

111TH CONGRESS
1ST SESSION

H. R. 3032

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

JUNE 24, 2009

Mr. WELCH 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 2009”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

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

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

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

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

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

15 (6) Many small businesses have taken the first
16 step in incorporating sustainable practices into their
17 own business, however small business concerns face
18 obstacles in comparing the cost, performance, and
19 life cycle environmental impacts of alternatives. Most
20 small business concerns do not have the scientific
21 and technical capability to fully assess the issues
22 and choices to address the impact of climate change.
23 In addition, small business concerns offering green
24 products and services often face barriers to market
25 acceptance of environmentally preferable products

1 and services when competing with products or serv-
2 ice practices that have long-standing market pene-
3 tration.

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

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

20 (9) In the National Small Business Associa-
21 tion's 2006 energy survey, the majority of owners of
22 small business concerns said they have been affected
23 by rising energy prices and that reducing energy
24 costs would increase profitability. At the same time,
25 over half of these entrepreneurs have not invested in

1 energy efficient programs for their small business
2 concerns.

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

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

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

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

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

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

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

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

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

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

21 **SEC. 3. OFFICE OF ENVIRONMENT, ENERGY, AND CLIMATE**
22 **CHANGE.**

23 The Small Business Act (15 U.S.C. 631 et seq.) is
24 amended by redesignating section 44 as section 45, and
25 by inserting after section 43 the following:

1 **“SEC. 44. OFFICE OF ENVIRONMENT, ENERGY, AND CLI-**
2 **MATE CHANGE.**

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

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

12 “(1) oversee and administer the Climate
13 Change Center and Clearinghouse established under
14 subsection (c);

15 “(2) promote energy efficiency efforts for small
16 business concerns;

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

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

21 “(c) CLIMATE CHANGE CENTER AND CLEARING-
22 HOUSE.—

23 “(1) ESTABLISHMENT.—There is established
24 within the Office of Environment, Energy, and Cli-
25 mate Change an office to be known as the Climate

1 Change Center and Clearinghouse (hereinafter in
2 this section referred to as the ‘Center’).

3 “(2) DUTIES OF THE CENTER.—The Center
4 shall—

5 “(A) provide scientific, economic, and tech-
6 nical information to small business concerns
7 on—

8 “(i) assessing and managing the tech-
9 nical, economic, and business impacts of
10 climate change; and

11 “(ii) cost savings and revenue gains
12 made possible through carbon credit trad-
13 ing opportunities and Federal and State
14 renewable energy and energy efficiency tax
15 relief programs, purchase incentives, and
16 rebate programs;

17 “(B) ensure that the information described
18 in subparagraph (A) is available to small busi-
19 ness concerns by—

20 “(i) placing the information on a
21 website accessible by small business con-
22 cerns; and

23 “(ii) developing and carrying out na-
24 tionwide workshops for small business con-
25 cerns, with such workshops recorded and

1 made available to small business concerns
2 on a website and, if practicable, broadcast
3 live on the internet;

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

19 “(i) developing green products or serv-
20 ices;

21 “(ii) implementing green business
22 practices; or

23 “(iii) reducing the amount of pollution
24 produced by the small business concern;

25 “(D) develop a baseline study—

1 “(i) that provides a broad analysis
2 that aggregates small business energy con-
3 sumption and emissions;

4 “(ii) that includes, but is not limited
5 to, an analysis of the energy consumption
6 and greenhouse gas emissions from proc-
7 esses, practices, and product developments
8 of small business concerns;

9 “(iii) the development of which the
10 Center shall coordinate with similar efforts
11 undertaken by other Federal agencies; and

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

14 “(E) raise awareness among small business
15 concerns of the information, technical support,
16 and network opportunities made available
17 through the Energy Star Program to reduce en-
18 ergy waste and energy costs;

19 “(F) develop a carbon footprint website
20 that contains—

21 “(i) educational and technical infor-
22 mation on how small business concerns can
23 reduce their carbon footprint;

1 “(ii) links to tools and information re-
2 lating to carbon footprints available on
3 other websites; and

4 “(iii) a carbon footprint calculator
5 which can calculate a rough estimate of a
6 small business concern’s carbon emissions
7 based on, but not limited to, the concern’s
8 electricity usage, heating fuel usage, and
9 fleet mileage; and

10 “(G) develop a marketing plan and coordi-
11 nate with the Office of Small Business Develop-
12 ment Centers to raise awareness among small
13 business concerns of the Center’s duties and
14 available resources.

15 “(3) DUTIES OF THE HEADS OF DEPARTMENTS
16 AND AGENCIES.—The head of each Federal depart-
17 ment or agency shall provide information to the Cen-
18 ter, upon request, unless otherwise prohibited by
19 law.

20 “(d) INTERAGENCY WORKING GROUP.—

21 “(1) IN GENERAL.—The President shall estab-
22 lish an interagency working group, which shall be
23 co-chaired by the Assistant Administrator for Envi-
24 ronment, Energy, and Climate Change and the Ad-

1 administrator of the Environmental Protection Agency
2 and shall include representatives from—

3 “(A) the National Institute of Standards
4 and Technology;

5 “(B) the Department of Energy;

6 “(C) the Department of Transportation;

7 “(D) the Office of Small Business Develop-
8 ment Centers;

9 “(E) small business concerns; and

10 “(F) any additional agency that the Presi-
11 dent may designate.

12 “(2) ADVISORS.—The co-chairs of the inter-
13 agency working group may appoint representatives
14 from environmental groups and groups concerned
15 with climate change to advise the working group.

16 “(3) DUTIES.—The interagency working group
17 shall—

18 “(A) establish goals and priorities for the
19 Center; and

20 “(B) provide for interagency coordination,
21 including budget coordination, of activities un-
22 dertaken by the Center.

23 “(e) DEFINITIONS.—

24 “(1) GREEN PRODUCTS OR SERVICES AND
25 GREEN BUSINESS PRACTICES.—The Administrator

1 of the Small Business Administration shall, in con-
2 sultation with the Environmental Protection Agency,
3 the General Services Administration, and other ap-
4 propriate Federal departments and agencies, specify
5 a detailed definition for the terms ‘green products or
6 services’ and ‘green business practices’ for purposes
7 of this section.

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

10 “(A) carbon dioxide;

11 “(B) methane;

12 “(C) nitrous oxide;

13 “(D) hydrofluorocarbons;

14 “(E) perfluorocarbons; or

15 “(F) sulfur hexafluoride.

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

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