

117TH CONGRESS
1ST SESSION

S. 1038

To establish the Office of Regional Greenhouse Gas Reduction Programs within the Environmental Protection Agency, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 25, 2021

Ms. HASSAN (for herself, Ms. COLLINS, Mr. BLUMENTHAL, Mr. CASEY, Mr. KING, Mr. LEAHY, Mr. CARPER, Mr. Kaine, Mr. MURPHY, Mr. COONS, Mr. WARNER, and Mrs. SHAHEEN) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

To establish the Office of Regional Greenhouse Gas Reduction Programs within the Environmental Protection Agency, 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. SHORT TITLE.**

4 This Act may be cited as the “Regional Greenhouse
5 Gas Reduction Act of 2021”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of the Environ-
3 mental Protection Agency.

4 (2) GREENHOUSE GAS.—The term “greenhouse
5 gas” means carbon dioxide, methane, nitrous oxide,
6 hydrofluorocarbon, perfluorocarbon, and sulfur
7 hexafluoride.

8 (3) OFFICE.—The term “Office” means the Of-
9 fice of Regional Greenhouse Gas Reduction Pro-
10 grams established under section 3(a).

11 (4) REGIONAL GREENHOUSE GAS REDUCTION
12 PROGRAM.—The term “regional greenhouse gas re-
13 duction program” means a program that uses mar-
14 ket-based tools to reduce greenhouse gases across
15 States at the regional level, such as—

16 (A) the Regional Greenhouse Gas Initiative
17 organized among, as of March 24, 2021, the
18 States of Connecticut, Delaware, Maine, Mary-
19 land, Massachusetts, New Hampshire, New Jer-
20 sey, New York, Rhode Island, Vermont, and
21 Virginia to cap and reduce carbon dioxide emis-
22 sions from the power sector; and

23 (B) the Western Climate Initiative, a re-
24 gional carbon trading system organized between
25 the State of California and Quebec, Canada.

1 (5) STATE.—The term “State” means—

2 (A) a State;

3 (B) the District of Columbia;

4 (C) the Commonwealth of Puerto Rico;

5 (D) the United States Virgin Islands;

6 (E) Guam;

7 (F) American Samoa;

8 (G) the Commonwealth of the Northern
9 Mariana Islands; and

10 (H) the Trust Territory of the Pacific Is-
11 lands.

12 (6) UNIT OF LOCAL GOVERNMENT.—The term
13 “unit of local government” means—

14 (A) a city, town, borough, county, parish,
15 district, association, or other public body cre-
16 ated by or pursuant to State law;

17 (B) an Indian Tribe (as defined in section
18 4 of the Indian Self-Determination and Edu-
19 cation Assistance Act (25 U.S.C. 5304)); and

20 (C) a Tribal organization (as defined in
21 section 4 of the Indian Self-Determination and
22 Education Assistance Act (25 U.S.C. 5304)).

1 **SEC. 3. OFFICE OF REGIONAL GREENHOUSE GAS REDUC-**
2 **TION PROGRAMS.**

3 (a) ESTABLISHMENT.—Not later than 1 year after
4 the date of enactment of this Act, there shall be estab-
5 lished within the Environmental Protection Agency an of-
6 fice, to be known as the “Office of Regional Greenhouse
7 Gas Reduction Programs”.

8 (b) PURPOSE.—The purpose of the Office shall be—

9 (1) to support, and assist in the expansion of,
10 existing regional greenhouse gas reduction programs;
11 and

12 (2) to facilitate the establishment of new re-
13 gional greenhouse gas reduction programs.

14 (c) DIRECTOR.—The Office shall be headed by a Di-
15 rector, who shall be appointed by the Administrator—

16 (1) without regard to political affiliation; and

17 (2) solely on the basis of fitness to perform the
18 duties of the Director described in subsection (d).

19 (d) DUTIES OF DIRECTOR.—The Director of the Of-
20 fice shall—

21 (1) on request by a State or other relevant enti-
22 ty, provide access to Federal data relevant to re-
23 gional greenhouse gas reduction programs;

24 (2)(A) assist States and other relevant entities
25 with analysis and modeling of technical, economic,

1 and public policy issues relating to regional green-
2 house gas reduction programs; and

3 (B) provide any other relevant technical sup-
4 port, on request;

5 (3) develop and share best practices based on
6 existing regional greenhouse gas reduction programs;

7 (4) track and report on greenhouse gas emis-
8 sions in States participating in regional greenhouse
9 gas reduction programs using data collected by the
10 Environmental Protection Agency;

11 (5) designate a representative in the Office—

12 (A) to act as a liaison to regional green-
13 house gas reduction programs; and

14 (B) to communicate with States and other
15 entities seeking to establish regional greenhouse
16 gas reduction programs;

17 (6) facilitate communication among Federal
18 and State agencies, agencies of units of local govern-
19 ment, and stakeholders to share lessons learned
20 about greenhouse gas monitoring and control pro-
21 grams, through methods such as workshops, con-
22 ferences, websites, and newsletters;

23 (7) administer the grant program established
24 under section 4;

1 (8) coordinate with the interagency task force
2 established under section 5; and

3 (9) carry out any other activity relevant to the
4 function of the Office.

5 (e) REPORT.—The Administrator, acting through the
6 Director of the Office, shall submit a biannual report to
7 Congress that describes and summarizes the efforts made
8 and technical assistance provided by the Office to help
9 States improve the health and environment of commu-
10 nities in those States.

11 (f) ACCESS TO INFORMATION.—On request of the Di-
12 rector, the head of each Federal agency shall provide the
13 Director any information and data necessary for any anal-
14 yses or reports required as part of the function of the Of-
15 fice.

16 (g) NO ADDITIONAL REPORTING REQUIREMENTS.—
17 Nothing in this section authorizes the Administrator or
18 the Director of the Office to impose an additional report-
19 ing requirement on a State participating in a regional
20 greenhouse gas reduction program.

21 **SEC. 4. REGIONAL GREENHOUSE GAS REDUCTION PRO-**
22 **GRAM STARTUP GRANTS.**

23 (a) DEFINITION OF ELIGIBLE ENTITY.—In this sec-
24 tion, the term “eligible entity” means—

25 (1) a State;

1 (2) a unit of local government; and

2 (3) a regional consortium that is a partnership
3 between or among 1 or more entities described in
4 paragraphs (1) and (2).

5 (b) ESTABLISHMENT.—Not later than 1 year after
6 the date of enactment of this Act, the Director of the Of-
7 fice shall establish a program within the Office to provide
8 grants to eligible entities, on a competitive basis, to take
9 active preliminary steps (including information-gathering)
10 towards developing or participating in a regional green-
11 house gas reduction program.

12 (c) APPLICATION.—An eligible entity shall submit to
13 the Director of the Office an application to receive a grant
14 under subsection (b) at such time, in such manner, and
15 containing such information as the Director of the Office
16 may require.

17 (d) MINIMUM GRANT AMOUNT.—A grant awarded
18 under subsection (b) shall be in an amount that is not
19 less than \$250,000.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Director of the
22 Office such amounts as are necessary to carry out this
23 section, to remain available until expended.

1 **SEC. 5. INTERAGENCY TASK FORCE.**

2 (a) ESTABLISHMENT.—The Administrator shall es-
3 tablish an interagency task force (referred to in this sec-
4 tion as the “task force”)—

5 (1) to determine how best to support existing
6 regional greenhouse gas reduction programs;

7 (2) to consult with States to determine how
8 best to support States and other entities that seek
9 to develop regional greenhouse gas reduction pro-
10 grams or expand existing regional greenhouse gas
11 reduction programs; and

12 (3) to analyze existing gaps in Federal data
13 that are relevant to the formation or analysis of re-
14 gional greenhouse gas reduction programs.

15 (b) MEMBERS.—The task force shall—

16 (1) be headed by a representative from the Of-
17 fice; and

18 (2) include representatives from—

19 (A) the Department of Energy;

20 (B) the Department of Agriculture;

21 (C) the Department of Transportation;

22 and

23 (D) the Department of the Interior.

24 (c) REPORT.—Not later than 1 year after the date
25 on which the task force is established under subsection

1 (a), the task force shall submit to Congress a report that
2 describes a plan—

3 (1) to support existing regional greenhouse gas
4 reduction programs;

5 (2) to support States and other entities seeking
6 to develop regional greenhouse gas reduction pro-
7 grams; and

8 (3) that addresses Federal data gaps with re-
9 spect to regional greenhouse gas reduction pro-
10 grams.

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