

111TH CONGRESS  
1ST SESSION

# H. R. 1795

To provide for the establishment of an Offsets Integrity Advisory Board,  
and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

MARCH 30, 2009

Mr. MATHESON introduced the following bill; which was referred to the  
Committee on Energy and Commerce

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## A BILL

To provide for the establishment of an Offsets Integrity  
Advisory Board, and for other purposes.

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

3       **SECTION 1. OFFSETS INTEGRITY ADVISORY BOARD.**

4       (a) ESTABLISHMENT.—Not later than 30 days after  
5       the date of enactment of this Act, the Administrator shall  
6       establish an independent Offsets Integrity Advisory  
7       Board. The Advisory Board shall make recommendations  
8       to the Administrator for use in promulgating and revising  
9       regulations on offsets, and for ensuring the overall envi-  
10      ronmental integrity of the offset program.

1 (b) MEMBERSHIP.—The Advisory Board shall be  
2 comprised of nine members with relevant expertise. At  
3 least six members of the Advisory Board shall be sci-  
4 entists, and at least one member shall be a member of  
5 the National Academy of Sciences. The Administrator  
6 shall appoint a chair and vice-chair of the Advisory Board,  
7 and membership terms shall be 5 years for all Advisory  
8 Board members.

9 (c) ACTIVITIES.—The Advisory Board established  
10 pursuant to subsection (a) shall—

11 (1) provide recommendations, not later than 90  
12 days after the Advisory Board’s establishment and  
13 periodically thereafter, to the Administrator regard-  
14 ing offset project types that should be considered for  
15 eligibility, taking into consideration relevant sci-  
16 entific and other issues, including—

17 (A) the potential for accurate quantifica-  
18 tion of greenhouse gas reduction, avoidance, or  
19 sequestration for an offset project type;

20 (B) the potential level of scientific and  
21 measurement uncertainty associated with an  
22 offset project type; and

23 (C) any beneficial or adverse environ-  
24 mental, public health, welfare, social, economic,

1 or energy effects associated with an offset  
2 project type;

3 (2) provide recommendations to the Adminis-  
4 trator regarding offset methodologies that should be  
5 considered under the offsets regulations, including  
6 methodologies to address the issues of additionality,  
7 activity baselines, performance, leakage, uncertainty,  
8 and permanence;

9 (3) advise the Administrator, and other relevant  
10 Federal agencies, regarding scientific, technical, and  
11 methodological issues specific to the issuance of  
12 international offset credits;

13 (4) advise the Administrator of areas in which  
14 further knowledge is required to appraise the ade-  
15 quacy of existing, revised, or proposed methodologies  
16 for offsets, and describe the research efforts nec-  
17 essary to provide the required information; and

18 (5) advise the Administrator on other ways to  
19 improve or safeguard the environmental integrity of  
20 the offsets program.

21 (d) SCIENTIFIC REVIEW OF OFFSET PROGRAMS.—  
22 Not later than January 1, 2017, and at five-year intervals  
23 thereafter, the Advisory Board shall submit to the Admin-  
24 istrator and make available to the public an analysis of  
25 relevant scientific and technical information related to the

1 offsets program. The Advisory Board shall review ap-  
2 proved and potential offset methodologies, scientific stud-  
3 ies, offset project monitoring, offset project verification re-  
4 ports, and audits, and evaluate the net emissions effects  
5 of implemented offset projects. The Advisory Board shall  
6 recommend changes to offset methodologies, protocols, or  
7 project types, or to the overall offset program, in order  
8 to ensure that offset credits issued by the Administrator  
9 do not compromise the integrity of the emissions cap, and  
10 to avoid or minimize any adverse effects to human health  
11 or the environment.

12 **SEC. 2. PROGRAM REVIEW AND REVISION.**

13 At least once every 5 years, the Administrator shall  
14 review and, based on new information and taking into con-  
15 sideration the recommendations of the Advisory Board, re-  
16 vise—

17 (1) the methodologies established;

18 (2) the reversal policies and mechanisms estab-  
19 lished;

20 (3) measures to improve the accountability of  
21 the offsets program; and

22 (4) any other requirements established to en-  
23 sure the environmental integrity and effective oper-  
24 ation of the offsets program.

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