

110TH CONGRESS
2D SESSION

H. R. 5402

To amend the Small Business Act to establish the Office of Environment, Energy, and Climate Change and to establish the Climate Change Center and Clearinghouse to provide support and information on climate change to small business concerns.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 12, 2008

Mr. WELCH of Vermont (for himself, Mr. INSLEE, Mr. HINCHEY, Mr. DAVIS of Illinois, Mr. McDERMOTT, Mr. MILLER of North Carolina, Mr. VAN HOLLEN, Mr. WYNN, Mr. HALL of New York, and Mr. CARNAHAN) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to establish the Office of Environment, Energy, and Climate Change and to establish the Climate Change Center and Clearinghouse to provide support and information on climate change to small business concerns.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Climate Change Center
5 and Clearinghouse Act of 2008”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) There are 26.8 million small business con-
4 cerns in the United States, and they are the back-
5 bone of the American economy. However, small busi-
6 ness concerns face overwhelming obstacles in ad-
7 dressing climate change issues, such as reducing
8 their carbon footprint while balancing business needs
9 to remain economically competitive.

10 (2) The United States Government is the larg-
11 est purchaser of goods and services in the world and
12 plays a large role in influencing the overall business
13 marketplace. In 2006, the United States Govern-
14 ment spent over \$417 billion on goods and services
15 in 8.3 million separate contract actions. Small busi-
16 ness concerns won approximately \$80 billion in con-
17 tracts which is about 21.5 percent of the remaining
18 prime contracts.

19 (3) The Small Business Act of 1953 specified
20 that small business concerns should be given every
21 opportunity to compete fairly for the award of Fed-
22 eral contracts. Congress has long recognized the
23 value of small business concerns because they are
24 important sources of job creation and economic
25 growth; however, small business concerns are typi-

1 cally disadvantaged in competing against large
2 firms.

3 (4) The United States Environmental Protec-
4 tion Agency has created a directory to help small
5 business concerns access financial services by State
6 or service type (i.e. loans, consulting, credit, etc.) to
7 help small business concerns achieve energy effi-
8 ciency through their Energy Star Small Business—
9 Financial Resources Directory.

10 (5) The fusion of a powerful purchasing mecha-
11 nism with green business practices provides a small
12 business concern with significant incentives and op-
13 portunities for market penetration of environ-
14 mentally preferable products, for the development of
15 green services, and for the adoption of green prac-
16 tices in their own facilities.

17 (6) Many small business concerns have taken
18 the first step in incorporating sustainable practices
19 into their own business, however small business con-
20 cerns face obstacles in comparing the cost, perform-
21 ance, and life cycle environmental impacts of alter-
22 natives. Most small business concerns do not have
23 the scientific and technical capability to fully assess
24 the issues and choices to address the impact of cli-
25 mate change. In addition, small business concerns

1 offering green products and services often face bar-
2 riers to market acceptance of environmentally pref-
3 erable products and services when competing with
4 products or service practices that have long-standing
5 market penetration.

6 (7) It is vital for the competitiveness of the
7 United States that small business concerns, includ-
8 ing small, minority-owned, women-owned, historically
9 underutilized businesses (HUBZones), and veteran-
10 owned small business concerns be provided greater
11 opportunity to become a procurement source for
12 goods and services to Federal agencies. It is also
13 critical that small business concerns be encouraged
14 to develop and supply environmentally sound prod-
15 ucts and services.

16 (8) By utilizing new energy efficient tech-
17 nologies and whole building design practices, small
18 business concerns can save in long-term operating
19 costs, become more competitive, improve the produc-
20 tivity and health of employees, and reduce their car-
21 bon footprint.

22 (9) In the National Small Business Associa-
23 tion's 2006 energy survey, the majority of owners of
24 small business concerns said they have been affected
25 by rising energy prices and that reducing energy

1 costs would increase profitability. At the same time,
2 over half of these entrepreneurs have not invested in
3 energy efficient programs for their small business
4 concerns.

5 (10) There are many ways to increase energy
6 efficiency. For example, an owner of a small busi-
7 ness concern who replaces twenty 100-watt incandes-
8 cent bulbs with 27-watt compact fluorescent bulbs
9 would pay \$400 up-front, but save \$980 over one
10 year.

11 (11) Today, buildings account for more than a
12 third of the carbon emissions in the United States.
13 Whole building design practices, also known as green
14 buildings, have a positive effect on the reduction of
15 green house gases and the health of the environ-
16 ment, increase production of workers, and improve
17 the water supply for communities. Studies have
18 shown—

19 (A) a 2 to 16 percent increase in produc-
20 tivity in buildings that incorporate whole build-
21 ing design practices; and

22 (B) that an up-front investment of 2 per-
23 cent in whole building design practices, on aver-
24 age, results in life cycle savings of 20 percent
25 of the total construction costs.

1 (12) Some of the tools that a small business
2 concern could use to design are—

3 (A) green roofs, vegetated roof systems
4 that passively perform no less than eight highly
5 beneficial and cost-saving functions;

6 (B) daylighting, because people respond,
7 concentrate, and think better with diffuse, full-
8 spectrum light provided by the sun;

9 (C) on-site renewable energy, produced
10 from fuels that have a stable, predictable supply
11 such as solar, wind, biomass, and ground
12 sources;

13 (D) natural ventilation, which can replace
14 all or part of mechanical ventilation systems,
15 improving indoor air quality and occupant com-
16 fort; and

17 (E) integrated design, the method by
18 which the design team identifies systems early
19 in the process to provide a coordinated imple-
20 mentation of efficiency and building methods,
21 realizing an exponential gain in savings and
22 comfort.

1 **SEC. 3. OFFICE OF ENVIRONMENT, ENERGY, AND CLIMATE**
2 **CHANGE.**

3 The Small Business Act (15 U.S.C. 631 et seq.) is
4 amended by redesignating section 37 as section 38, and
5 by inserting after section 36 the following:

6 **“SEC. 38. OFFICE OF ENVIRONMENT, ENERGY, AND CLI-**
7 **MATE CHANGE.**

8 “(a) ESTABLISHMENT.—There is established within
9 the Small Business Administration an office to be known
10 as the Office of Environment, Energy, and Climate
11 Change headed by an Assistant Administrator for Envi-
12 ronment, Energy, and Climate Change, who shall be ap-
13 pointed by, and report to, the Administrator of the Small
14 Business Administration.

15 “(b) DUTIES.—The Office of Environment, Energy,
16 and Climate Change shall—

17 “(1) oversee and administer the Climate
18 Change Center and Clearinghouse established under
19 subsection (c);

20 “(2) promote energy efficiency efforts for small
21 business concerns;

22 “(3) promote efforts to reduce energy costs of
23 small business concerns; and

24 “(4) oversee efforts by small business concerns
25 to develop renewable energy technologies.

1 “(c) CLIMATE CHANGE CENTER AND CLEARING-
2 HOUSE.—

3 “(1) ESTABLISHMENT.—There is established
4 within the Office of Environment, Energy, and Cli-
5 mate Change an office to be known as the Climate
6 Change Center and Clearinghouse (hereinafter in
7 this section referred to as the ‘Center’).

8 “(2) DUTIES OF THE CENTER.—The Center
9 shall—

10 “(A) provide scientific, economic, and tech-
11 nical information to small business concerns
12 on—

13 “(i) assessing and managing the tech-
14 nical, economic, and business impacts of
15 climate change; and

16 “(ii) cost savings and revenue gains
17 made possible through carbon credit trad-
18 ing opportunities and Federal and State
19 renewable energy and energy efficiency tax
20 relief programs, purchase incentives, and
21 rebate programs;

22 “(B) ensure that the information described
23 in subparagraph (A) is available to small busi-
24 ness concerns by—

1 “(i) placing the information on a
2 website accessible by small business con-
3 cerns; and

4 “(ii) developing and carrying out na-
5 tionwide workshops for small business con-
6 cerns, with such workshops recorded and
7 made available to small business concerns
8 on a website and, if practicable, broadcast
9 live on the internet;

10 “(C) coordinate any efforts which are un-
11 dertaken by the Department of Energy’s Om-
12 budsman, the Environmental Protection Agen-
13 cy’s Small Business Ombudsman, the National
14 Institute of Standards and Technology’s Manu-
15 facturing Extension Partnership, the Small
16 Business and Agriculture Regulatory Enforce-
17 ment Ombudsman, the Office of Small and Dis-
18 advantaged Business Utilization within each
19 Federal agency having procurement powers,
20 and other appropriate Federal departments and
21 agencies to provide technical, scientific, and en-
22 gineering support to small business concerns for
23 the purpose of maintaining competitiveness
24 while—

1 “(i) developing green products or serv-
2 ices;

3 “(ii) implementing green business
4 practices; or

5 “(iii) reducing the amount of pollution
6 produced by the small business concern;

7 “(D) develop a baseline study—

8 “(i) that provides a broad analysis
9 that aggregates small business energy con-
10 sumption and emissions;

11 “(ii) that includes, but is not limited
12 to, an analysis of the energy consumption
13 and greenhouse gas emissions from proc-
14 esses, practices, and product developments
15 of small business concerns;

16 “(iii) the development of which the
17 Center shall coordinate with similar efforts
18 undertaken by other Federal agencies; and

19 “(iv) which upon completion is made
20 available to the public on a website.

21 “(E) raise awareness among small business
22 concerns of the information, technical support,
23 and network opportunities made available
24 through the Energy Star Program to reduce en-
25 ergy waste and energy costs;

1 “(F) develop a carbon footprint website
2 that contains—

3 “(i) educational and technical infor-
4 mation on how small business concerns can
5 reduce their carbon footprint;

6 “(ii) links to tools and information re-
7 lating to carbon footprints available on
8 other websites; and

9 “(iii) a carbon footprint calculator
10 which can calculate a rough estimate of a
11 small business concern’s carbon emissions
12 based on, but not limited to, the concern’s
13 electricity usage, heating fuel usage, and
14 fleet mileage; and

15 “(G) develop a marketing plan and coordi-
16 nate with the Office of Small Business Develop-
17 ment Centers to raise awareness among small
18 business concerns of the Center’s duties and
19 available resources.

20 “(3) DUTIES OF THE HEADS OF DEPARTMENTS
21 AND AGENCIES.—The head of each Federal depart-
22 ment or agency shall provide information to the Cen-
23 ter, upon request, unless otherwise prohibited by
24 law.

25 “(d) INTERAGENCY WORKING GROUP.—

1 “(1) IN GENERAL.—The President shall estab-
2 lish an interagency working group, which shall be
3 co-chaired by the Assistant Administrator for Envi-
4 ronment, Energy, and Climate Change and the Ad-
5 ministrator of the Environmental Protection Agency
6 and shall include representatives from—

7 “(A) the National Institute of Standards
8 and Technology;

9 “(B) the Department of Energy;

10 “(C) the Department of Transportation;

11 “(D) the Office of Small Business Develop-
12 ment Centers;

13 “(E) small business concerns; and

14 “(F) any additional agency that the Presi-
15 dent may designate.

16 “(2) ADVISORS.—The co-chairs of the inter-
17 agency working group may appoint representatives
18 from environmental groups and groups concerned
19 with climate change to advise the working group.

20 “(3) DUTIES.—The interagency working group
21 shall—

22 “(A) establish goals and priorities for the
23 Center; and

1 “(B) provide for interagency coordination,
 2 including budget coordination, of activities un-
 3 dertaken by the Center.

4 “(e) DEFINITIONS.—

5 “(1) GREEN PRODUCTS OR SERVICES AND
 6 GREEN BUSINESS PRACTICES.—The Administrator
 7 of the Small Business Administration shall, in con-
 8 sultation with the Environmental Protection Agency,
 9 the General Services Administration, and other ap-
 10 propriate Federal departments and agencies, specify
 11 a detailed definition for the terms ‘green products or
 12 services’ and ‘green business practices’ for purposes
 13 of this section.

14 “(2) GREENHOUSE GAS.—For purposes of this
 15 section, the term ‘greenhouse gas’ means—

16 “(A) carbon dioxide;

17 “(B) methane;

18 “(C) nitrous oxide;

19 “(D) hydrofluorocarbons;

20 “(E) perfluorocarbons; or

21 “(F) sulfur hexafluoride.

22 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
 23 are authorized to be appropriated such sums as may be
 24 necessary to carry out this section.”.

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