increasing. These gases trap heat within the atmosphere and are reaching levels that may result in serious climate change over the next few decades.

The Climate Protection Act calls for the development of a U.S. policy whose goals are to increase worldwide understanding of the greenhouse effect, foster international cooperation in scientific research, and to identify ways to limit the adverse effects of climate change. The Montreal Protocol, entered into last September, calls for periodic reviews of the science of ozone

depletion, and the technology and economics of policy alternatives, followed by formal meetings of the parties to decide if further or different steps to protect the ozone layer are required.

Both of these Acts also state that the Secretary of State shall be responsible for coordinating those aspects of U.S. policy requiring active international participation. The Climate Protection Act also requires the Administrator of EPA and the Secretary of State to jointly submit a report within 24 months which shall include:

- ° A summary analysis of current international scientific understanding of the greenhouse effect, including its environmental and health impacts;
- ° An assessment of United States efforts to gain international cooperation in limiting global climate change; and
- ° A description of the strategy by which the United States intends to seek further international cooperation to limit global climate.

#### Establishment of an Interagency Committee

Implementation of the Climate Protection Act and continued implementation of the ozone depletion requirements of the Clean Air Act will require close coordination among all Agencies with an interest in this issue. To ensure that necessary research and impact studies proceed together, and that appropriate research and policy development and coordination precede regulatory or legislative action, and that domestic and international activities be fully coordinated, I am establishing an Interagency Committee on Global Climate Protection (ICGCP) chaired by the Administrator of EPA and composed of Department heads (or their representatives) with an interest in global climate issues.

Membership of the committee would include: EPA, DOS, DOE, CEQ, DOI, DOA, NOAA, NASA, and NSF. Other agencies as appropriate may be appointed to the Committee by the Chairman.

#### Functions of the Committee

The functions of the Committee would be to:

- ° Ensure that policy-relevant research relating to the issue of global climate changes is conducted by the federal

government. This will include overseeing the development and implementation of an integrated plan of research. This research should satisfy the needs of policy makers who must evaluate the potential impacts of climate change and potential response strategies; policy issues requiring decisions by the President will be forwarded to the Domestic Policy Council;

- ° Continue to ensure a coordinated U.S. policy on the issue of stratospheric ozone depletion in accordance with the stipulations of the Montreal Protocol. This shall include overseeing the development and implementation of an integrated plan of research to support U.S. implementation of the Protocol.
- ° Oversee the preparation and interagency coordination of a report within 24 months for Congress on the current international scientific understanding of the greenhouse effect and other topics identified in the Global Climate Protection Act;
- ° Oversee the assessment of the United States efforts to gain international cooperation in limiting global climate change and develop a strategy to seek international cooperation to limit global climate change; a subgroup of the committee chaired by the Department of State would facilitate this effort, as well as the overall interface of domestic and international aspects of these issues.

#### Modus Operandi of the Committee

The Committee's first meeting will take place in April/May, 1988.


The Committee's modus operandi will be guided by the following:

- ° Membership shall include any Agency with a responsibility directly related to the issues of global climate change or stratospheric ozone depletion.
- ° The Committee will establish a subgroup, chaired by the Department of State, to coordinate international cooperation on these issues;
- ° On issues of science, the Committee will coordinate with the Committee on Earth Sciences of the Federal Coordinating Council on Science and Engineering Technology;



- ° On issues of policy development and response strategies, the Committee will coordinate with the Domestic Policy Council; and
- ° The Committee will coordinate with the National Climate Program Board and the National Climate Program Office established by the National Climate Program Act.

If you have any questions or require further information, please don't hesitate to contact me.



Lee M. Thomas

#### Attachments

1. Global Climate Protection Act
2. Clean Air Act §151-159
3. National Climate Program Act

**TITLE XI—GLOBAL CLIMATE PROTECTION****SEC. 1101. SHORT TITLE.**

This title may be cited as the "Global Climate Protection Act of 1987".

**SEC. 1102. FINDINGS.**

The Congress finds as follows:

(1) There exists evidence that manmade pollution—the release of carbon dioxide, chlorofluorocarbons, methane, and other trace gases into the atmosphere—may be producing a long term and substantial increase in the average temperature on Earth, a phenomenon known as global warming through the greenhouse effect.

(2) By early in the next century, an increase in Earth temperature could—

(A) so alter global weather patterns as to have an effect on existing agricultural production and on the habitability of large portions of the Earth; and

(B) cause thermal expansion of the oceans and partial melting of the polar ice caps and glaciers, resulting in rising sea levels.

(3) Important research into the problem of climate change is now being conducted by various United States Government and international agencies, and the continuation and intensification of those efforts will be crucial to the development of an effective United States response.

(4) While the consequences of the greenhouse effect may not be fully manifest until the next century, ongoing pollution and deforestation may be contributing now to an irreversible process. Necessary actions must be identified and implemented in time to protect the climate.

(5) The global nature of this problem will require vigorous efforts to achieve international cooperation aimed at minimizing and responding to adverse climate change; such international cooperation will be greatly enhanced by United States leadership. A key step in international cooperation will be the meeting of the Governing Council of the United Nations Environment Program, scheduled for June 1989, which will seek to determine a direction for worldwide efforts to control global climate change.

(6) Effective United States leadership in the international arena will depend upon a coordinated national policy.

**SEC. 1103. MANDATE FOR ACTION ON THE GLOBAL CLIMATE.**

(a) **GOALS OF UNITED STATES POLICY.**—United States policy should seek to—

(1) increase worldwide understanding of the greenhouse effect and its environmental and health consequences;

(2) foster cooperation among nations to develop more extensive and coordinated scientific research efforts with respect to the greenhouse effect;

(3) identify technologies and activities to limit mankind's adverse effect on the global climate by—

(A) slowing the rate of increase of concentrations of greenhouse gases in the atmosphere in the near term; and

(B) stabilizing or reducing atmospheric concentrations of greenhouse gases over the long term; and

(4) work toward multilateral agreements.

(b) **FORMULATION OF UNITED STATES POLICY.**—The President, through the Environmental Protection Agency, shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change. Such policy formulation shall consider research findings of the Committee on Earth Sciences of the Federal Coordinating Council on Science and Engineering Technology, the National Academy of Sciences, the National Oceanic and Atmospheric Administration, the National Science Foundation, the National Aeronautic and Space Administration, the Department of Energy, the Environmental Protection Agency, and other organizations engaged in the conduct of scientific research.

(c) **COORDINATION OF UNITED STATES POLICY IN THE INTERNATIONAL ARENA.**—The Secretary of State shall be responsible to coordinate those aspects of United States policy requiring action through the channels of multilateral diplomacy, including the United Nations Environment Program and other international organizations. In the formulation of these elements of United States policy, the Secretary of State shall, under the direction of the President, work jointly with the Administrator of the Environmental Protection Agency and other United States agencies concerned with environmental protection, consistent with applicable Federal law.

**SEC. 1104. REPORT TO CONGRESS.**

Not later than 24 months after the date of enactment of this Act, the Secretary of State and the Administrator of the Environmental Protection Agency shall jointly submit to all committees of jurisdiction in the Congress a report which shall include—

(1) a summary analysis of current international scientific understanding of the greenhouse effect, including its environmental and health consequences;

(2) an assessment of United States efforts to gain international cooperation in limiting global climate change; and

(3) a description of the strategy by which the United States intends to seek further international cooperation to limit global climate change.

**SEC. 1105. INTERNATIONAL YEAR OF GLOBAL CLIMATE PROTECTION.**

In order to focus international attention and concern on the problem of global warming, and to foster further work on multilateral treaties aimed at protecting the global climate, the Secretary of State shall undertake all necessary steps to promote, within the United Nations system, the early designation of an International Year of Global Climate Protection.

**SEC. 1106. CLIMATE PROTECTION AND UNITED STATES-SOVIET RELATIONS.**

In recognition of the respective leadership roles of the United States and the Soviet Union in the international arena, and of their joint role as the world's two major producers of atmospheric pollutants, the Congress urges that the President accord the problem of climate protection a high priority on the agenda of United States-Soviet relations.

## ENVIRONMENTAL STATUTES

### Part B—Ozone Protection

#### PURPOSES

**Sec. 150.** The purposes of this part are (1) to provide for a better understanding of the effects of human actions on the stratosphere, especially the ozone in the stratosphere, (2) to provide for a better understanding of the effects of changes in the stratosphere, especially the ozone in the stratosphere on the public health and welfare, (3) to provide information on the progress of regulation of activities which may reasonably be anticipated to affect the ozone in the stratosphere in such a way as to cause or contribute to endangerment of the public health or welfare, and (4) to provide information on the need for additional legislation in this area, if any.

#### FINDINGS AND DEFINITIONS

**Sec. 151. (a)** The Congress finds, on the basis of presently available information, that—

- (1) halocarbon compounds introduced into the environment potentially threaten to reduce the concentration of ozone in the stratosphere;
- (2) ozone reduction will lead to increased incidence of solar ultraviolet radiation at the surface of the Earth;
- (3) increased incidence of solar ultraviolet radiation is likely to cause increased rates of disease in humans (including increased rates of skin cancer), threaten food crops, and otherwise damage the natural environment;
- (4) other substances, practices, processes, and activities may affect the ozone in the stratosphere, and should be investigated to give early warning of any potential problem and to develop the basis for possible future regulatory actions; and
- (5) there is some authority under existing law, to regulate certain substances, practices, processes, and activities which may affect the ozone in the stratosphere.

**Sec. 152.** For the purposes of this subtitle—

- (1) the term "halocarbon" means the chemical compounds  $\text{CFC}_1$  and  $\text{CF}_2\text{Cl}_2$  and such other halogenated compounds as the Administrator determines may reasonably be anticipated to contribute to reductions in the concentration of ozone in the stratosphere;
- (2) the term "stratosphere" means that part of the atmosphere above the tropopause.

## CLEAN AIR

### STUDIES BY ENVIRONMENTAL

**Sec. 153. (a)** The Administrator of the cumulative effect of all substances, and activities which may especially ozone in the stratosphere include an analysis of the independent sphere especially such ozone in the

- (1) the release into the atmosphere,
- (2) the release into the sources of chlorine,
- (3) the uses of bromine compounds,
- (4) emissions of aircraft systems employed by operating aircraft.

The study shall also include studies atmospheric, biomedical, or other as may be necessary to ascertain direct effects upon the public changes in the stratosphere, especially sphere, and (B) the probable changes in the stratosphere, especially the ozone

**(b)** The Administrator shall

- (1) methods to recover which directly or indirectly especially ozone in the stratosphere,
- (2) methods of preventing substances,
- (3) safe substitutes for such substances,
- (4) other methods to regulate practices, processes, and activities which be anticipated to affect the ozone in the stratosphere.

**(c)** (1) The studies and research section may be undertaken with assistance from universities and be available. Each department, agency of the United States having authorized and encouraged to the Administrator in carrying out this section, including (notwithstanding of law) any services which such instrumentality may have the capacity by contract with third parties.

(2) The Administrator shall encourage and assistance of other nations in research under this section. The Administrator is authorized to cooperate with and assist other nations.

(3) (1) The Administrator shall consult with the National Academy of Sciences of knowledge and the adequate

# CLEAN AIR ACT

## STUDIES BY ENVIRONMENTAL PROTECTION AGENCY

**Sec. 152. (a)** The Administrator shall conduct a study of the cumulative effect of all substances, practices, processes, and activities which may affect the stratosphere, especially ozone in the stratosphere. The study shall include an analysis of the independent effects on the stratosphere especially such ozone in the stratosphere of—

- (1) the release into the ambient air of halocarbons,
- (2) the release into the ambient air of other sources of chlorine,
- (3) the use of bromine compounds, and
- (4) emissions of aircraft and aircraft propulsion systems employed by operational and experimental aircraft.

The study shall also include such physical, chemical, atmospheric, biomedical, or other research and monitoring as may be necessary to ascertain (A) any direct or indirect effects upon the public health and welfare of changes in the stratosphere, especially ozone in the stratosphere, and (B) the probable causes of changes in the stratosphere, especially the ozone in the stratosphere.

- (b) The Administrator shall undertake research on—
- (1) methods to recover and recycle substances which directly or indirectly affect the stratosphere, especially ozone in the stratosphere;
  - (2) methods of preventing the escape of such substances;
  - (3) safe substitutes for such substances; and
  - (4) other methods to regulate substances, practices, processes, and activities which may reasonably be anticipated to affect the stratosphere, especially ozone in the stratosphere.

(c) (1) The studies and research conducted under this section may be undertaken with such cooperation and assistance from universities and private industry as may be available. Each department, agency, and instrumentality of the United States having the capability to do so is authorized and encouraged to provide assistance to the Administrator in carrying out the requirements of this section, including (notwithstanding any other provision of law) any services which such department, agency, or instrumentality may have the capability to render or obtain by contract with third parties.

- (2) The Administrator shall encourage the cooperation and assistance of other nations in carrying out the studies and research under this section. The Administrator is authorized to cooperate with and support similar research efforts of other nations.

- (d) (1) ~~The Administrator shall undertake to contract with the National Academy of Sciences to study the state of knowledge and the adequacy of research efforts to~~

of this subtitle—  
"carbon" means the chemical  
 $\text{F}_2\text{Cl}_2$  and such other halo-  
carbons the Administrator determines  
are expected to contribute to re-  
duction of ozone in the strato-  
sphere" means that part of the  
populace.



## ENVIRONMENTAL STATUTES

understand (A) the effects of all substances, practices, processes, and activities which may affect the stratosphere, especially ozone in the stratosphere; (B) the health and welfare effects of modifications of the stratosphere, especially ozone in the stratosphere; and (C) methods of control of such substances, practices, processes, and activities including alternatives, costs, feasibility, and timing. The Academy shall make a report of its findings by January 1, 1978.

(2) The Administrator shall make available to the Academy such information in the Administrator's possession as is needed for the purposes of the study provided for in this subsection.

(e) The Secretary of Labor shall study and transmit a report to the Administrator and the Congress not later than six months after date of enactment, with respect to the losses and gains to industry and employment which could result from the elimination of the use of halocarbons in aerosol containers and for other purposes. Such report shall include recommended means of alleviating unemployment or other undesirable economic impact, if any, resulting therefrom.

(f)(1) The Administrator shall establish and act as Chairman of a Coordinating Committee for the purpose of insuring coordination of the efforts of other Federal agencies carrying out research and studies related to or supportive of the research provided for in subsections (a) and (b) and section 154.

(2) Members of the Coordinating Committee shall include the appropriate official responsible for the relevant research efforts of each of the following agencies:

- (A) the National Oceanic and Atmospheric Administration,
- (B) the National Aeronautics and Space Administration,
- (C) the Federal Aviation Administration,
- (D) the Department of Agriculture,
- (E) the National Cancer Institute,
- (F) the National Institute of Environmental Health Sciences,

(G) the National Science Foundation, and the appropriate officials responsible for the relevant research efforts of such other agencies carrying out related efforts as the Chairman shall designate. A representative of the Department of State shall sit on the Coordinating Committee to encourage and facilitate international coordination.

(3) The Coordinating Committee shall review and comment on plans for, and the execution and results of, pertinent research and studies. For this purpose, the agencies named in, or designated under paragraph (2) of this subsection shall make appropriate and timely reports to the Coordinating Committee on plans for and the execution and results of such research and studies.

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(4) The Chairman may refer any matter to the appropriate Federal Agency for the purpose of the study. The appropriate agency should sit on the Coordinating Committee.

(g) Not later than January 1, 1978, the Administrator shall submit to the appropriate committees of the House and Senate the results of the studies and research conducted by the section and the results of research conducted by other Federal agencies.

### RESEARCH AND MONITORING

SEC. 154. (a) The Administrator shall carry out a continuing program of research and studies in the stratosphere for the purpose of determining the effects of such research and studies on the stratosphere and climate. Such Administrator shall on or before January 1, 1978, and biennially thereafter, transmit a report to the Congress on the progress of such research and monitoring. Such report shall include appropriate recommendations for such research and monitoring.

(b) The National Aeronautics and Space Administration shall, pursuant to its authority, carry out a continuing program of research, technical studies, and monitoring in the stratosphere for the purpose of determining the effects of such research and studies on the stratosphere and climate. Such Administrator shall on or before January 1, 1978, and biennially thereafter, transmit a report to the Congress on the progress of such research and monitoring. Such report shall include appropriate recommendations for such research and monitoring.

(c) The Director of the National Science Foundation shall encourage and support research programs and continuing studies which will increase scientific knowledge of the effects of such research and studies on the stratosphere and climate. Such Director shall on or before January 1, 1978, and biennially thereafter, transmit a report to the Congress on the progress of such research and monitoring. Such report shall include appropriate recommendations for such research and monitoring.

(d) The Secretary of Agriculture shall support continuing research programs and continuing studies which will increase scientific knowledge of the effects of such research and studies on the stratosphere and climate. Such Secretary shall on or before January 1, 1978, and biennially thereafter, transmit a report to the Congress on the progress of such research and monitoring. Such report shall include appropriate recommendations for such research and monitoring.

(A) all substances, practices, or methods which may affect the stratosphere; (B) the modifications of the stratosphere; and (C) substances, practices, procedures, alternatives, costs, feasibility shall make a report of

shall make available to the Administrator's purposes of the study pro-

shall study and transmit a report to the Congress not later than the date of enactment, with respect to the use of halocarbons for other purposes. Such means of alleviating irrevocable economic impact, if

shall establish and act as a committee for the purpose of the efforts of other Federal agencies and studies related to or provided for in subsections

Coordinating Committee shall be responsible for the release of the following agencies: Oceanic and Atmospheric

Aeronautics and Space

on Administration, Agriculture.

er Institute, Institute of Environmental

ence Foundation, and the responsible for the relevant research agencies carrying out. The Chairman shall designate. A Department of State shall sit on the committee to encourage and coordination.

committee shall review and the execution and results of, studies. For this purpose, the committee shall, under paragraph (2), make appropriate and timely recommendations to the Committee on plans for and such research and studies.

(4) The Chairman may request a report from any Federal Agency for the purpose of determining if that agency should sit on the Coordinating Committee.

(g) Not later than January 1, 1978, and biennially thereafter, the Administrator shall report to the appropriate committees of the House and the Senate, the results of the studies and research conducted under this section and the results of related research and studies conducted by other Federal agencies.

#### RESEARCH AND MONITORING BY OTHER AGENCIES

SEC. 154. (a) The Administrator of the National Oceanic and Atmospheric Administration shall establish a continuing program of research and monitoring of the stratosphere for the purpose of early detection of changes in the stratosphere and climatic effects of such changes. Such Administrator shall on or before January 1, 1978, and biennially thereafter, transmit such report to the Administrator and the Congress on the findings of such research and monitoring. Such report shall contain any appropriate recommendations for legislation or regulation (or both).

(b) The National Aeronautics and Space Administration shall, pursuant to its authority under title IV of the National Aeronautics and Space Act of 1958, continue programs of research, technology, and monitoring of the stratosphere for the purpose of understanding the physics and chemistry of the stratosphere and for the early detection of potentially harmful changes in the ozone in the stratosphere. Such Administration shall transmit reports by January 1, 1978, and biennially thereafter to the Administrator and the Congress on the results of the programs authorized in this subsection, together with any appropriate recommendations for legislation or regulation (or both).

(c) The Director of the National Science Foundation shall encourage and support ongoing stratospheric research programs and continuing research programs that will increase scientific knowledge of the effects of changes in the ozone layer in the stratosphere upon living organisms and ecosystems. Such Director shall transmit reports by January 1, 1978, and biennially thereafter to the Administrator and the Congress on the results of such programs, together with any appropriate recommendations for legislation or regulation (or both).

(d) The Secretary of Agriculture shall encourage and support continuing research programs that will increase scientific knowledge of the effects of changes in the ozone in the stratosphere upon animals, crops, and other plant life. Such Secretary shall transmit reports by January 1, 1978, and biennially thereafter to the Administrator and the Congress on the results of such programs together

## ENVIRONMENTAL STATUTES

with any appropriate recommendations for legislation or regulation (or both).

(e) The Secretary of Health, Education, and Welfare shall encourage and support continuing research programs that will increase scientific knowledge of the effects of changes in the ozone in the stratosphere upon human health. Such Secretary shall transmit reports by January 1, 1978, and biennially thereafter, to the Administrator and the Congress on the results of such programs, together with any appropriate recommendations for legislation or regulation (or both).

(f) In carrying out subsections (a) through (e) of this section, the agencies involved (1) shall enlist and encourage cooperation and assistance from other Federal agencies, universities, and private industry, and (2) shall solicit the views of the Administrator with regard to plans for the research involved so that any such research will, if regulatory action by the Administrator is indicated, provide the preliminary information base for such action.

## PROGRESS OF REGULATION

✓ Sec. 155. The Administrator shall provide an interim report to the Congress by January 1, 1978, shall provide a final report within two years after date of enactment, and shall provide follow-up reports annually thereafter on the actions taken by the Environmental Protection Agency and all other Federal agencies to regulate sources of halocarbon emissions, the results of such regulations in protecting the ozone layers, and the need for additional regulatory action, if any. The reports under this section shall also include recommendations for the control of substances, practices, processes, and activities other than those involving halocarbons, which are found to affect the ozone in the stratosphere and which may cause or contribute to harmful effects on public health or welfare.

## INTERNATIONAL COOPERATION

Sec. 156. The President shall undertake to enter into international agreements to foster cooperative research which complements studies and research authorized by this part, and to develop standards and regulations which protect the stratosphere consistent with regulations applicable within the United States. For these purposes the President through the Secretary of State and the Assistant Secretary of State for Oceans and International Environmental and Scientific Affairs, shall negotiate multilateral treaties, conventions, resolutions, or other agreements, and formulate, present, or support proposals at the United Nations and other appropriate international forums and shall report to the Congress periodically on efforts to arrive at such agreements.

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## REGULATION

Sec. 157. (a) If at any time the final report referred to in the Administrator's judgment, any substance activity may reasonably be anticipated to affect the health or welfare, the Administrator shall promulgate regulations respecting such substance, practice, process, or activity, and shall simultaneously submit notice of the regulations to the Congress.

(b) Upon submission of the report under section 155, and after consideration under sections 153 and 154, the Administrator shall propose regulations for any substance, practice, process, or combination thereof which is anticipated to affect the health or welfare, if such substance, practice, process, or activity may reasonably be anticipated to affect the health or welfare. Such regulations shall be proposed after a study of the feasibility and the costs of such regulations may exempt medical uses of such substance, practice, process, or activity. Not later than three months after the Administrator determines the final form of such regulations in final form. From the same procedures, the Administrator shall submit notice of the regulations submitted under this section to the Congress.

## OTHER PROVISIONS

Sec. 158. Nothing in this part shall alter or affect the authority of the Administrator under section 303 (relating to emergency response) or section 231 (relating to aircraft emissions) or any other provision of this Act or of any other department, agency, or the United States under any law to promulgate or enforce any regulation for the control of any substance, practice, process, or activity for purposes of protecting the stratosphere. In the case of an ozone in the stratosphere which is regulated by the Toxic Substances Control Act, nothing in this part shall prohibit or restrict the Administrator from taking any action under the Toxic Substances Control Act, including the promulgation or enforcement of any regulation.



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Education, and Welfare continuing research pro- fic knowledge of the ef- n the stratosphere upon hall transmit reports by hereafter, to the Admin- results of such programs, ecommendations for leg-

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OPERATION

l undertake to enter into ster cooperative research d research authorized by ds and regulations which ent with regulations ap- es. For these purposes the y of State and the Assist- ns and International En- irs, shall negotiate multi- olutions, or other agree- or support proposals at appropriate international Congress periodically on- ts.

SEC. 157. (a) If at any time prior to the submission of the final report referred to in section 155 in the Administrator's judgment, any substance, practice, process, or activity may reasonably be anticipated to affect the stratosphere, especially ozone in the stratosphere, and such effect may reasonably be anticipated to endanger public health or welfare, the Administrator shall promptly promulgate regulations respecting the control of such substance, practice, process, or activity, and shall simultaneously submit notice of the promulgation of such regulation to the Congress.

(b) Upon submission of the final report referred to in section 155, and after consideration of the research and study under sections 153 and 154 and, consultation with appropriate Federal agencies and scientific entities, the Administrator shall propose regulations for the control of any substance, practice, process, or activity (or any combination thereof) which in his judgment may reasonably be anticipated to affect the stratosphere, especially ozone in the stratosphere, if such effect in the stratosphere may reasonably be anticipated to endanger public health or welfare. Such regulations shall take into account the feasibility and the costs of achieving such control. Such regulations may exempt medical use products for which the Administrator determines there is no suitable substitute. Not later than three months after proposal of such regulations the Administrator shall promulgate such regulations in final form. From time to time, and under the same procedures, the Administrator may revise any of the regulations submitted under this subsection.

OTHER PROVISIONS UNAFFECTED

SEC. 158. Nothing in this part shall be construed to alter or affect the authority of the Administrator under section 303 (relating to emergency powers), under section 231 (relating to aircraft emission standards), or under any other provision of this Act or to affect the authority of any other department, agency, or instrumentality of the United States under any other provision of law to promulgate or enforce any requirement respecting the control of any substance, practice, process, or activity for purposes of protecting the stratosphere or ozone in the stratosphere. In the case of any proposed rule respecting ozone in the stratosphere which has been published under the Toxic Substances Control Act prior to the date of enactment of this Act notwithstanding section 9(b) of such Act, nothing in this part shall be construed to prohibit or restrict the Administrator from taking any action under the Toxic Substances Control Act respecting the promulgation or enforcement of such rule.



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## STATE AUTHORITY

Sec. 159. (a) Nothing in this part shall preclude or deny any State or political subdivision thereof from adopting or enforcing any requirement respecting the control of any substance, practice, process, or activity for purposes of protecting the stratosphere or ozone in the stratosphere except as otherwise provided in subsection (b).

(b) If a regulation of any substance, practice, process, or activity is in effect under this part in order to prevent or abate any risk to the stratosphere, or ozone in the stratosphere, no State or political subdivision thereof may adopt or attempt to enforce any requirement respecting the control of any such substance, practice, process, or activity to prevent or abate such risk, unless the requirement of the State or political subdivision is identical to the requirement of such regulation. The preceding sentence shall not apply with respect to any law or regulation of any State or political subdivision controlling the use of halocarbons as propellants in aerosol spray containers.

## PART C—PREVENTION OF SIGNIFICANT DETERIORATION OF AIR QUALITY

**SUBPART 1**

## PURPOSES

**Sec. 160.** The purposes of this part are as follows:

(1) to protect public health and welfare from any actual or potential adverse effect which in the Administrator's judgment may reasonably be anticipated to occur from air pollution or from exposures to pollutants in other media, which pollutants originate as emissions to the ambient air), notwithstanding attainment and maintenance of all national ambient air quality standards;

(2) to preserve, protect, and enhance the air quality in national parks, national wilderness areas, national monuments, national seashores, and other areas of special national or regional natural, recreational, scenic, or historic value;

(8) to insure that economic growth will occur in a manner consistent with the preservation of existing clean air resources;

(4) to assure that emissions from any source in any State will not interfere with any portion of the applicable implementation plan to prevent significant deterioration of air quality for any other State; and

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(5) to assure that any air pollution in any area is made only after careful sequences of such a decisional opportunities for action in the decisionmaking

**PLAN REQ**

SEC. 161. In accordance with (b) (1), each applicable implementation plan shall contain emission limitations and such other measures as may be necessary, as determined by the Administrator, to be implemented under this part, to prevent or reduce the degradation of air quality in each region or area designated pursuant to section 107.

## INITIAL CLAS

SEC. 162. (a) Upon the e  
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 (2) national wildern  
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 (3) national memor  
 acres in size, and  
 (4) national parks w  
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 (b) All areas in such Sta  
 tion 107(d) (1) (D), or (E)  
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 redesignated under section :

## INCREMENTS

SEC. 163. (a) In the case of any matter, each applicable measure shall contain measures assuring that increases over baseline concentrations of allowable concentrations shall not be exceeded. In the case of any (except an allowable increase) (165(d)(2)(C)(iv)) for a matter permitted under national standards for any period other than the regulations shall permit the increase to be exceeded during

THE NATIONAL CLIMATE PROGRAM ACT

as enacted by Public Law 95-367 (Sept. 17, 1978) and amended by Public Law 97-375 (Dec. 21, 1982), and Public Law 99-272 (Apr. 7, 1986); 15 U.S.C. 2901 et seq.

## An Act

To establish a comprehensive and coordinated national climate policy and program, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National Climate Program Act".

**SEC. 2. FINDINGS.**

The Congress finds and declares the following:

- (1) Weather and climate change affect food production, energy use, water resources and other factors vital to national security and human welfare.
- (2) An ability to anticipate natural and man-induced changes in climate would contribute to the soundness of policy decisions in the public and private sectors.
- (3) Significant improvements in the ability to forecast climate on an intermediate and long-term basis are possible.
- (4) Information regarding climate is not being fully disseminated or used, and Federal efforts have given insufficient attention to assessing and applying this information.
- (5) Climate fluctuation and change occur on a global basis, and deficiencies exist in the system for monitoring global climate changes. International cooperation for the purpose of sharing the benefits and costs of a global effort to understand climate is essential.
- (6) The United States lacks a well-defined and coordinated program in climate-related research, monitoring, assessment of effects, and information utilization.

**SEC. 3. PURPOSE.**

It is the purpose of the Congress in this Act to establish a national climate program that will assist the Nation and the world to understand and respond to natural and man-induced climate processes and their implications.

**SEC. 4. DEFINITIONS.**

As used in this Act, unless the context otherwise requires:

- (1) The term "Board" means the Climate Program Policy Board.
- (2) The term "Office" means the National Climate Program Office.
- (3) The term "Program" means the National Climate Program.
- (4) The term "Secretary" means the Secretary of Commerce.



**SEC. 5. NATIONAL CLIMATE PROGRAM.**

(a) **Establishment.**--The President shall establish a National Climate Program in accordance with the provisions, findings and purposes of this Act.

(b) **Duties.**--The President shall--

- (1) promulgate the 5-year plans described in subsection (d)(10);
- (2) define the roles in the Program of Federal officers, Agriculture, Commerce, Defense, Energy, Interior, State, and Transportation; the Environmental Protection Agency; the National Aeronautics and Space Administration; the Council on Environmental Quality; the National Science Foundation; and the Office of Science and Technology Policy; and
- (3) provide for Program coordination.

(c) **National Climate Program Office.**

(1) **The Secretary shall --** establish within the Department of Commerce a National Climate Program Office not later than 30 days after the date of the enactment of this Act [enacted Sept. 17, 1978].

(2) **The Office shall--**

- (A) serve as the lead entity responsible for administering the program;
- (B) be headed by a Director who shall represent the Climate Program Policy Board and shall be spokesperson for the program;
- (C) serve as the staff for the Board and its supporting committees and working groups;
- (D) review each agency budget request transmitted under subsection (g) and submit an analysis of the requests to the Board for its review;
- (E) be responsible for coordinating interagency participation in international climate-related activities; and
- (F) work with the National Academy of Sciences and other private, academic, State, and local groups in preparing and implementing the 5-year plan (described in Subsection (d)(10) and the Program.

The analysis described in subparagraph (D) shall include an analysis of how each agency's budget request relates to the priorities and goals of the program established pursuant to this Act.

(3) The Secretary may provide, through the Office, financial assistance, in the form of contracts or grants or cooperative agreements, for climate-related activities which are needed to meet the goals and priorities of the program set forth in the 5-year plan pursuant to subsection (d)(10), if such goals and priorities are not being adequately addressed by any Federal department,

agency, or instrumentality.

(4) Each Federal officer, employee, department and agency involved in the Program shall cooperate with the Secretary in carrying out the provisions of this Act.

(d) **Program Elements.**—The Program shall include, but not be limited to, the following elements:

- (1) assessments of the effect of climate on the natural environment, agricultural production, energy supply and demand, land and water resources, transportation, human health and national security. Such assessments shall be conducted to the maximum extent possible by those Federal agencies having national programs in food, fiber, raw materials, energy, transportation, land and water management, and other such responsibilities, in accordance with existing laws and regulations. Where appropriate such assessments may include recommendations for action;
- (2) basic and applied research to improve the understanding of climate processes, natural and man induced, and the social, economic, and political implications of climate change;
- (3) methods for improving climate forecasts on a monthly, seasonal, yearly, and longer basis;
- (4) global data collection, and monitoring and analysis activities to provide reliable, useful and readily available information on a continuing basis;
- (5) systems for the management and active dissemination of climatological data, information and assessments, including mechanisms for consultation with current and potential users;
- (6) measures for increasing international cooperation in climate research, monitoring, analysis and data dissemination;
- (7) mechanisms for intergovernmental climate-related studies and services including participation by universities, the private sector and others concerned with applied research and advisory services. Such mechanisms may provide, among others, for the following State and regional services and functions:
  - (A) studies relating to and analyses of climatic effects on agricultural production, water resources, energy needs, and other critical sectors of the economy;
  - (B) atmospheric data collection and monitoring on a statewide and regional basis;
  - (C) advice to regional, State, and local government



agencies regarding climate-related issues;

(D) information to users within the State regarding climate and climatic effects; and

(E) information to the Secretary regarding the needs of persons within the States for climate-related services, information, and data.

The Secretary may make annual grants to any State or group of States, which grants shall be made available to public or private educational institutions, to State agencies, and to other persons or institutions qualified to conduct climate-related studies or provide climate-related services;

(8) experimental climate forecast centers, which shall -

(A) be responsible for making and routinely updating experimental climate forecasts of a monthly, seasonal, annual, and longer nature, based on a variety of experimental techniques;

(B) establish procedures to have forecasts reviewed and their accuracy evaluated; and

(C) protect against premature reliance on such experimental forecasts;

(9) studies on policy options for reducing the impact of man's activity on global climate change. The studies will be made available to Federal agencies, the Congress, and the public; and

(10) a preliminary 5-year plan, to be submitted to the Congress for review and comment, not later than 180 days after the enactment of this Act [enacted Sept. 17, 1978], and a final 5-year plan to be submitted to the Congress not later than 1 year after the enactment of this Act [enacted Sept. 17, 1978], that shall be revised and extended at least once every four years. Each plan shall establish the goals and priorities for the Program, including the intergovernmental program described in paragraph (7), over the subsequent 5-year period, and shall contain details regarding

(A) the role of Federal agencies in the programs,

(B) Federal funding required to enable the Program to achieve such goals, and

(C) Program accomplishments that must be achieved to ensure that Program goals are met within the time frame established by the plan.

**(e) Climate Program Policy Board.**

(1) The Secretary shall establish and maintain an interagency Climate Program Policy Board, consisting of representatives of the Federal agencies specified in subsection (b)(2), and any other agency which the

Secretary determines should participate in the Program.

(2) The Board shall-

- (A) be responsible for coordinated planning and progress review for the Program;
- (B) review all agency and department budget requests related to climate transmitted under subsection (g) and submit a report to the Office of Management and Budget concerning such budget requests;
- (C) establish and maintain such interagency groups as the Board determines to be necessary to carry out its activities; and
- (D) consult with and seek the advice of users and producers of climate data, information, and services to guide the Board's efforts, keeping the Director and the Congress advised of such contacts.

(3) The Board biennially shall select a Chair from among its members. A Board member who is a representative of an agency may not serve as Chair of the Board for a term if an individual who represented that same agency on the Board served as the Board's Chair for the previous term.

(f) Cooperation.

(1) The Program shall be conducted so as to encourage cooperation with, and participation in the Program by, other organizations or agencies involved in related activities. For this purpose the Secretary shall cooperate and participate with other Federal agencies, and foreign, international, and domestic organizations and agencies involved in international or domestic climate-related programs.

(2) The Secretary and the Secretary of State shall cooperate with the Office in

(A) providing representation at climate-related international meetings and conferences in which the United States participates, and

(B) coordinating the activities of the Program with the climate programs of other nations and international agencies and organizations; including the World Meteorological Organization, the International Council of Scientific Unions, the United Nations Environmental Program, the United Nations Educational, Scientific, and Cultural Organization, the World Health Organization, and Food and Agriculture Organization.



(g) **Budgeting.**

Each Federal agency and department participating in the Program, shall prepare and submit to the Office of Management and Budget, on or before the date of submission of departmental requests for appropriations to the Office of Management and Budget, an annual request for appropriations for the Program for the subsequent fiscal year and shall transmit a copy of such request to the National Climate Program Office. The Office of Management and Budget shall review the request for appropriations as an integrated, coherent, multi-agency request.

**SEC. 6. CLIMATE CHANGE REPORT.**

The Secretary shall submit to the President and the House Committee on Science, Space, and Technology, and the Senate Committee on Commerce, Science, and Transportation, not later than January 30, 1990, and each 5 years thereafter, a report that includes-

- (1) an updated historic record of the major parameters that indicate the long-term trends in global climate change and an analysis of these trends;
- (2) an analysis of the current status of climate understanding and forecasting and the research priorities for reducing the uncertainty in understanding and forecasting long-term change
- (3) an analysis of the current trends in global climate change and projections for man-induced versus natural change for the next 50 to 100 years;
- (4) the regional areas in the world vulnerable to this climate change; and
- (5) the identification and analysis of actions that are recommended to
  - (A) reduce human-induced climate change,
  - (B) alleviate regional vulnerability to climate change, and
  - (C) improve man's ability to respond to change.

**SEC. 7. ANNUAL REPORT.**

The Secretary shall prepare and submit to the President and the authorizing committees of the Congress, not later than March 31 of each year, a report on the activities conducted pursuant to this Act during the preceding fiscal year, including-

- (a) a summary of the achievements of the Program during the previous fiscal year;
- (b) an analysis of the progress made toward achieving the goals and objectives of the Program;
- (c) a copy of the 5-year plan and any changes made in such plan;
- (d) a summary of the multiagency budget request for the Program of subsection 5(g); and
- (e) any recommendations for additional legislation which



may be required to assist in achieving the purposes of the Act.

**SEC. 8. CONTRACT AND GRANT AUTHORITY; RECORDS AND AUDITS.**

(a) Functions vested in any Federal officer or agency by this Act or under the Program may be exercised through the facilities and personnel of the agency involved or, to the extent provided or approved in advance in appropriation Acts, by other persons or entities under contracts or grant arrangements entered into by such officer or agency.

(b) (1) Each person or entity to which Federal funds are made available under a contract or grant arrangement as authorized by this Act shall keep such records as the Director of the Office shall prescribe, including records which fully disclose the amount and disposition by such person or entity of such funds, the total cost of the activities for which such funds were so made available, the amount of that portion of such cost supplied from other sources, and such other records as will facilitate an effective audit.

(2) The Director of the Office and the Comptroller General of the United States, or any of their duly authorized representatives, shall, until the expiration of 3 years after the completion of the activities (referred to in paragraph (1)) of any person or entity pursuant to any contract or grant arrangement referred to in subsection (a), have access for the purpose of audit and examination to any books, documents, papers, and records of such person or entity which, in the judgment of the Director or the Comptroller General, may be related or pertinent to such contract or grant arrangement.



THE WHITE HOUSE

WASHINGTON

March 3, 1988

MEMORANDUM FOR RALPH C. BLEDSOE

FROM: ROBERT E. JOHNSON

*Robert E. Johnson*

SUBJECT: Global Climate Protection

Issue: Should you support Lee Thomas' proposal to establish an interagency panel to coordinate policy development on ozone depletion and global climate protection?

Background: The Global Climate Protection Act has assigned specific tasks to EPA and DOS. OSTP has been attempting to get the Act interpreted to establish OSTP as the office responsible for guiding research and policy formulation in this area.

Two days ago Lee Thomas sent a memo to Nancy Risque informing her of his intention to establish an interagency panel, chaired by him, to insure coordination of Administration policy and research in the areas of global climate protection and ozone depletion (see attached memo).

Discussion: OSTP, as mentioned above, likely will be against Lee Thomas' proposal. A small number of other Administration officials, while agreeing with Lee Thomas' concept, object to EPA being the sole chair of the panel. They suggest a three chair arrangement -- EPA, NOAA, and DOE. NOAA's and DOE's position on this matter is unknown at this time.

Nancy is likely to be asked her opinion on this matter. She, in turn, might ask for your thoughts. My analysis of Lee Thomas' proposal is that it is a sound approach to providing an interagency forum for developing Administration policy in these areas. OSTP, for a variety of reasons that we have already discussed, is ill-suited to manage the entire set of issues. Their Committee on Earth Sciences (CES), however, is capable of addressing the research issues -- and Lee Thomas provides for coordination with CES in his proposal. DOS, I understand, is amenable to Lee Thomas' proposed framework because it preserves the DOS leadership in managing the international side of the issues.

The thorny issue is that of the chairmanship of the panel. I feel that a White House or EOP chair is inappropriate as it sends the wrong message -- that the Administration is prepared to set policy in this area. In fact, all agencies agree that more research is needed before significant policy issues should be addressed. NOAA has a primary interest in this area -- due to their statutorily-created National Climate Policy Board responsibilities. DOE, while currently not actively pursuing

this issue, will surely become increasingly interested. EPA, therefore, is not alone in their primary interest in these areas.

The other side of the argument is that EPA does have a significant, if not dominant, role under the Global Climate Protection Act (GCPA). A single chairman will make the activities of the panel more focused and, presumably, more effective. Lee Thomas' packaging of ozone depletion and global climate protection together leaves EPA the logical chairman, as ozone depletion is an issue in the implementation phase, and EPA has the primary implementation responsibilities. Lastly, Lee Thomas' proposal goes a long way towards allaying the concerns of others that EPA would strike out on their own in fulfilling their requirements under the GCPA.

Recommendation: That you support Lee Thomas' proposal.

Attachment





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAR 1 1988

THE ADMINISTRATOR

MEMORANDUM TO NANCY J. RISQUE  
ASSISTANT TO THE PRESIDENT  
AND CABINET SECRETARY

SUBJECT: Interagency Panel on Global Climate Change

INTRODUCTION

The Global Climate Protection Act, enacted by Congress and signed by President Reagan on December 22, 1987, states that the President, through the Environmental Protection Agency, shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change. The Clean Air Act states that the EPA will be responsible for coordinating the assessment of stratospheric ozone depletion and developing proposals for action as may be required. The purpose of this memorandum is to inform you of the establishment of an Interagency panel, chaired by the Administrator of the Environmental Protection Agency, to ensure full coordination of the development of scientific information and policy options among interested federal agencies for both of these interrelated issues. This will facilitate implementation of the Climate Protection Act and the Clean Air Act and provide a vehicle for developing a consensus on the key science and policy issues in this area.

The potential for climate change is of concern because measured atmospheric concentrations of carbon dioxide and other "trace gases" (e.g., chlorofluorocarbons and methane) have been steadily increasing. These gases trap heat within the atmosphere and are reaching levels that may result in serious climate change over the next few decades.

The Climate Protection Act calls for the development of a U.S. policy whose goals are to increase worldwide understanding of the greenhouse effect, foster international cooperation in scientific research, and to identify ways to limit the adverse effects of climate change. The Montreal Protocol, entered into last September, calls for periodic reviews of the science of ozone

depletion, and the technology and economics of policy alternatives, followed by formal meetings of the parties to decide if further or different steps to protect the ozone layer are required.

Both of these Acts also state that the Secretary of State shall be responsible for coordinating those aspects of U.S. policy requiring active international participation. The Climate Protection Act also requires the Administrator of EPA and the Secretary of State to jointly submit a report within 24 months which shall include:

- A summary analysis of current international scientific understanding of the greenhouse effect, including its environmental and health impacts;
- An assessment of United States efforts to gain international cooperation in limiting global climate change; and
- A description of the strategy by which the United States intends to seek further international cooperation to limit global climate.

#### Establishment of an Interagency Committee

Implementation of the Climate Protection Act and continued implementation of the ozone depletion requirements of the Clean Air Act will require close coordination among all Agencies with an interest in this issue. To ensure that necessary research and impact studies proceed together, and that appropriate research and policy development and coordination precede regulatory or legislative action, and that domestic and international activities be fully coordinated, I am establishing an Interagency Committee on Global Climate Protection (ICGCP) chaired by the Administrator of EPA and composed of Department heads (or their representatives) with an interest in global climate issues.

Membership of the committee would include: EPA, DOS, DOE, CEQ, DOI, DOA, NOAA, NASA, and NSF. Other agencies as appropriate may be appointed to the Committee by the Chairman.

#### Functions of the Committee

The functions of the Committee would be to:

- Ensure that policy-relevant research relating to the issue of global climate changes is conducted by the federal.



government. This will include overseeing the development and implementation of an integrated plan of research. This research should satisfy the needs of policy makers who must evaluate the potential impacts of climate change and potential response strategies; policy issues requiring decisions by the President will be forwarded to the Domestic Policy Council;

- Continue to ensure a coordinated U.S. policy on the issue of stratospheric ozone depletion in accordance with the stipulations of the Montreal Protocol. This shall include overseeing the development and implementation of an integrated plan of research to support U.S. implementation of the Protocol.
- Oversee the preparation and interagency coordination of a report within 24 months for Congress on the current international scientific understanding of the greenhouse effect and other topics identified in the Global Climate Protection Act;
- Oversee the assessment of the United States efforts to gain international cooperation in limiting global climate change and develop a strategy to seek international cooperation to limit global climate change; a subgroup of the committee chaired by the Department of State would facilitate this effort, as well as the overall interface of domestic and international aspects of these issues.

#### Modus Operandi of the Committee

The Committee's first meeting will take place in April/May, 1988.

The Committee's modus operandi will be guided by the following:

- Membership shall include any Agency with a responsibility directly related to the issues of global climate change or stratospheric ozone depletion.
- The Committee will establish a subgroup, chaired by the Department of State, to coordinate international cooperation on these issues;
- On issues of science, the Committee will coordinate with the Committee on Earth Sciences of the Federal Coordinating Council on Science and Engineering Technology;

- On issues of policy development and response strategies, the Committee will coordinate with the Domestic Policy Council; and
- The Committee will coordinate with the National Climate Program Board and the National Climate Program Office established by the National Climate Program Act.

If you have any questions or require further information, please don't hesitate to contact me.

15/  
Lee M. Thomas

#### Attachments

1. Global Climate Protection Act
2. Clean Air Act 151-159
3. National Climate Program Act



EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
WASHINGTON, D.C. 20503

Bob Johnson  
FYI

March 10, 1988

MEMORANDUM TO NANCY J. RISQUE  
ASSISTANT TO THE PRESIDENT  
AND CABINET SECRETARY

FROM: Robert K. Dawson  
Associate Director, NRES

SUBJECT: EPA Proposed Interagency Panel on Global Climate  
Change

*Nancy*  
I understand that you have received a letter from Lee Thomas notifying you of his intent to establish an interagency task force to address the Global Climate issue. Since Lee apparently intends to establish EPA to head the task force, I want to alert you to a possible groundswell of resistance by the other agencies and departments already deeply involved in the issue.

A number of other agencies have significant roles in this area under other legislative authorities. Some would likely to object strongly to the Administration's policy development process being headed by an interagency panel chaired solely by EPA. For example, the Department of Commerce has a major role under the National Climate Program Act. The Department of Energy has an important role under the Nonnuclear Energy Research and Development Act and other authorities, since energy activities are a major source of climate changing effects.

The state of the policy, the scientific understanding of the phenomena and the issues potentially involved in global climate change is much more primitive and uncertain at this time than was the state of the scientific and policy knowledge prior to the establishment of the National Acid Precipitation Assessment Program to study the acid rain phenomenon. Hence, OSTP has been established an interagency working group on research activities under the Committee on Earth Sciences.

This all suggests that the interests affected by any Government action are many and that the potential issues are so broad and of such fundamental consequence that it may not be wise for the process to be controlled, at this early stage, by any single agency, at least not without careful thought.

I plan to take this up with EPA and begin working toward some resolution, but I wanted you to be aware of this potential problem in case a response is imminent.

*High regards,*  
*RS*





UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

MAR 18 1990

THE ADMINISTRATOR

Honorable George Shultz  
Secretary  
Department of State  
Washington, D.C. 20520

Dear Mr. Secretary:

The Global Climate Protection Act enacted by Congress and signed by President Reagan on December 22, 1987, states that the President through the Environmental Protection Agency shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change. In order to respond to this new legislative requirement and others mandated by the Clean Air Act, I am establishing an Interagency Committee on Global Climate Protection. Because of your interest in the issue of global climate change, I am requesting you or your representative to be a member of this committee. The broad purpose of this committee, will be to ensure full coordination of the development of scientific information and policy options among interested federal agencies.

The global climate change issue has received increased attention by the Congress and the public, because measured concentrations of carbon dioxide, methane, nitrous oxides and other trace gases are steadily increasing in the atmosphere. These gases trap heat within the atmosphere and are reaching levels that may result in serious climate change over the next few decades. This change is likely to have important effects on the environment and may require an array of policy decisions.

The Climate Protection Act calls for the development of a U.S. policy whose goals are to increase worldwide understanding of the greenhouse effect, foster international cooperation in scientific research, and to identify ways to limit the adverse effects of climate change. On a related topic, the Montreal Protocol, entered into last September, calls for periodic reviews of the science of ozone depletion, and the technology and economics of policy alternatives, followed by formal meetings of the parties to decide if further or different steps to protect the ozone layer are required.

Both the Clean Air Act regarding ozone depletion and the Global Climate Protection Act regarding global warming state that the Secretary of State shall be responsible for coordinating those aspects of U.S. policy requiring active international participation. The Climate Protection Act also requires the Administrator of EPA and the Secretary of State to jointly submit a report to Congress within 24 months which shall include:

- o A summary analysis of current international scientific understanding of the greenhouse effect, including its environmental and health impacts;
- o An assessment of United States efforts to gain international cooperation in limiting global climate change; and
- o A description of the strategy by which the United States intend to seek further international cooperation to limit global climate change.

The functions of the Interagency committee I am establishing will be to:

- o Ensure that policy-relevant research relating to the issue of global climate change is conducted by the federal government. This will include overseeing the development and implementation of an integrated plan of research. This research should satisfy the needs of policy makers who must evaluate the potential impacts of climate change and potential response strategies. All policy issues requiring decisions by the President will be forwarded to the Domestic Policy Council.
- o Continue to ensure a coordinated U.S. policy on the issue of stratospheric ozone depletion in accordance with the stipulations of the Montreal Protocol. This shall include overseeing the development and implementation of an integrated plan of research to support U.S. implementation of the Protocol;
- o Oversee the preparation and interagency coordination of a report within 24 months for Congress on the current international scientific understanding of the greenhouse effect and other topics identified in the Global Climate Protection Act;
- o Oversee the assessment of the United States efforts to gain international cooperation in assessing global climate change and develop a strategy to seek international cooperation to limit global climate change; a subgroup



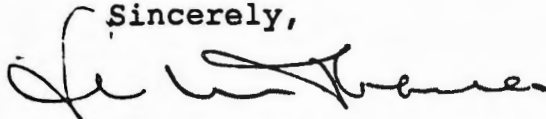
of the committee, chaired by the Department of State, will facilitate this effort, as well as the overall interface of domestic and international aspects of these issues.

The committee will include members from DOS, DOE, CEQ, DOI, DOA, NOAA, NSF and NASA. Other agencies with special interest will be invited to participate as needed. On the issues of science, the committee will coordinate with the Committee on Earth Sciences of the Federal Coordinating Council on Science and Engineering Technology. Finally, I expect close coordination with the National Climate Program Office of the Department of Commerce as part of the continuous operations of this group.

The potential dimensions of global climate change and stratospheric ozone depletion make these issues among the most important the government and private sector will need to address over the next decade. I am optimistic that the establishment of this committee will provide a forum for ensuring that relevant research and policy analysis are fully coordinated with domestic and international activities. I am particularly pleased that the Department of State has agreed to chair a subcommittee on international cooperation on these issues.

I will call the first meeting of this committee in April. I look forward to having you or a senior member of your agency participate in this important activity.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Lee M. Thomas', with a stylized, flowing script.

Lee M. Thomas

cc: Richard J. Smith  
William A. Nitze



April 26, 1988

**DRAFT**

## BACKGROUND

The National Climate Program Act of 1978 established the National Climate Program Office within the Department of Commerce to, among other things:

- Serve as the lead entity responsible for administering a comprehensive and coordinated national climate program of research, monitoring, assessment, and information use.
- Be responsible for coordinating interagency participation in international climate-related activities.
- Prepare a 5-year plan detailing the role of Federal agencies in the program, required funding, and needed accomplishments.
- Prepare by 1990 and each 5 years thereafter a report on climate change trends, state of knowledge, projections, and potential policy responses.

The Federal Coordinating Council for Science, Engineering, and Technology has established a Committee on Earth Sciences (FCCSET/CES) to address the need for interagency coordination of Federal research programs dealing with global change. (Although global change includes changes other than global climate change, the vast majority of Federal global change research dollars are for global climate change.)

The Global Climate Protection Act of 1987 said that "The President, through the Environmental Protection Agency, shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change", considering the research findings of the FCCSET/CES, the National Academy of Sciences, and the Federal agencies doing the scientific research. It made the Secretary of State responsible for coordination of U.S. global climate change policy in the international arena. State and EPA are to submit within 24 months a report describing the state of knowledge about climate change and its consequences, assessing U.S. efforts to gain international cooperation, and describing the U.S. strategy to seek further international cooperation.

EPA is also now preparing two reports on environmental effects of global climate change and on the policy options that "would stabilize current levels of greenhouse gas concentrations". These were requested by a letter from several Senators and were referenced in report language of the FY1987 Continuing Resolution.

EPA has proposed an interagency committee which it would chair to coordinate implementation of the Global Climate Protection Act and to oversee "the development and implementation of an integrated plan of research:".

Because of the large number of Federal agencies doing research in global climate change, affected by policy considerations relating to such change, or having legislative responsibilities in the area, some have suggested that a more formal and more permanent mechanism for coordination and policy development than the EPA proposed committee may be needed.

#### OPTION 1: NO CHANGE

Establish no new interagency mechanism for developing and coordinating global climate change policy. Continue the present organizations that coordinate the research programs.

- DOC would continue to coordinate global climate research as required by the National Climate Program Act.
- EPA would proceed with preparation of the global climate studies currently under way, with preparation of the report required by the Climate Protection Act, and with its related responsibilities under Section 153(f) of the Clean Air Act.
- State would proceed with preparation of the report required by the Global Climate Protection Act and would coordinate those aspects of U. S. policy requiring international participation.
- Interagency coordination of these policy related components would be done through existing mechanisms, such as the Domestic Policy Council Working Group on Energy, Natural Resources and the Environment.
- EPA and State would continue to work in cooperation with the Federal Coordinating Council on Science, Engineering, and Technology/Committee on Earth Sciences (FCCSET/CES) to ensure that these policies and international efforts are consistent with current agency research programs and scientific knowledge.

Continue general coordination of global climate change research programs through the FCCSET/CES. There would continue to be no defined relationship between policy activities and research planning activities.

#### Pros:

- Current structures would be maintained. No new conflicting permanent groups would be established.



Cons:

- Coordination among policy activities and between policy and research would remain undefined. Interagency coordination would continue to be either incomplete or in the mode of affected agencies reacting to actions already under way or completed.
- Interests outside the Administration, both domestic and international, would question the Administration's interest and capability in dealing with this massive and complex crosscutting national policy issue. Substantial risk would remain that legislative action would preempt the issue in some way.

OPTION 2: EPA INITIATIVE

Establish an Interagency Committee to coordinate preparation of the two EPA studies and to develop and coordinate global climate change policy.

- EPA and State would proceed with the activities described under option 1, above.
- The Interagency Committee, through EPA-scheduled meetings, would oversee the two EPA studies now under way to meet the December schedule of the Congressional letter's request.
- The Interagency Committee would also oversee the other related activities under way by EPA and State, specifically the planning for the report required by the Climate Protection Act, and Clean Air Act and international activities.
- The Interagency Committee would work in cooperation with FCCSET/CES to ensure that the policies and international efforts are consistent with current agency research programs and scientific knowledge.
- Coordination of research activities would be carried out, as in option 1, by the FCCSET/CES and by the National Climate Program Office. There would continue to be no explicitly defined relationship between the policy related activities of the Interagency Committee and the research related activities of FCCSET/CES and the NCPO.

Pros:

- Principal current policy-related activities would be coordinated and an EPA-led interagency committee would review progress and content of the required reports.
- Current research program coordination structure would be retained without adding a conflicting role for the EPA-led Interagency Committee.

- Outside interests would view the Interagency Committee as a minimal, but positive, effort by the Administration to integrate policy activities on this issue.

Cons:

- Coordination of policy and research would not be defined.
- Interagency Committee would not be likely to have high-level strong support beyond EPA and would be perceived as likely to be disrupted with a change in Administrations.
- Single agency chairmanship of the Interagency Committee would tend to reflect parochial agency views on policy questions rather than the broad spectrum of viewpoints and concerns.
- Interests outside the Administration would continue to question the Administration's interest and capability for dealing with the issue.

Option 3: PRESIDENTIAL DIRECTIVE

Establish by Presidential directive an Interagency Council entitled the Interagency Council on Global Climate Change to:

- (1) Coordinate research and provide periodic assessments on the causes and effects of global climate change, including changes in atmospheric ozone; and, based on that research and assessments,
- (2) Develop national policy on global climate change, including, when appropriate, strategies for moderating and adapting to global climate change.

The Committee would have the following characteristics:

Chairmen: Jointly chaired by the highest level principals from the: EPA, DOC, and DOE.

Members: Principals from the: DOA, DOC, DOD, DOE, DOI, DOS, DOT, EPA, HHS, NASA, NOAA, NSF, CEQ, OMB, OPD and OSTP.

Structure: Interagency Council with an Executive Secretariat, a Policy Committee and a Science Committee:

- Executive Secretariat headed by a Presidentially appointed Executive Director with professional staff including personnel transferred from NCPO.
- Policy Committee chaired by EPA and DOE to:



- Develop, based on scientific research and assessments, national policy on global climate change, taking into account environmental, energy, economic, international and other relevant considerations;
- Develop, when appropriate, domestic and international strategies for moderating and adapting to global climate change.
- Science Committee made up of the Chairman and membership of the FCCSET/CES.
  - Develop and annually revise a 5-year research plan on global climate change which includes the DOE CO2 research program; global climate research of NASA, NOAA, NSF, and other relevant research of Federal agencies. Annually report to OMB a coordinated interagency budget proposal on global climate change.
  - Report on the state of our knowledge and its uncertainties in 1989 and annually thereafter as part of the annual program report to the President.
  - Assess the causes and effects of global climate change and the areas and degrees of uncertainty about such causes and effects in 1990 (published in 1990), and every five years thereafter, predicting any future near-term and long-term changes, their effects, and describing the levels of uncertainty thereof.
  - Coordinate with international scientific bodies.

Consolidation of Activities: Draft the directive so that the Interagency Council and its committees are the mechanisms for meeting the legislative requirements of the National Climate Program Act, Section 153(f) of the Clean Air Act, the Global Climate Protection Act, and any other related statutory or regulatory requirements.

Pros:

- Creates a continuing mechanism to coordinate among and between policy and research activities with agency participation at the highest policy levels.
- Provides an effective model for dealing with the issue, minimizing the likelihood of Congressional preemption on the issue. Demonstrates to Congress and outside domestic

and international interests intention to show leadership on policy based on focussed research plans and results.

- Allows present research organizations and personnel to be incorporated into the structure or to establish cooperative working relationships. Modeled on proven NAPAP structure.

Cons:

- Requires a new organization to be implemented.
- Requires working out relationships with existing organizations and mandates (e.g., NCPO within Executive Secretariat, personnel leading CES to be agency senior representatives for Science Committee structure).




UNITED STATES  
ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C. 20460

THE ADMINISTRATOR

June 20, 1988

Bob Dawson

I believe this is  
consistent with our conversatio

  
Lee M. Thomas

## INTERAGENCY COMMITTEE ON GLOBAL CLIMATE

The Global Climate Protection Act enacted by Congress and signed by the President on December 22, 1987, requires the Administrator of EPA and the Secretary of State to report to Congress within 24 months the following:

- \* A summary analysis of current international scientific understanding of the greenhouse effect, including its environmental and health impacts;
- \* An assessment of the United States effort to gain international cooperation in limiting global climate change; and
- \* A description of the strategy by which the United States intends to seek further international cooperation to limit global climate change.

Additionally, the Act states that the President, through the Environmental Protection Agency shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change.

## COMMITTEE FUNCTIONS

In order to provide an interagency forum for the consideration and development of response strategies and policies relating to global climate, there will be established an Interagency Committee on Global Climate. This Committee will report through the Working Group on Energy and Natural Resources to the Domestic Policy Council.

The Committee will be made up of all Agencies with an interest in global climate change, including Department of Agriculture, Department of Interior, Department of Commerce, Department of State, Department of Energy, National Science Foundation, Council on Environmental Quality, National Aeronautics and Space Administration, and the Environmental Protection Agency. The Department of Justice has asked to be an observer member.



The Committee will be governed by two co-chairs, one permanent and one rotating. Because of its statutory responsibility for policy development, the permanent chair will belong to the Administrator of the Environmental Protection Agency. The other chair will rotate among the Secretaries of Energy, Commerce, Interior and Agriculture on a yearly basis.

The purpose of the Committee will be to ensure that policy options are developed in a fully coordinated manner with all interested federal agencies, and precede any legislative or regulatory action; that domestic and international activities are fully coordinated, and that policy makers have a forum to interact with science agencies to ensure that the research needs of policy-makers are met.

The Committee will oversee the interagency coordination of the reports EPA is required to submit to Congress, including the effects and stabilization studies currently planned for completion by December 1988, as well as the reports EPA and the Department of State are required to prepare under the Global Climate Protection Act of 1988, mentioned above. The Department of State will chair a subgroup of the Committee to prepare the report on U.S. efforts to gain international cooperation in limiting global climate change, and to develop a strategy to seek international cooperation to limit climate change. Additionally, this subgroup would be responsible for the interface of domestic and international aspects of the global change issue.

#### SCIENCE FUNCTIONS

The Committee on Earth Science shall serve as the coordinating body for global climate research issues. The Committee on Earth Science will consult and coordinate with the Policy Committee on issues of science.

Additionally, the Policy Committee and CES will work together to ensure that the scientific research will satisfy the needs of policy makers who must evaluate the potential impacts of climate change and potential response strategies.

THE WHITE HOUSE  
WASHINGTON

June 21, 1988

MEMORANDUM FOR NANCY J. RISQUE

FROM: RALPH C. BLEDSOE *Ralph*

SUBJECT: Remaining DPC Environmental Agenda Items

Early this morning we received from Ty Cobb the attached excerpt from the Toronto summit draft communique. The communique is scheduled for release at 4 p.m., EST, today.

This communique highlights the environmental issues the heads of state have chosen to place on the international agenda, and references the environmental issues that remain "on the table" for potential DPC review.

- o The Montreal Protocol on Substances that Deplete the Ozone Layer, cited in Point 33, will likely not require further DPC discussion. However, we should be encouraging other nations to ratify the protocol, and ensure that any discussions of further reductions of CFCs are held under the guidelines of the protocol, and are based upon scientific evidence.
- o Acid rain, mentioned in Point 34, remains an issue between the U.S. and the Canadians. The President has, based on DPC recommendations, issued guidance to U.S. negotiators concerning an air quality accord with Canada, and Secretary Shultz has been exploring a compromise with the Canadians on this issue. However, to date they have not responded to the Secretary's latest proposal. A briefing by Secretary Shultz on the status of his efforts would be helpful in terms of allaying concerns some members of the DPC have expressed. If the Secretary is successful in getting the Canadians to continue negotiations on an accord, and if it appears additional policy guidance by the President is required, a DPC review may be needed.
- o The NOx protocol, also mentioned in Point 34, and now being negotiated "within the framework of the Geneva Convention on Long-range Transboundary Air Pollution," will require Council review. The communique states that "it is, therefore, timely that negotiations....be pursued energetically." An options paper is being prepared for DPC consideration by an interagency task group. Of some concern is that a signing date has been set for October 21, 1988 in Sofia, Bulgaria, at a crucial time for U.S. elections.

*Lee-OK*  
*Bob J. keeps me apprised.* ✓



- o Global climate, mentioned in Point 34, has also become an international concern, as reflected by the statement in the communique that "We welcome the Conference on the Changing Atmosphere to be held in Toronto next week." This has not been considered an official government sponsored conference, and Canada has tightly controlled the invitations. Also, statutes recently enacted by Congress, and increased international pressures have necessitated creation of an interagency panel on global climate change, whose purpose is to insure a coordinated U.S. governmental effort in studying and formulating policy on this issue. Lee Thomas is heading this effort. Two reports on global climate change are due to Congress this December, and two more next December. The DPC, at the least, should be briefed on the nature of this issue, and consideration should be given to DPC review of the two reports due to Congress in December.
- o The remaining four environmental issues in the draft communique -- the concept of sustainable development, the transboundary shipment of hazardous wastes, deforestation, and endangered species -- are being handled by appropriate agencies and will probably not require DPC attention.

Attachment

- 8 -

comparability by the end of this year at the very latest. This approach will provide benefits over and above the impressive multilateral agreements to help the poorest countries over the past year.

31. On a bilateral basis, several creditor governments have already taken action to write off the principal of Official Development Assistance loans or to relieve future servicing of these loans, while other countries continue to maintain a high grant element to their assistance to the poorest.

#### ENVIRONMENT

32. We agree that the protection and enhancement of the environment is essential. The report of the World Commission on Environment and Development has stressed that environmental considerations must be integrated into all areas of economic policy-making if the globe is to continue to support humankind. We endorse the concept of sustainable development. *OK*

33. Threats to the environment recognize no boundaries. Their urgent nature requires strengthened international cooperation among all countries. Significant progress has been achieved in a number of environmental areas. The Montreal Protocol on Substances that Deplete the Ozone Layer is a milestone. All countries are encouraged to sign and ratify it. *OK*

34. Further action is needed. Global climate change, air and water pollution, [acid rain], hazardous substances, deforestation, and endangered species require priority attention. *OK* It is, therefore, timely that negotiations on a protocol on emissions of nitrogen oxides within the framework of the Geneva Convention on Long-range Transboundary Air Pollution be pursued energetically. The efforts of the United Nations Environment Program (UNEP) for an agreement on the transfrontier shipment of hazardous wastes should also be encouraged as well as the establishment of an inter-governmental panel on global climate change under the auspices of UNEP and the World Meteorological Organization (WMO). We also recognize the potential impact of agriculture on the environment, whether negative through overintensive use of resources or positive in preventing desertification. We welcome the Conference on the Changing Atmosphere to be held in Toronto next week.

#### FUTURE SUMMITS

35. We, the Heads of State or Government, and the representatives of the European Community, believe that the Economic Summits have strengthened the ties of solidarity, both political and economic, that exist between our countries and that thereby they have helped to sustain the values of democracy that

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SECURE FAX # 18

ADMIN FAX # \_\_\_\_\_

RECORD # \_\_\_\_\_

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FROM/LOCATION

1.

Ly Cobb, NSC / Toronto White House

TO/LOCATION/TIME OF RECEIPT

2.

Bob JohnsonDomestic Policy Council

3.

Ralph Blodwe(DPL)Room 200 BOB

4.

6640TOR: 2/1/95

5.

6.

7.

INFORMATION ADDRESSEES/LOCATION/TIME OF RECEIPT

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SPECIAL INSTRUCTIONS/REMARKS:

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CLASSIFICATION



- 8 -

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34. Further action is needed. Global climate change, air and water pollution, [acid rain], hazardous substances, deforestation, and endangered species require priority attention. It is, therefore, timely that negotiations on a protocol on emissions of nitrogen oxides within the framework of the Geneva Convention on Long-range Transboundary Air Pollution be pursued energetically. The efforts of the United Nations Environment Program (UNEP) for an agreement on the transfrontier shipment of hazardous wastes should also be encouraged as well as the establishment of an inter-governmental panel on global climate change under the auspices of UNEP and the World Meteorological Organization (WMO). We also recognize the potential impact of agriculture on the environment, whether negative through overintensive use of resources or positive in preventing desertification. We welcome the Conference on the Changing Atmosphere to be held in Toronto next week.

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THE WHITE HOUSE

WASHINGTON

May 5, 1988

MEMORANDUM FOR NANCY J. RISQUE

FROM:

ROBERT E. JOHNSON *Bob*

SUBJECT:

Global Climate Change Update

Attached are copies of two letters from Congress, one to the President and one to Bill Graham. Both are indicators of increased Congressional concern over the climate change issue. The first letter, signed by 46 Senators, urges the President to join with the Soviet general secretary in calling for an international convention on global climate change. The second letter, from the chairman and ranking Republican of the House Science, Space and Technology Committee, registers concern that EPA has gone beyond their legislative mandate when Lee Thomas proposed an interagency committee that, among other things, would oversee development of an integrated plan of research.

An ad hoc group has been formed, coordinated by Dave Gibbons of OMB, to review Lee Thomas' proposal for an interagency committee on global climate change. It has developed an excellent review of statutory mandates in this area, and has developed a crosscut of the budget now and projected to be spent on climate change (see attached documents). The purpose of the group is to develop a more detailed proposal that either builds upon or replaces Lee's interagency committee. The ad hoc group encompasses the entire scope of interested agencies.

These activities, while appreciably raising the level of debate on global climate change, in my view do not create the need for immediate action. I do, however, see a strong consensus emerging for (1) an interagency committee to coordinate the development of policy proposals, and (2) further guidance on how the committee should operate. Members of the ad hoc group also agree that (1) close communication between the interagency committee and the science coordinating organization is needed, but the two organizations must remain separate, and (2) the Administration should move slowly on climate change policy development, because the science is not understood well enough at this time.

Attachments

Bob Johnson

GEORGE E. BROWN, JR., California  
JAMES H. SCHEUER, New York  
MARILYN LLOYD, Tennessee  
DOUG WALGREN, Pennsylvania  
DAN GLICKMAN, Kansas  
HAROLD L. VOLKMER, Missouri  
BILL NELSON, Florida  
RALPH M. HALL, Texas  
DAVE McCURDY, Oklahoma  
NORMAN Y. MINETA, California  
BUDDY MACKAY, Florida  
TIM VALENTINE, North Carolina  
ROBERT G. TORRICELLI, New Jersey  
RICK BOUCHER, Virginia  
TERRY BRUCE, Illinois  
RICHARD H. STALLINGS, Idaho  
JAMES A. TRAFICANT, JR., Ohio  
JIM CHAPMAN, Texas  
LEE M. HAMILTON, Indiana  
HENRY J. NOWAK, New York  
CARL C. PERKINS, Kentucky  
TOM McMILLEN, Maryland  
DAVID E. PRICE, North Carolina  
DAVID R. NAGLE, Iowa  
JIMMY HAYES, Louisiana  
DAVID E. SKAGGS, Colorado

U.S. HOUSE OF REPRESENTATIVES  
COMMITTEE ON SCIENCE, SPACE,  
AND TECHNOLOGY

SUITE 2321 RAYBURN HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-6371

April 29, 1988

MANUEL LUJAN, JR., New Mexico  
ROBERT S. WALKER, Pennsylvania  
F. JAMES SENSENBRENNER, JR., Wisconsin  
CLAUDINE SCHNEIDER, Rhode Island  
SHERWOOD L. BOEHLERT, New York  
TOM LEWIS, Florida  
DON RITTER, Pennsylvania  
SID MORRISON, Washington  
RON PACKARD, California  
ROBERT C. SMITH, New Hampshire  
PAUL B. HENRY, Michigan  
HARRIS W. FAWELL, Illinois  
D. FRENCH SLAUGHTER, JR., Virginia  
LAMAR SMITH, Texas  
ERNEST L. KONNYU, California  
JACK BUECHNER, Missouri  
JOEL HEFLEY, Colorado  
CONSTANCE A. MORELLA, Maryland

HAROLD P. HANSON  
Executive Director  
ROBERT C. KETCHAM  
General Counsel  
R. THOMAS WEIMER  
Republican Staff Director

Dr. William R. Graham  
Director, Office of Science and  
Technology Policy  
Executive Office Building  
Washington, D.C. 20506

Dear Dr. Graham:

The "Global Climate Protection Act of 1987", signed into law on December 22, 1987, directs the President, through the Environmental Protection Agency, to develop and propose to Congress a coordinated national policy on global climate change. Based on the attached March 1, 1988, memorandum from EPA Administrator Lee Thomas to Presidential Assistant Nancy Risque, EPA has begun to implement the Act in ways which appear to us to exceed Congressional intent with respect to management of research programs dealing with climate change.

Mr. Thomas states in the memorandum that EPA has established an Interagency Committee to "ensure full coordination of the development of scientific information and policy options" related both to the Global Climate Protection Act of 1987 and to those provisions of the Clean Air Act dealing with stratospheric ozone. Mr. Thomas's explanation of the functions of the Interagency Committee include:

- o Ensuring that policy-relevant research relating to the issue of global climate change is conducted by the federal government. This will include overseeing the development and implementation of an integrated plan of research.
- o Overseeing the development and implementation of an integrated plan of research to support U.S. implementation of the [Montreal ozone] protocol.

A reading of the legislative history for the Act indicates that EPA is exceeding Congressional intent in assuming both of these roles. The Statement of Managers accompanying the Global Climate Protection Act (CONGRESSIONAL RECORD, p. H11346, December 14, 1987) states:



Dr. William R. Graham  
April 29, 1988  
Page Two

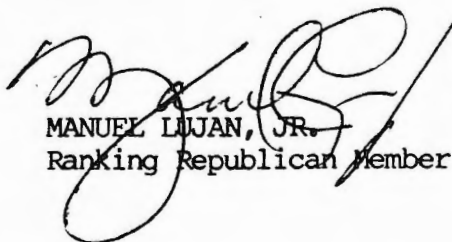
The National Climate Program Office continues to have authority for developing a coordinated research agenda for the Federal Government in the area of climate research and assessment pursuant to Public Laws 95-367 and 99-272. The Office of Science and Technology Policy's Committee on Earth Sciences remains charged with developing long-range plans for Federal research and development in earth sciences and man's impact on global environment. Nothing in this title should be construed to effect the scientific research conducted by any Federal agency ...

The Global Climate Protection Act, as originally considered by the Senate, would have designated EPA and the State Department as co-leaders of an inter-agency Task Force concerned with both policy development and research coordination and implementation. Congressional intent is clearly reflected in the Conference Report, which not only left EPA and State out of any role in research coordination and implementation, but also dropped the concept of an Interagency Task Force entirely. The final bill, therefore, would in no way change either current agency roles or the interagency process with respect to research on global climate change.

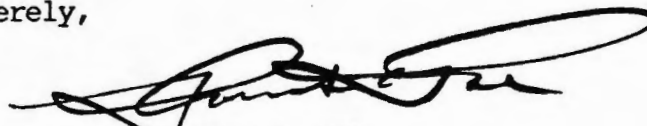
Creation of a new inter-agency committee to direct climate research would needlessly complicate a process already replete with interagency coordinating groups. Because of their responsibilities under the Global Climate Protection Act, we recognize that EPA and the Department of State have a strong interest in promoting and utilizing policy-relevant climate research. However, EPA should work through existing inter-agency mechanisms to ensure that such policy-relevant research is conducted. EPA has neither the expertise nor the authority to oversee nearly \$200 million in climate-related research conducted by a variety of agencies with a long history of scientific credibility and inter-agency coordination.

We would recommend that you utilize your authority for coordination of federal science and technology policy to ensure that research necessary for implementation of the Global Climate Protection Act is coordinated under existing laws and executive directives.

Sincerely,



MANUEL LUJAN, JR.  
Ranking Republican Member



ROBERT A. ROE  
Chairman

cc: Mr. Lee Thomas  
Ms. Nancy Risque

August 5, 1988

MEMORANDUM FOR THE DIRECTOR

THRU: ROBERT K. DAWSON

FROM: NORMAN E. HARTNESS

SUBJECT: Creation of Coordinating Committee on Global  
Climate Change Policy

BACKGROUND

The Global Climate Protection Act of 1987, (GCPA), passed last December, said that: "The President, through the Environmental Protection Agency, shall be responsible for developing and proposing to Congress a coordinated national policy on global climate change."

This charge overlaps with a great number of existing agency responsibilities which are explicitly defined in statute or are inherent in agency missions.

Lee Thomas, in March, wrote a letter to Nancy Risque suggesting an EPA-chaired committee to coordinate EPA preparation of reports required by the GCPA and to coordinate scientific research on global climate change. Subsequently he wrote letters to agency heads making a similar suggestion.

A number of agencies object to an EPA-chaired committee on the grounds that EPA is inherently biased, or to describe it more charitably, that since no single agency encompasses all of the interests involved, no single agency can be a totally neutral chairman. The EPA suggestion also focused mostly on the coordination necessary to fulfill the legislative requirements imposed on EPA. There are a large number of additional requirements imposed on other agencies which also need full coordination.

Since then in informal interagency discussions, your staff has tried to find a solution that would be acceptable to a sufficient number of agencies to be viable. We believe that a committee jointly chaired by EPA and DOE would be acceptable to all, although EPA would like a sole chair role, and Commerce and Interior would like chair roles if they could have all that they wished. The rationale for EPA lies in the broad terms of the GCPA; that for DOE in their energy policy responsibilities and their carbon dioxide research role.

A policy coordination committee of the kind described in the attached letters would work well with the Office of Science and Technology Policy (OSTP) created Committee on Earth Sciences (CES) which has responsibility for coordination of Research and Development (R&D) on global change (including climate change). The science would be independent, objective, and most importantly, credible, while at the same time the interaction of the Policy Committee and the CES would help assure that the science is directed to the things that policy makers and policy analysts are going to need to know.

#### RECOMMENDATION

Global climate change is becoming the environmental issue of most concern by many and too frequently is being assessed in terms of "doomsday scenarios." We believe that it is important to establish a broad interagency coordinating mechanism on this subject as soon as possible. The risk of foolish legislation by the Congress or hurried, unwise action by an incoming Administration will be minimized if an effective mechanism is already in place and visibly in operation.

If you concur we would propose to share with Nancy Risque the attached letters to Thomas and Herrington asking them to call and chair the Committee and to the other interested Federal agencies telling them to expect such a call. If she raises no objections, the letters could then be sent.

Attachments

c:  
NRD Official File  
NRD Chron  
Mr. Dawson  
DO Records

NRD:N.E.Hartness:dgs:8/5/88



**DRAFT**

Honorable John S. Herrington  
Secretary of Energy  
Washington, D.C. 20585

Honorable Lee M. Thomas  
Administrator  
Environmental Protection Agency  
Washington, D.C. 20460

Dear

For some time now, informal discussions have been carried on among interested Federal agencies about how to coordinate the many agency activities relating to global climate change. Most have agreed that improved coordination is badly needed.

A large number of agencies have policy-related responsibilities on global climate change issues. NOAA, NASA, NSF, USDA, and HHS all are required to prepare reports to the Congress which are to include "any appropriate recommendations for legislation or regulation (or both)" under Section 154 of the Clean Air Act. The Secretary of Commerce must submit to Congress a 5-year plan for the National Climate Program, an annual program report, a climate change report which includes a substantial policy component, and studies on policy options. The Department of Energy's responsibilities for energy policy, and the responsibilities of the Departments of Agriculture and Interior for natural resources and energy minerals leasing activities involve those Departments deeply in global climate change policy issues. EPA is directed by provisions of the Clean Air Act to coordinate research and studies related to the stratosphere. EPA and the Department of State also have substantial responsibilities under the Global Climate Change Act of 1987. Many others are also involved.

Given this broad agency involvement requiring many reports to Congress, and the widespread funding of research and studies, I believe that an interagency mechanism is needed to coordinate the broad range of agency activities relating to global climate change.

I believe that it is essential that such a committee be established and actively operating as soon as possible. The task of coordination on these matters is very complex and extensive. Various reports are due in time frames which make their preparation and coordination very difficult.

For these reasons, I ask that you jointly call, and jointly chair an Interagency Coordinating Committee on Global Climate Change. The Committee will be permanently co-chaired by the Administrator of the Environmental Protection Agency and the Secretary of the Department of Energy. It will establish its own operating procedures and such Working Groups and Subcommittees as it finds necessary.

The Interagency Coordinating Committee on Global Climate Change should:

- Coordinate the various statutory requirements for preparation and submission of reports to the President and the Congress.
- Communicate and coordinate with the Committee on Earth Sciences of the Federal Coordinating Council for Science, Engineering, and Technology to assure that scientific research on global climate change will respond to policy-makers' needs for relevant information about global climate change and its uncertainties.
- Assure that all Federal agency interests and concerns are fully and adequately considered in the policy development process.
- Provide a mechanism to develop national policy on global climate change that is soundly based on the best scientific information that a well directed and coordinated research program can provide.
- Provide an institutional mechanism for continuity on global climate change matters through changes in Administrations.
- Report annually to the Director of the Office of Management and Budget on the need for improvements in interagency coordination on matters relating to global climate change.

I am sending copies of the attached letter to other interested Federal agencies informing them that you will shortly be calling a meeting of the Committee and stressing to them the importance of moving quickly to improve coordination on global climate change matters.

Sincerely yours,

James C. Miller III  
Director

**DRAFT**

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For these reasons, I have asked the Secretary Of Energy and the Administrator of the Environmental Protection Agency to jointly call, and jointly chair an Interagency Coordinating Committee on Global Climate Change. The Committee will be permanently co-chaired by the Administrator of the Environmental Protection Agency and the Secretary of Energy. It will establish its own operating procedures and such Working Groups and Subcommittees as it finds necessary.

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- Provide an institutional mechanism for continuity on global climate change matters through changes in Administrations.
- Report annually to the Director of the Office of Management and Budget on the need for improvements in interagency coordination on matters relating to global climate change.

You will in the near future receive notice from the Committee's Co-Chairs of the initial organizational meeting of the Committee. I urge you to participate fully in the operations of this Committee and to give the efforts of any Working Groups or Subcommittees which it may establish the full support of your agency's resources and staffing. Matters relating to global climate change are likely to be important to a great many Federal agencies in the years between now and the turn of the century. We must assure that our efforts and activities are fully coordinated.

Sincerely yours,

James C. Miller III  
Director

INTERAGENCY COORDINATING COMMITTEE ON GLOBAL CLIMATE CHANGE  
PROPOSED MEMBER AGENCIES

Department of Agriculture  
Department of Commerce  
Department of Defense  
Department of Energy  
Department of the Interior  
Department of State  
Department of Transportation  
Department of Health and Human Services  
Department of Housing  
Environmental Protection Agency  
National Aeronautics and Space Administration  
National Science Foundation  
National Oceanic and Atmospheric Administration  
Council of Economic Advisers  
Council on Environmental Quality  
Office of Management and Budget  
Office of Policy Development  
Office of Science and Technology Policy