

# Union Calendar No. 131

110TH CONGRESS  
1ST SESSION

# H. R. 2420

[Report No. 110-215]

To declare United States policy on international climate cooperation, to authorize assistance to promote clean and efficient energy technologies in foreign countries, and to establish the International Clean Energy Foundation.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2007

Mr. LANTOS (for himself, Mr. SMITH of New Jersey, Mr. MARKEY, Mr. MEEKS of New York, Mr. SIRES, Ms. WATSON, Mr. DELAHUNT, Mr. BERMAN, Mr. CROWLEY, Mr. WEXLER, Mr. ENGEL, Mr. FALEOMAVAEGA, Mr. ACKERMAN, Mr. SHERMAN, Ms. WOOLSEY, Mr. MILLER of North Carolina, Mr. KLEIN of Florida, Mr. PAYNE, Mr. SMITH of Washington, Mr. CARNAHAN, Ms. LINDA T. SÁNCHEZ of California, Mr. WU, Mr. HINOJOSA, Mr. INSLEE, Ms. JACKSON-LEE of Texas, and Ms. GIFFORDS) introduced the following bill; which was referred to the Committee on Foreign Affairs

JUNE 28, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in *italie*]

[For text of introduced bill, see copy of bill as introduced on May 22, 2007]

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## A BILL

To declare United States policy on international climate cooperation, to authorize assistance to promote clean and

efficient energy technologies in foreign countries, and to establish the International Clean Energy Foundation.

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

3 **SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

4 (a) *SHORT TITLE.*—*This Act may be cited as the*  
 5 *“International Climate Cooperation Re-engagement Act of*  
 6 *2007”.*

7 (b) *TABLE OF CONTENTS.*—*The table of contents for*  
 8 *this Act is as follows:*

*Sec. 1. Short title and table of contents.*

*Sec. 2. Definitions.*

**TITLE I—UNITED STATES POLICY ON GLOBAL CLIMATE CHANGE**

*Sec. 101. Congressional findings.*

*Sec. 102. Congressional statement of policy.*

*Sec. 103. Office on Global Climate Change.*

**TITLE II—ASSISTANCE TO PROMOTE CLEAN AND EFFICIENT  
ENERGY TECHNOLOGIES IN FOREIGN COUNTRIES**

*Sec. 201. Congressional findings.*

*Sec. 202. United States assistance for developing countries.*

*Sec. 203. United States exports and outreach programs for India and China.*

*Sec. 204. United States trade missions to encourage private sector trade and in-*  
*vestment.*

*Sec. 205. Actions by Overseas Private Investment Corporation.*

*Sec. 206. Actions by United States Trade and Development Agency.*

*Sec. 207. Global Climate Change Exchange program.*

*Sec. 208. Interagency Working Group to support a Clean Energy Technology Ex-*  
*ports Initiative.*

**TITLE III—INTERNATIONAL CLEAN ENERGY FOUNDATION**

*Sec. 301. Definitions.*

*Sec. 302. Establishment and management of Foundation.*

*Sec. 303. Duties of foundation.*

*Sec. 304. Annual report.*

*Sec. 305. Powers of the foundation; related provisions.*

*Sec. 306. General personnel authorities.*

*Sec. 307. Authorization of appropriations.*

1 **SEC. 2. DEFINITIONS.**

2 *In this Act:*

3 (1) *APPROPRIATE CONGRESSIONAL COMMIT-*  
4 *TEES.*—*The term “appropriate congressional commit-*  
5 *tees” means the Committee on Foreign Affairs of the*  
6 *House of Representatives and the Committee on For-*  
7 *ign Relations of the Senate.*

8 (2) *CLEAN AND EFFICIENT ENERGY TECH-*  
9 *NOLOGY.*—*The term “clean and efficient energy tech-*  
10 *nology” means an energy supply or end-use tech-*  
11 *nology—*

12 (A) *such as—*

13 (i) *solar technology;*

14 (ii) *wind technology;*

15 (iii) *geothermal technology;*

16 (iv) *hydroelectric technology; and*

17 (v) *carbon capture technology; and*

18 (B) *that, over its life cycle and compared to*  
19 *a similar technology already in commercial*  
20 *use—*

21 (i) *is reliable, affordable, economically*  
22 *viable, socially acceptable, and compatible*  
23 *with the needs and norms of the country in-*  
24 *volved;*

25 (ii) *results in—*

1                   (I) *reduced emissions of green-*  
 2                   *house gases; or*

3                   (II) *increased geological sequestra-*  
 4                   *tion; and*

5                   (iii) *may—*

6                   (I) *substantially lower emissions*  
 7                   *of air pollutants; or*

8                   (II) *generate substantially smaller*  
 9                   *or less hazardous quantities of solid or*  
 10                  *liquid waste.*

11               (3) *GEOLOGICAL SEQUESTRATION.—The term*  
 12               *“geological sequestration” means the capture and*  
 13               *long-term storage in a geological formation of a*  
 14               *greenhouse gas from an energy producing facility,*  
 15               *which prevents the release of greenhouse gases into the*  
 16               *atmosphere.*

17               (4) *GREENHOUSE GAS.—The term “greenhouse*  
 18               *gas” means—*

19                   (A) *carbon dioxide;*

20                   (B) *methane;*

21                   (C) *nitrous oxide;*

22                   (D) *hydrofluorocarbons;*

23                   (E) *perfluorocarbons; or*

24                   (F) *sulfur hexafluoride.*

1 **TITLE I—UNITED STATES POL-**  
2 **ICY ON GLOBAL CLIMATE**  
3 **CHANGE**

4 **SEC. 101. CONGRESSIONAL FINDINGS.**

5 *Congress makes the following findings:*

6 *(1) There is a global scientific consensus, as es-*  
7 *tablished by the Intergovernmental Panel on Climate*  
8 *Change (IPCC) and confirmed by the National Acad-*  
9 *emy of Sciences, that the continued build-up of an-*  
10 *thropogenic greenhouse gases in the atmosphere has*  
11 *been, and is now warming the earth and threatens the*  
12 *stability of the global climate. By the estimate of the*  
13 *IPCC, unmitigated global greenhouse gas emissions*  
14 *could drive up global temperatures by as much as 7*  
15 *to 11 degrees Fahrenheit by 2100.*

16 *(2) Climate change is already having significant*  
17 *impacts in certain regions of the world and on many*  
18 *ecosystems, with poor populations being most vulner-*  
19 *able.*

20 *(3) Climate change is a global problem that can*  
21 *only be managed by a coordinated global response*  
22 *that reduces global emissions of greenhouse gases to a*  
23 *level that stabilizes their concentration in the Earth's*  
24 *atmosphere.*

1           (4) *The United Nations Framework Convention*  
2           *on Climate Change* (hereinafter in this section re-  
3           ferred to as the “Convention”) establishes a viable  
4           foundation to construct a global regime to combat  
5           global warming and manage its impacts.

6           (5) *The United States, along with 189 other*  
7           *countries, is a party to the Convention, agreed to in*  
8           *New York on May 9, 1992, and entered into force in*  
9           *1994. The Convention’s stated objective is “to achieve*  
10          *stabilization of greenhouse gas concentrations in the*  
11          *atmosphere at a level that would prevent dangerous*  
12          *anthropogenic interference with the climate system”.*

13          (6) *The Kyoto Protocol to the Convention was*  
14          *adopted by the third Convention Conference of the*  
15          *Parties (COP–3) in December 1997, in Kyoto, Japan,*  
16          *and stipulated legally binding reductions in green-*  
17          *house gas emissions at an average of 5.2 percent*  
18          *below 1990 levels for industrialized countries, but it*  
19          *did not specify policies for its implementation. The*  
20          *Kyoto Protocol also did not stipulate binding reduc-*  
21          *tions in greenhouse gas emissions for rapidly indus-*  
22          *trializing countries such as China, India, and Brazil.*

23          (7) *Before negotiations were completed on the*  
24          *mechanisms for implementing Kyoto Protocol com-*  
25          *mitments on greenhouse gas emissions, George W.*

1        *Bush took office as President of the United States,*  
2        *and in March 2001, announced opposition to contin-*  
3        *ued negotiations over implementation of the Protocol,*  
4        *stating that the Protocol was “fatally flawed” from*  
5        *the Administration’s point of view.*

6            (8) *President Bush unveiled an “alternative”*  
7        *strategy to the Kyoto Protocol for halting global*  
8        *warming on February 14, 2002. The President’s plan*  
9        *did not contain any international component to*  
10       *amend or supplant the Kyoto Protocol or any kind of*  
11       *blueprint for committing major developing economies*  
12       *such as China, India, and Brazil to reduce future*  
13       *greenhouse gas emissions. The President’s plan set a*  
14       *voluntary “greenhouse gas intensity” target for the*  
15       *United States that specified an 18 percent reduction*  
16       *in “emissions intensity” by 2012. This reduction*  
17       *would allow actual emissions to increase by at least*  
18       *12 percent over the same period.*

19           (9) *On February 16, 2005, after Russia’s ratifi-*  
20       *cation, the Kyoto Protocol entered into force. With*  
21       *entry into force, the emissions targets of the Protocol*  
22       *became legally binding commitments for those indus-*  
23       *trialized countries that ratified the Protocol. Because*  
24       *the United States and Australia did not ratify the*  
25       *Protocol, and because developing countries are not*

1        *subject to its limits, the Protocol currently restricts*  
2        *the emissions of countries accounting for only 32 per-*  
3        *cent of global greenhouse gas emissions.*

4            *(10) The Kyoto Protocol required that parties to*  
5        *the Protocol begin negotiating in 2005 toward a sec-*  
6        *ond round of commitments to begin after the expira-*  
7        *tion of the first emissions budget period in 2012. The*  
8        *eleventh Convention Conference of the Parties (COP–*  
9        *11) in November and December 2005 in Montreal,*  
10       *Canada launched the negotiations on the second*  
11       *round of commitments by parties to the Protocol and*  
12       *initiated a dialogue (a “parallel process”) under the*  
13       *Convention that engaged both the United States and*  
14       *developing countries in discussions on future efforts.*

15           *(11) At the twelfth Convention Conference of the*  
16       *Parties (COP–12) in November 2006 in Nairobi,*  
17       *Kenya, parties continued discussions on a second*  
18       *round of commitments under the Kyoto Protocol as a*  
19       *successor to the first commitment period (2008*  
20       *through 2012) and, in the parallel process, discussed*  
21       *enhanced cooperation under the Convention that*  
22       *would engage countries that did not have commit-*  
23       *ments under the Protocol.*

24           *(12) At a summit in Brussels, Belgium in March*  
25       *2007, the head of governments of the European Union*



1       *committed its Member States to cut greenhouse gas*  
2       *emissions 20 percent below 1990 levels by 2020 and*  
3       *committed to move this target up to 30 percent if the*  
4       *United States and other major emitters joined the*  
5       *commitment.*

6               *(13) On April 17, 2007, the United Nations Se-*  
7       *curity Council held its first ever “open meeting” on*  
8       *the impact of climate change on international secu-*  
9       *urity. British Foreign Secretary Margaret Beckett, in*  
10       *her capacity as President of the Security Council, de-*  
11       *clared in her opening statement that the Council has*  
12       *a “security imperative” to tackle climate change be-*  
13       *cause it can exacerbate problems that cause conflicts*  
14       *and because it threatens the entire planet. United Na-*  
15       *tions Secretary-General Ban Ki-moon told the Coun-*  
16       *cil that “issues of energy and climate change have im-*  
17       *plications for peace and security”.*

18               *(14) Working Group III of the IPCC met from*  
19       *April 30 through May 4, 2007, in Bangkok, Thailand*  
20       *to assess technologies and policies needed to avert*  
21       *dangerous climate change and to provide background*  
22       *for negotiations on a post-2012 climate change re-*  
23       *gime. The draft report by the IPCC Working Group*  
24       *III concludes that by quickly adopting technological*  
25       *options that are available or are being developed, the*

1     *global concentration of greenhouse gases in the atmos-*  
2     *phere can be stabilized at 450–550 parts per million*  
3     *(ppm). The IPCC scientists believe that a 450 to 550*  
4     *ppm ceiling might limit the global rise in tempera-*  
5     *tures to no more than 3.6 degrees Fahrenheit and*  
6     *avert impacts of escalating scale, scope, and costs, po-*  
7     *tentially including the destabilization of large polar*  
8     *ice sheets that could contribute to long-term, cata-*  
9     *strophic sea level rise at higher temperatures.*

10         *(15) At the Group of Eight (G–8) Summit sched-*  
11         *uled to be held in Heiligendamm, Germany in June*  
12         *2007, climate change and energy have been placed at*  
13         *the top of the policy agenda, and during the Summit,*  
14         *the G–8 is scheduled to have a dialogue with China,*  
15         *India, South Africa, Mexico, and Brazil on the issue.*

16         *(16) The United Nations Secretary-General Ban*  
17         *Ki-moon has indicated that one of his top goals is to*  
18         *forge a more comprehensive agreement under the Con-*  
19         *vention to ensure there is no gap when the first com-*  
20         *mitment period under the Kyoto Protocol ends in*  
21         *2012. In order to reach this goal, critical negotiations*  
22         *involving all of the major greenhouse gas emitters,*  
23         *along with the vulnerable countries, must be initiated*  
24         *immediately and be completed by 2009. On May 1,*  
25         *2007, the Secretary-General named three Special En-*

1       voys on Climate Change to assist in “consultations  
2       with Governments”. The Secretary-General will host a  
3       “high-level meeting” on climate change at the United  
4       Nations General Assembly in September 2007 to give  
5       “political direction” to the thirteenth Convention  
6       Conference of the Parties (COP–13) to take place in  
7       December 2007 in Bali, Indonesia.

8       **SEC. 102. CONGRESSIONAL STATEMENT OF POLICY.**

9       Congress declares the following to be the policy of the  
10      United States:

11               (1) To promote United States and global security  
12      through leadership in cooperation with other nations  
13      of the global effort to reduce and stabilize global  
14      greenhouse gas emissions and stabilize atmospheric  
15      concentration of such gases. As such, the United  
16      States will seek to obtain mitigation commitments  
17      from all major greenhouse gas emitting countries  
18      under the institutional framework provided by the  
19      United Nations Framework Convention on Climate  
20      Change (hereinafter in this section referred to as the  
21      “Convention”);

22               (2) To facilitate progress in global negotiations  
23      toward a comprehensive agreement under the Conven-  
24      tion, and in service of this goal, the United States  
25      will, during the course of 2007, engage in high level

1 *dialogue on climate change within the Group of Eight*  
2 *(G–8), with the European Union, with Japan and*  
3 *other industrialized countries, and with China, India,*  
4 *Brazil, and other major developing countries. The*  
5 *United States will also participate in the initiative*  
6 *of the United Nations Secretary-General to build con-*  
7 *sensus among governments on enhanced international*  
8 *cooperation on these matters.*

9 *(3) To participate more actively and construc-*  
10 *tively in the intergovernmental climate change proc-*  
11 *ess, including at the thirteenth Convention Conference*  
12 *of the Parties (COP–13) to take place in December*  
13 *2007 in Bali, Indonesia. As such, at the COP–13*  
14 *meeting, the United States will be represented by a*  
15 *high-level delegation composed of climate experts and*  
16 *career foreign service officers with extensive diplo-*  
17 *matic experience, including experience in multi-lat-*  
18 *eral negotiations, headed by the Secretary of State,*  
19 *the Secretary’s Deputy, or the Undersecretary for*  
20 *Global Affairs of the Department of State.*

21 *(4) To engage in serious discussion of possible*  
22 *future commitments under the Convention. These dis-*  
23 *cussions will seek to develop a plan of action and*  
24 *time-table with the goal of adopting a new inter-*  
25 *national agreement under the Convention that stipu-*

1        *lates commitments from all major greenhouse gas*  
2        *emitters, including the United States and other coun-*  
3        *tries listed in Annex 1 to the Convention, China,*  
4        *India, and Brazil, at the fifteenth Convention Con-*  
5        *ference of the Parties (COP–15) to take place in 2009.*  
6        *This process will seek as its objective that a new in-*  
7        *strument will come into force by the time the first*  
8        *commitment period under the Kyoto Protocol ends in*  
9        *2012.*

10            *(5) To protect United States national and eco-*  
11            *nomie interests and United States competitiveness in*  
12            *all sectors by negotiating a new agreement under the*  
13            *Convention that is cost effective, comprehensive, flexi-*  
14            *ble, and equitable. Such an agreement shall, at a*  
15            *minimum—*

16                    *(A) require binding mitigation commit-*  
17                    *ments from all major emitting countries based*  
18                    *on their level of development;*

19                    *(B) provide for different forms of commit-*  
20                    *ments, including economy-wide emissions tar-*  
21                    *gets, policy-based commitments, sectoral agree-*  
22                    *ments, and no-regrets targets;*

23                    *(C) increase cooperation on clean and effi-*  
24                    *cient energy technologies and practices;*

1           (D) target all greenhouse gases, including  
2 sources, sinks, and reservoirs of greenhouse gases,  
3 and should expand the current scope of the Kyoto  
4 Protocol and Convention to sectors not covered,  
5 such as the international aviation and maritime  
6 sectors;

7           (E) include mechanisms to harness market-  
8 based solutions, building upon the joint imple-  
9 mentation, clean development mechanism, and  
10 international emissions trading developed under  
11 the Protocol;

12           (F) include incentives for sustainable for-  
13 estry management that reflect the value of avoid-  
14 ed deforestation;

15           (G) address the need for adaptation, espe-  
16 cially for the most vulnerable and poorest coun-  
17 tries on the planet;

18           (H) consider the impact on United States  
19 industry and contain effective mechanisms to  
20 protect United States competitiveness; and

21           (I) include the perspectives and address the  
22 concerns of impacted indigenous and tribal pop-  
23 ulations.

24           (6) To seek international consensus on long-term  
25 objectives including a target range for stabilizing

1     *greenhouse gas concentrations. The target range*  
 2     *should reflect the consensus recommendations of Inter-*  
 3     *governmental Panel on Climate Change (IPCC) sci-*  
 4     *entists, who believe that concentrations of greenhouse*  
 5     *gases in the Earth’s atmosphere must be stabilized to*  
 6     *provide a reasonable chance of limiting the rise in*  
 7     *global temperatures to a level that might avert the*  
 8     *most damaging impacts of climate change.*

9     **SEC. 103. OFFICE ON GLOBAL CLIMATE CHANGE.**

10     *(a) ESTABLISHMENT OF OFFICE.—There is established*  
 11     *within the Department of State an Office on Global Climate*  
 12     *Change (hereinafter in this section referred to as the “Of-*  
 13     *fice”).*

14     *(b) HEAD OF OFFICE.—*

15         *(1) IN GENERAL.—The head of the Office shall be*  
 16     *the Ambassador-at-Large for Global Climate Change*  
 17     *(hereinafter in this section referred to as the “Ambas-*  
 18     *sador-at-Large”).*

19         *(2) APPOINTMENT.—The Ambassador-at-Large*  
 20     *shall be appointed by the President, by and with the*  
 21     *advice and consent of the Senate.*

22     *(c) DUTIES.—*

23         *(1) IN GENERAL.—The primary responsibility of*  
 24     *the Ambassador-at-Large shall be to advance the goals*  
 25     *of the United States with respect to reducing the*

1       *emissions of global greenhouse gases and addressing*  
2       *the challenges posed by global climate change.*

3           (2)   *ADVISORY   ROLE.—The   Ambassador-at-*  
4       *Large—*

5                   (A) *shall be a principal adviser to the*  
6       *President and the Secretary of State on matters*  
7       *relating to global climate change; and*

8                   (B) *shall make recommendations to the*  
9       *President and the Secretary of State on policies*  
10      *of the United States Government with respect to*  
11      *international cooperation on reducing the emis-*  
12      *sion of global greenhouse gases and addressing*  
13      *the challenges posed by global climate change.*

14          (3)   *DIPLOMATIC REPRESENTATION.—Subject to*  
15      *the direction of the President and the Secretary of*  
16      *State, the Ambassador-at-Large is authorized to rep-*  
17      *resent the United States in matters relating to global*  
18      *climate change in—*

19                   (A) *contacts with foreign governments,*  
20      *intergovernmental organizations, and specialized*  
21      *agencies of the United Nations, the Organization*  
22      *on Security and Cooperation in Europe, and*  
23      *other international organizations of which the*  
24      *United States is a member; and*



1                   (B) *multilateral conferences and meetings*  
 2                   *relating to global climate change.*

3           (d) *FUNDING.*—*The Secretary of State shall provide*  
 4 *the Ambassador-at-Large with such funds as may be nec-*  
 5 *essary for the hiring of staff for the Office, the conduct of*  
 6 *investigations by the Office, and for necessary travel to*  
 7 *carry out the provisions of this section.*

8           (e) *REPORT.*—*Not later than September 1 of each year,*  
 9 *the Secretary of State, with the assistance of the Amba-*  
 10 *sador-at-Large, shall prepare and submit to the appropriate*  
 11 *congressional committees a report on the strategy, policies,*  
 12 *and actions of the United States for reducing the emissions*  
 13 *of global greenhouse gases and addressing the challenges*  
 14 *posed of global climate change.*

15 ***TITLE II—ASSISTANCE TO PRO-***  
 16 ***MOTE CLEAN AND EFFICIENT***  
 17 ***ENERGY TECHNOLOGIES IN***  
 18 ***FOREIGN COUNTRIES***

19 ***SEC. 201. CONGRESSIONAL FINDINGS.***

20           *Congress makes the following findings:*

21                   (1) *Several provisions of the Energy Policy Act*  
 22 *of 1992 were designed to expand Federal programs*  
 23 *that support renewable energy and energy efficient*  
 24 *equipment exports and to broaden the portfolio of pro-*  
 25 *grams to include training and technology transfer ac-*

1 *tivities that help promote development in less indus-*  
2 *trialized nations, expand global markets, and reduce*  
3 *greenhouse gas emissions. However, few of the export-*  
4 *related provisions of the Energy Policy Act of 1992*  
5 *were implemented due to a lack of Federal funding.*

6 *(2) In 2000, Congress called for several United*  
7 *States Government agencies to create an Interagency*  
8 *Working Group to support a Clean Energy Tech-*  
9 *nology Exports Initiative to use the combined re-*  
10 *sources of various agencies to promote the export of*  
11 *clean energy technologies abroad. The Initiative also*  
12 *suffered from low levels of Federal funding and has*  
13 *not produced significant results.*

14 *(3) Large and emerging economies, such as India*  
15 *and China, play significant roles in the global energy*  
16 *security system as large consumers of energy and*  
17 *should be included as member countries in the Inter-*  
18 *national Energy Agency to strengthen the common in-*  
19 *terest of importers in encouraging transparent energy*  
20 *markets and in planning for supply disruptions.*

21 *(4) The challenge of energy security severely af-*  
22 *fects developing countries where over 1.6 billion peo-*  
23 *ple lack access to affordable energy services. In these*  
24 *nations, a lack of transparency and accountability*  
25 *creates a climate of mistrust for investors; bilateral*

1        *and multilateral lending institutions do not provide*  
2        *sufficient incentives to companies investing in clean*  
3        *and efficient energy technologies; women and children*  
4        *suffer disproportionately due to the lack of energy*  
5        *services; inaccessibility of energy services impedes*  
6        *other development programs in education, health, ag-*  
7        *riculture, and the environment; and dependence on*  
8        *imported fuels leaves countries vulnerable to supply*  
9        *disruptions and economic shocks.*

10            *(5) In addition to promoting the export of clean*  
11        *energy technologies, large energy-consuming economies*  
12        *must also have appropriate incentive systems, policy*  
13        *and regulatory frameworks, and investment climates*  
14        *in place to accept and promote the adoption of such*  
15        *technologies.*

16            *(6) More than \$16 trillion needs to be invested*  
17        *in energy-supply infrastructure worldwide by 2030 to*  
18        *meet energy demand, and almost half of total energy*  
19        *investment will take place in developing countries,*  
20        *where production and demand are expected to in-*  
21        *crease the most.*

22            *(7) Public and private sector capital will be*  
23        *needed to fulfill future demand. The opportunity ex-*  
24        *ists for public and private actors to coordinate efforts*  
25        *and leverage resources to direct this investment into*

1 *technologies, practices, and services that promote en-*  
 2 *ergy efficiency, clean-energy production, and a reduc-*  
 3 *tion in global greenhouse gas emissions.*

4 *(8) In attempting to address the global climate*  
 5 *change challenge, the United States Government re-*  
 6 *cently launched the Asia Pacific Partnership on*  
 7 *Clean Development and Climate, which is meant to*  
 8 *accelerate the development and deployment of clean*  
 9 *energy technologies. However, this Partnership oper-*  
 10 *ates in a non-binding framework that does not re-*  
 11 *quire any emissions reductions from the partner*  
 12 *countries.*

13 **SEC. 202. UNITED STATES ASSISTANCE FOR DEVELOPING**  
 14 **COUNTRIES.**

15 *(a) ASSISTANCE AUTHORIZED.—The Administrator of*  
 16 *the United States Agency for International Development*  
 17 *shall support policies and programs in developing countries*  
 18 *that promote clean and efficient energy technologies—*

19 *(1) to produce the necessary market conditions*  
 20 *for the private sector delivery of energy and environ-*  
 21 *mental management services;*

22 *(2) to create an environment that is conducive to*  
 23 *accepting clean and efficient energy technologies that*  
 24 *support the overall purpose of reducing greenhouse*  
 25 *gas emissions, including—*

1                   (A) improving policy, legal, and regulatory  
2                   frameworks;

3                   (B) increasing institutional abilities to pro-  
4                   vide energy and environmental management  
5                   services; and

6                   (C) increasing public awareness and par-  
7                   ticipation in the decision-making of delivering  
8                   energy and environmental management services;  
9                   and

10                  (3) to promote the use of American-made clean  
11                  and efficient energy technologies, products, and en-  
12                  ergy and environmental management services.

13                  (b) *REPORT.*—The Administrator of the United States  
14                  Agency for International Development shall submit to the  
15                  appropriate committees an annual report on the implemen-  
16                  tation of this section for each of the fiscal years 2008  
17                  through 2012.

18                  (c) *AUTHORIZATION OF APPROPRIATIONS.*—To carry  
19                  out this section, there are authorized to be appropriated to  
20                  the Administrator of the United States Agency for Inter-  
21                  national Development \$200,000,000 for each of the fiscal  
22                  years 2008 through 2012.

1 **SEC. 203. UNITED STATES EXPORTS AND OUTREACH PRO-**  
2 **GRAMS FOR INDIA, CHINA, AND OTHER COUN-**  
3 **TRIES.**

4 (a) *ASSISTANCE AUTHORIZED.*—*The Secretary of*  
5 *Commerce shall direct the United States and Foreign Com-*  
6 *mercial Service to expand or create a corps of the Foreign*  
7 *Commercial Service officers to promote United States ex-*  
8 *ports in clean and efficient energy technologies and build*  
9 *the capacity of government officials in India, China, and*  
10 *any other country the Secretary of Commerce determines*  
11 *appropriate, to become more familiar with the available*  
12 *technologies—*

13 (1) *by assigning or training Foreign Commercial*  
14 *Service attachés, who have expertise in clean and effi-*  
15 *cient energy technologies from the United States, to*  
16 *embark on business development and outreach efforts*  
17 *to India and China; and*

18 (2) *by deploying the attachés described in para-*  
19 *graph (1) to educate provincial, state, and local gov-*  
20 *ernment officials in India and China on the variety*  
21 *of United States-based technologies in clean and effi-*  
22 *cient energy technologies for the purposes of pro-*  
23 *moting United States exports and reducing global*  
24 *greenhouse gas emissions.*

25 (b) *REPORT.*—*The Secretary of Commerce shall submit*  
26 *to the appropriate committees an annual report on the im-*

1 *plementation of this section for each of the fiscal years 2008*  
 2 *through 2012.*

3 *(c) AUTHORIZATION OF APPROPRIATIONS.—To carry*  
 4 *out this section, there are authorized to be appropriated to*  
 5 *the Secretary of Commerce such sums as may be necessary*  
 6 *for each of the fiscal years 2008 through 2012.*

7 **SEC. 204. UNITED STATES TRADE MISSIONS TO ENCOURAGE**  
 8 **PRIVATE SECTOR TRADE AND INVESTMENT.**

9 *(a) ASSISTANCE AUTHORIZED.—The Secretary of*  
 10 *Commerce shall direct the International Trade Administra-*  
 11 *tion to expand or create trade missions to and from the*  
 12 *United States to encourage private sector trade and invest-*  
 13 *ment in clean and efficient energy technologies—*

14 *(1) by organizing and facilitating trade missions*  
 15 *to foreign countries and by matching United States*  
 16 *private sector companies with opportunities in for-*  
 17 *foreign markets so that clean and efficient energy tech-*  
 18 *nologies can help to combat increases in global green-*  
 19 *house gas emissions; and*

20 *(2) by creating reverse trade missions in which*  
 21 *the Department of Commerce facilitates the meeting of*  
 22 *foreign private and public sector organizations with*  
 23 *private sector companies in the United States for the*  
 24 *purpose of showcasing clean and efficient energy tech-*

1        *nologies in use or in development that could be ex-*  
 2        *ported to other countries.*

3        *(b) REPORT.—The Secretary of Commerce shall submit*  
 4        *to the appropriate committees an annual report on the im-*  
 5        *plementation of this section for each of the fiscal years 2008*  
 6        *through 2012.*

7        *(c) AUTHORIZATION OF APPROPRIATIONS.—To carry*  
 8        *out this section, there are authorized to be appropriated to*  
 9        *the Secretary of Commerce such sums as may be necessary*  
 10       *for each of the fiscal years 2008 through 2012.*

11    **SEC. 205. ACTIONS BY OVERSEAS PRIVATE INVESTMENT**  
 12        **CORPORATION.**

13       *(a) FINDINGS.—Congress finds the following:*

14            *(1) Many of the emerging markets within which*  
 15        *the Overseas Private Investment Corporation supports*  
 16        *projects have immense energy needs and will require*  
 17        *significant investment in the energy sector in the*  
 18        *coming decades.*

19            *(2) The use, or lack of use, of clean and efficient*  
 20        *energy technologies can have a dramatic effect on the*  
 21        *rate of global greenhouse gas emissions from emerging*  
 22        *markets in the coming decades.*

23       *(b) SENSE OF CONGRESS.—It is the sense of Congress*  
 24       *that the Overseas Private Investment Corporation should*



1 *promote greater investment in clean and efficient energy*  
2 *technologies by—*

3           (1) *proactively reaching out to United States*  
4 *companies that are interested in investing in clean*  
5 *and efficient energy technologies in countries that are*  
6 *significant contributors to global greenhouse gas emis-*  
7 *sions;*

8           (2) *giving preferential treatment to the evalua-*  
9 *tion and awarding of projects that involve the invest-*  
10 *ment or utilization of clean and efficient energy tech-*  
11 *nologies; and*

12           (3) *providing greater flexibility in supporting*  
13 *projects that involve the investment or utilization of*  
14 *clean and efficient energy technologies, including fi-*  
15 *nancing, insurance, and other assistance.*

16       (c) *REPORT.—The Overseas Private Investment Cor-*  
17 *poration shall include in its annual report required under*  
18 *section 240A of the Foreign Assistance Act of 1961 (22*  
19 *U.S.C. 2200a)—*

20           (1) *a description of the activities carried out to*  
21 *implement this section; or*

22           (2) *if the Corporation did not carry out any ac-*  
23 *tivities to implement this section, an explanation of*  
24 *the reasons therefor.*

1 **SEC. 206. ACTIONS BY UNITED STATES TRADE AND DEVEL-**  
2 **OPMENT AGENCY.**

3 (a) *ASSISTANCE AUTHORIZED.*—*The Director of the*  
4 *Trade and Development Agency shall establish or support*  
5 *policies that—*

6 (1) *proactively seek opportunities to fund*  
7 *projects that involve the utilization of clean and effi-*  
8 *cient energy technologies, including in trade capacity*  
9 *building and capital investment projects;*

10 (2) *give preferential treatment to the evaluation*  
11 *and awarding of projects that involve the utilization*  
12 *of clean and efficient energy technologies, particularly*  
13 *to countries that have the potential for significant re-*  
14 *duction in greenhouse gas emissions; and*

15 (3) *recruit and retain individuals with appro-*  
16 *priate expertise in clean, renewable, and efficient en-*  
17 *ergy technologies to identify and evaluate opportuni-*  
18 *ties for projects that involve clean and efficient energy*  
19 *technologies and services.*

20 (b) *REPORT.*—*The President shall include in the an-*  
21 *nual report on the activities of the Trade and Development*  
22 *Agency required under section 661(d) of the Foreign Assist-*  
23 *ance Act of 1961 (22 U.S.C. 2421(d)) a description of the*  
24 *activities carried out to implement this section.*

1 **SEC. 207. GLOBAL CLIMATE CHANGE EXCHANGE PROGRAM.**

2       (a) *PROGRAM AUTHORIZED.*—The Secretary of State  
3 is authorized to establish a program to strengthen research,  
4 educational exchange, and international cooperation with  
5 the aim of reducing global greenhouse gas emissions and  
6 addressing the challenges posed by global climate change.  
7 The program authorized by this subsection shall be carried  
8 out pursuant to the authorities of the Mutual Educational  
9 and Cultural Exchange Act of 1961 (22 U.S.C. 2451 et seq.)  
10 and may be referred to as the “Global Climate Change Ex-  
11 change Program”.

12       (b) *ELEMENTS.*—The program authorized by sub-  
13 section (a) shall contain the following elements:

14               (1) *The financing of studies, research, instruc-*  
15 *tion, and other educational activities dedicated to re-*  
16 *ducing carbon emissions and addressing the challenge*  
17 *of global climate change—*

18                       (A) *by or to United States citizens and na-*  
19 *tionals in foreign universities, governments, or-*  
20 *ganizations, companies, or other institutions;*  
21 *and*

22                       (B) *by or to citizens and nationals of for-*  
23 *ign countries in United States universities, gov-*  
24 *ernments, organizations, companies, or other in-*  
25 *stitutions.*

1           (2) *The financing of visits and exchanges be-*  
 2           *tween the United States and other countries of stu-*  
 3           *dents, trainees, teachers, instructors, professors, re-*  
 4           *searchers, and other persons who study, teach, and*  
 5           *conduct research in subjects such as the physical*  
 6           *sciences, environmental science, public policy, eco-*  
 7           *nomics, urban planning, and other subjects and focus*  
 8           *on reducing greenhouse gas emissions and addressing*  
 9           *the challenges posed by global climate change.*

10          (c) *ACCESS.—The Secretary of State shall ensure that*  
 11          *the program authorized by subsection (a) is available to—*

12               (1) *historically Black colleges and universities*  
 13               *that are part B institutions (as such term is defined*  
 14               *in section 322(2) of the Higher Education Act of 1965*  
 15               *(20 U.S.C. 1061(2))), Hispanic-serving institutions*  
 16               *(as such term is defined in section 502(5) of such Act*  
 17               *(20 U.S.C. 1101a(5))), Tribal Colleges or Universities*  
 18               *(as such term is defined in section 316 of such Act*  
 19               *(20 U.S.C. 1059c)), and other minority institutions*  
 20               *(as such term is defined in section 365(3) of such Act*  
 21               *(20 U.S.C. 1067k(3))), and to the students, faculty,*  
 22               *and researchers at such colleges, universities, and in-*  
 23               *stitutions; and*

24               (2) *small business concerns owned and controlled*  
 25               *by socially and economically disadvantaged individ-*

1        uals, and small business concerns owned and con-  
 2        trolled by women (as such terms are defined in sec-  
 3        tion 8(d)(3) of the Small Business Act (15 U.S.C.  
 4        637(d)(3))).

5        (d) *REPORT.*—The Secretary of State shall transmit  
 6        to the appropriate committees an annual report on the im-  
 7        plementation of this section for each of the fiscal years 2008  
 8        through 2012.

9        (e) *AUTHORIZATION OF APPROPRIATIONS.*—To carry  
 10       out this section, there are authorized to be appropriated to  
 11       the Secretary of State \$3,000,000 for each of the fiscal years  
 12       2008 through 2012.

13       **SEC. 208. INTERAGENCY WORKING GROUP TO SUPPORT A**  
 14                                **CLEAN ENERGY TECHNOLOGY EXPORTS INI-**  
 15                                **TIATIVE.**

16        (a) *ASSISTANCE AUTHORIZED.*—The President shall  
 17        provide assistance to the Interagency Working Group to  
 18        support a Clean Energy Technology Exports Initiative—

19                (1) *to improve the ability of the United States*  
 20        *to respond to international competition by leveraging*  
 21        *the resources of Federal departments and agencies ef-*  
 22        *fectively and efficiently and by raising policy issues*  
 23        *that may hamper the export of United States clean*  
 24        *energy technologies abroad;*

1           (2) to fulfill, as appropriate, the mission and ob-  
 2           jectives as noted in the report entitled, *Five-Year*  
 3           *Strategic Plan of the Clean Energy Technology Ex-*  
 4           *ports Initiative*, submitted to Congress in October  
 5           2002; and

6           (3) to raise the importance and level of oversight  
 7           of the Interagency Working Group to the heads of the  
 8           Federal departments and agencies that are partici-  
 9           pating in the Interagency Working Group.

10          (b) *REPORT.*—The Administrator of the United States  
 11          Agency for International Development, the Secretary of  
 12          Commerce, and the Secretary of Energy shall jointly submit  
 13          to the appropriate committees an annual report on the im-  
 14          plementation of this section for each of the fiscal years 2008  
 15          through 2012.

16          (c) *AUTHORIZATION OF APPROPRIATIONS.*—To carry  
 17          out this section, there are authorized to appropriated to the  
 18          President \$5,000,000 for each of the fiscal years 2008  
 19          through 2012.

20           ***TITLE III—INTERNATIONAL***  
 21           ***CLEAN ENERGY FOUNDATION***

22          ***SEC. 301. DEFINITIONS.***

23           *In this title:*

8                   (3) *FOUNDATION.*—The term “Foundation”  
9                   means the International Clean Energy Foundation  
10                  established by section 302(a).

13      (a) *ESTABLISHMENT.*—

(2) *BOARD OF DIRECTORS.*—The Foundation shall be governed by a Board of Directors chaired by the Secretary of State (or the Secretary’s designee) in accordance with subsection (d).

1           (3) *INTENT OF CONGRESS.*—*It is the intent of*  
 2           *Congress, in establishing the structure of the Founda-*  
 3           *tion set forth in this subsection, to create an entity*  
 4           *that serves the long-term foreign policy and energy se-*  
 5           *curity goals of reducing global greenhouse gas emis-*  
 6           *sions.*

7           (b) *CHIEF EXECUTIVE OFFICER.*—

8           (1) *IN GENERAL.*—*There shall be in the Founda-*  
 9           *tion a Chief Executive Officer who shall be responsible*  
 10          *for the management of the Foundation.*

11          (2) *APPOINTMENT.*—*The Chief Executive Officer*  
 12          *shall be appointed by the Board, with the advice and*  
 13          *consent of the Senate, and shall be a recognized leader*  
 14          *in clean and efficient energy technologies and climate*  
 15          *change and shall have experience in energy security,*  
 16          *business, or foreign policy, chosen on the basis of a*  
 17          *rigorous search.*

18          (3) *RELATIONSHIP TO BOARD.*—*The Chief Exec-*  
 19          *utive Officer shall report to, and be under the direct*  
 20          *authority of, the Board.*

21          (4) *COMPENSATION AND RANK.*—

22                (A) *IN GENERAL.*—*The Chief Executive Of-*  
 23                *ficer shall be compensated at the rate provided*  
 24                *for level III of the Executive Schedule under sec-*  
 25                *tion 5314 of title 5, United States Code.*



1                   (B) *AMENDMENT.*—Section 5314 of title 5,  
 2                   *United States Code*, is amended by adding at the  
 3                   end the following:

4                   “Chief Executive Officer, International Clean  
 5                   Energy Foundation.”.

6                   (C) *AUTHORITIES AND DUTIES.*—The Chief  
 7                   Executive Officer shall be responsible for the  
 8                   management of the Foundation and shall exer-  
 9                   cise the powers and discharge the duties of the  
 10                  Foundation.

11                  (D) *AUTHORITY TO APPOINT OFFICERS.*—In  
 12                  consultation and with approval of the Board, the  
 13                  Chief Executive Officer shall appoint all officers  
 14                  of the Foundation.

15                  (c) *BOARD OF DIRECTORS.*—

16                  (1) *ESTABLISHMENT.*—There shall be in the  
 17                  Foundation a Board of Directors.

18                  (2) *DUTIES.*—The Board shall perform the func-  
 19                  tions specified to be carried out by the Board in this  
 20                  title and may prescribe, amend, and repeal bylaws,  
 21                  rules, regulations, and procedures governing the man-  
 22                  ner in which the business of the Foundation may be  
 23                  conducted and in which the powers granted to it by  
 24                  law may be exercised.

25                  (3) *MEMBERSHIP.*—The Board shall consist of—

1           (A) *the Secretary of State (or the Sec-*  
2           *retary's designee), the Secretary of Energy (or*  
3           *the Secretary's designee), and the Administrator*  
4           *of the United States Agency for International*  
5           *Development (or the Administrator's designee);*  
6           *and*

7           (B) *four other individuals with relevant ex-*  
8           *perience in matters relating to energy security*  
9           *(such as individuals who represent institutions*  
10           *of energy policy, business organizations, foreign*  
11           *policy organizations, or other relevant organiza-*  
12           *tions) who shall be appointed by the President,*  
13           *by and with the advice and consent of the Sen-*  
14           *ate, of which—*

15               (i) *one individual shall be appointed*  
16               *from among a list of individuals submitted*  
17               *by the majority leader of the House of Rep-*  
18               *resentatives;*

19               (ii) *one individual shall be appointed*  
20               *from among a list of individuals submitted*  
21               *by the minority leader of the House of Rep-*  
22               *resentatives;*

23               (iii) *one individual shall be appointed*  
24               *from among a list of individuals submitted*  
25               *by the majority leader of the Senate; and*

1                   (iv) one individual shall be appointed  
 2                   from among a list of individuals submitted  
 3                   by the minority leader of the Senate.

4                   (4) CHIEF EXECUTIVE OFFICER.—The Chief Ex-  
 5                   ecutive Officer of the Foundation shall serve as a non-  
 6                   voting, *ex officio* member of the Board.

7                   (5) TERMS.—

8                   (A) OFFICERS OF THE FEDERAL GOVERN-  
 9                   MENT.—Each member of the Board described in  
 10                  paragraph (3)(A) shall serve for a term that is  
 11                  concurrent with the term of service of the indi-  
 12                  vidual's position as an officer within the other  
 13                  Federal department or agency.

14                (B) OTHER MEMBERS.—Each member of  
 15                  the Board described in paragraph (3)(B) shall be  
 16                  appointed for a term of 3 years and may be re-  
 17                  appointed for a term of an additional 3 years.

18                (C) VACANCIES.—A vacancy in the Board  
 19                  shall be filled in the manner in which the origi-  
 20                  nal appointment was made.

21                (D) ACTING MEMBERS.—A vacancy in the  
 22                  Board may be filled with an appointment of an  
 23                  acting member by the Chairperson of the Board  
 24                  for up to 1 year while a nominee is named and

1           *awaits confirmation in accordance with para-*  
2           *graph (3)(B).*

3           (6) *CHAIRPERSON.—There shall be a Chair-*  
4           *person of the Board. The Secretary of State (or the*  
5           *Secretary’s designee) shall serve as the Chairperson.*

6           (7) *QUORUM.—A majority of the members of the*  
7           *Board described in paragraph (3) shall constitute a*  
8           *quorum, which, except with respect to a meeting of*  
9           *the Board during the 135-day period beginning on*  
10          *the date of the enactment of this Act, shall include at*  
11          *least 1 member of the Board described in paragraph*  
12          *(3)(B).*

13          (8) *MEETINGS.—The Board shall meet at the call*  
14          *of the Chairperson, who shall call a meeting no less*  
15          *than once a year.*

16          (9) *COMPENSATION.—*

17                 (A) *OFFICERS OF THE FEDERAL GOVERN-*  
18                 *MENT.—*

19                         (i) *IN GENERAL.—A member of the*  
20                         *Board described in paragraph (3)(A) may*  
21                         *not receive additional pay, allowances, or*  
22                         *benefits by reason of the member’s service on*  
23                         *the Board.*

24                         (ii) *TRAVEL EXPENSES.—Each such*  
25                         *member of the Board shall receive travel ex-*

1            *penses, including per diem in lieu of sub-*  
2            *sistence, in accordance with applicable pro-*  
3            *visions under subchapter I of chapter 57 of*  
4            *title 5, United States Code.*

5            *(B) OTHER MEMBERS.—*

6                    *(i) IN GENERAL.—Except as provided*  
7            *in clause (ii), a member of the Board de-*  
8            *scribed in paragraph (3)(B)—*

9                    *(I) shall be paid compensation out*  
10           *of funds made available for the pur-*  
11           *poses of this title at the daily equiva-*  
12           *lent of the highest rate payable under*  
13           *section 5332 of title 5, United States*  
14           *Code, for each day (including travel*  
15           *time) during which the member is en-*  
16           *gaged in the actual performance of du-*  
17           *ties as a member of the Board; and*

18                    *(II) while away from the mem-*  
19           *ber's home or regular place of business*  
20           *on necessary travel in the actual per-*  
21           *formance of duties as a member of the*  
22           *Board, shall be paid per diem, travel,*  
23           *and transportation expenses in the*  
24           *same manner as is provided under sub-*

1                   *chapter I of chapter 57 of title 5,*  
2                   *United States Code.*

3                   (ii) *LIMITATION.—A member of the*  
4                   *Board may not be paid compensation under*  
5                   *clause (i)(II) for more than 90 days in any*  
6                   *calendar year.*

7   **SEC. 303. DUTIES OF FOUNDATION.**

8       *The Foundation shall—*

9           (1) *use the funds authorized by this title to make*  
10       *grants to promote projects outside of the United*  
11       *States that serve as models of how to significantly re-*  
12       *duce the emissions of global greenhouse gases through*  
13       *clean and efficient energy technologies, processes, and*  
14       *services;*

15       (2) *seek contributions from foreign governments,*  
16       *especially those rich in energy resources such as mem-*  
17       *ber countries of the Organization of the Petroleum*  
18       *Exporting Countries, and private organizations to*  
19       *supplement funds made available under this title;*

20       (3) *harness global expertise through collaborative*  
21       *partnerships with foreign governments and domestic*  
22       *and foreign private actors, including non-govern-*  
23       *mental organizations and private sector companies,*  
24       *by leveraging public and private capital, technology,*  
25       *expertise, and services towards innovative models that*

1       *can be instituted to reduce global greenhouse gas*  
 2       *emissions;*

3           *(4) create a repository of information on best*  
 4       *practices and lessons learned on the utilization and*  
 5       *implementation of clean and efficient energy tech-*  
 6       *nologies and processes to be used for future initiatives*  
 7       *to tackle the climate change crisis;*

8           *(5) be committed to minimizing administrative*  
 9       *costs and to maximizing the availability of funds for*  
 10       *grants under this title; and*

11           *(6) promote the use of American-made clean and*  
 12       *efficient energy technologies, processes, and services.*

13   **SEC. 304. ANNUAL REPORT.**

14       *(a) REPORT REQUIRED.—Not later than March 31,*  
 15       *2008, and each March 31 thereafter, the Foundation shall*  
 16       *submit to the appropriate congressional committees a report*  
 17       *on the implementation of this title during the prior fiscal*  
 18       *year.*

19       *(b) CONTENTS.—The report required by subsection (a)*  
 20       *shall include—*

21           *(1) the total financial resources available to the*  
 22       *Foundation during the year, including appropriated*  
 23       *funds, the value and source of any gifts or donations*  
 24       *accepted pursuant to section 305(a)(6), and any other*  
 25       *resources;*

1           (2) *a description of the Board's policy priorities*  
 2           *for the year and the basis upon which competitive*  
 3           *grant proposals were solicited and awarded to non-*  
 4           *governmental institutions and other organizations;*

5           (3) *a list of grants made to nongovernmental in-*  
 6           *stitutions and other organizations that includes the*  
 7           *identity of the institutional recipient, the dollar*  
 8           *amount, and the results of the program; and*

9           (4) *the total administrative and operating ex-*  
 10          *penses of the Foundation for the year, as well as spe-*  
 11          *cific information on—*

12                 (A) *the number of Foundation employees*  
 13                 *and the cost of compensation for Board members,*  
 14                 *Foundation employees, and personal service con-*  
 15                 *tractors;*

16                 (B) *costs associated with securing the use of*  
 17                 *real property for carrying out the functions of*  
 18                 *the Foundation;*

19                 (C) *total travel expenses incurred by Board*  
 20                 *members and Foundation employees in connec-*  
 21                 *tion with Foundation activities; and*

22                 (D) *total representational expenses.*

23 **SEC. 305. POWERS OF THE FOUNDATION; RELATED PROVI-**  
 24 **SIONS.**

25           (a) *POWERS.—The Foundation—*



1           (1) shall have perpetual succession unless dis-  
2           solved by a law enacted after the date of the enact-  
3           ment of this Act;

4           (2) may adopt, alter, and use a seal, which shall  
5           be judicially noticed;

6           (3) may make and perform such contracts,  
7           grants, and other agreements with any person or gov-  
8           ernment however designated and wherever situated, as  
9           may be necessary for carrying out the functions of the  
10          Foundation;

11          (4) may determine and prescribe the manner in  
12          which its obligations shall be incurred and its ex-  
13          penses allowed and paid, including expenses for rep-  
14          resentation;

15          (5) may lease, purchase, or otherwise acquire,  
16          improve, and use such real property wherever situ-  
17          ated, as may be necessary for carrying out the func-  
18          tions of the Foundation;

19          (6) may accept money, funds, services, or prop-  
20          erty (real, personal, or mixed), tangible or intangible,  
21          made available by gift, bequest grant, or otherwise for  
22          the purpose of carrying out the provisions of this Act  
23          from domestic or foreign private individuals, char-  
24          ities, nongovernmental organizations, corporations, or  
25          governments;

1           (7) *may use the United States mails in the same*  
2           *manner and on the same conditions as the executive*  
3           *departments;*

4           (8) *may contract with individuals for personal*  
5           *services, who shall not be considered Federal employ-*  
6           *ees for any provision of law administered by the Of-*  
7           *fice of Personnel Management;*

8           (9) *may hire or obtain passenger motor vehicles;*  
9           *and*

10          (10) *shall have such other powers as may be nec-*  
11          *essary and incident to carrying out this title.*

12          (b) *PRINCIPAL OFFICE.—The Foundation shall main-*  
13          *tain its principal office in the metropolitan area of Wash-*  
14          *ington, District of Columbia.*

15          (c) *APPLICABILITY OF GOVERNMENT CORPORATION*  
16          *CONTROL ACT.—*

17               (1) *IN GENERAL.—The Foundation shall be sub-*  
18               *ject to chapter 91 of subtitle VI of title 31, United*  
19               *States Code, except that the Foundation shall not be*  
20               *authorized to issue obligations or offer obligations to*  
21               *the public.*

22               (2) *CONFORMING AMENDMENT.—Section 9101(3)*  
23               *of title 31, United States Code, is amended by adding*  
24               *at the end the following:*

1                   “(R) *the International Clean Energy Foun-*  
 2                   *dation.*”.

3           (d) *INSPECTOR GENERAL.*—

4                   (1) *IN GENERAL.*—*The Inspector General of the*  
 5                   *Department of State shall serve as Inspector General*  
 6                   *of the Foundation, and, in acting in such capacity,*  
 7                   *may conduct reviews, investigations, and inspections*  
 8                   *of all aspects of the operations and activities of the*  
 9                   *Foundation.*

10                  (2) *AUTHORITY OF THE BOARD.*—*In carrying*  
 11                  *out the responsibilities under this subsection, the In-*  
 12                  *spector General shall report to and be under the gen-*  
 13                  *eral supervision of the Board.*

14                  (3) *REIMBURSEMENT AND AUTHORIZATION OF*  
 15                  *SERVICES.*—

16                   (A) *REIMBURSEMENT.*—*The Foundation*  
 17                   *shall reimburse the Department of State for all*  
 18                   *expenses incurred by the Inspector General in*  
 19                   *connection with the Inspector General’s respon-*  
 20                   *sibilities under this subsection.*

21                   (B) *AUTHORIZATION FOR SERVICES.*—*Of*  
 22                   *the amount authorized to be appropriated under*  
 23                   *section 307(a) for a fiscal year, up to \$500,000*  
 24                   *is authorized to be made available to the Inspec-*  
 25                   *tor General of the Department of State to con-*

1           *duct reviews, investigations, and inspections of*  
2           *operations and activities of the Foundation.*

3   **SEC. 306. GENERAL PERSONNEL AUTHORITIES.**

4           *(a) DETAIL OF PERSONNEL.—Upon request of the*  
5   *Chief Executive Officer, the head of an agency may detail*  
6   *any employee of such agency to the Foundation on a reim-*  
7   *bursable basis. Any employee so detailed remains, for the*  
8   *purpose of preserving such employee's allowances, privi-*  
9   *leges, rights, seniority, and other benefits, an employee of*  
10   *the agency from which detailed.*

11          *(b) REEMPLOYMENT RIGHTS.—*

12               *(1) IN GENERAL.—An employee of an agency*  
13   *who is serving under a career or career conditional*  
14   *appointment (or the equivalent), and who, with the*  
15   *consent of the head of such agency, transfers to the*  
16   *Foundation, is entitled to be reemployed in such em-*  
17   *ployee's former position or a position of like seniority,*  
18   *status, and pay in such agency, if such employee—*

19                   *(A) is separated from the Foundation for*  
20   *any reason, other than misconduct, neglect of*  
21   *duty, or malfeasance; and*

22                   *(B) applies for reemployment not later than*  
23   *90 days after the date of separation from the*  
24   *Foundation.*

1           (2) *SPECIFIC RIGHTS.*—*An employee who satis-*  
2       *fies paragraph (1) is entitled to be reemployed (in ac-*  
3       *cordance with such paragraph) within 30 days after*  
4       *applying for reemployment and, on reemployment, is*  
5       *entitled to at least the rate of basic pay to which such*  
6       *employee would have been entitled had such employee*  
7       *never transferred.*

8           (c) *HIRING AUTHORITY.*—*Of persons employed by the*  
9       *Foundation, no more than 30 persons may be appointed,*  
10      *compensated, or removed without regard to the civil service*  
11      *laws and regulations.*

12          (d) *BASIC PAY.*—*The Chief Executive Officer may fix*  
13      *the rate of basic pay of employees of the Foundation without*  
14      *regard to the provisions of chapter 51 of title 5, United*  
15      *States Code (relating to the classification of positions), sub-*  
16      *chapter III of chapter 53 of such title (relating to General*  
17      *Schedule pay rates), except that no employee of the Founda-*  
18      *tion may receive a rate of basic pay that exceeds the rate*  
19      *for level IV of the Executive Schedule under section 5315*  
20      *of such title.*

21          (e) *DEFINITIONS.*—*In this section—*

22              (1) *the term “agency” means an executive agen-*  
23      *cy, as defined by section 105 of title 5, United States*  
24      *Code; and*

1           (2) *the term “detail” means the assignment or*  
2           *loan of an employee, without a change of position,*  
3           *from the agency by which such employee is employed*  
4           *to the Foundation.*

5 **SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

6           (a) *AUTHORIZATION OF APPROPRIATIONS.—To carry*  
7           *out this title, there are authorized to be appropriated*  
8           *\$20,000,000 for each of the fiscal years 2008 through 2012.*

9           (b) *ALLOCATION OF FUNDS.—*

10           (1) *IN GENERAL.—The Foundation may allocate*  
11           *or transfer to any agency of the United States Gov-*  
12           *ernment any of the funds available for carrying out*  
13           *this title. Such funds shall be available for obligation*  
14           *and expenditure for the purposes for which the funds*  
15           *were authorized, in accordance with authority grant-*  
16           *ed in this title or under authority governing the ac-*  
17           *tivities of the United States Government agency to*  
18           *which such funds are allocated or transferred.*

19           (2) *NOTIFICATION.—The Foundation shall notify*  
20           *the appropriate congressional committees not less*  
21           *than 15 days prior to an allocation or transfer of*  
22           *funds pursuant to paragraph (1).*



**Union Calendar No. 131**

110<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 2420**

[Report No. 110-215]

**A BILL**

To declare United States policy on international climate cooperation, to authorize assistance to promote clean and efficient energy technologies in foreign countries, and to establish the International Clean Energy Foundation.

JUNE 28, 2007

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed