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103D CONGRESS
1ST SESSION

H. R. 970

To provide for participation by the United States in a climate stabilization program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 18, 1993

Mr. DELLUMS introduced the following bill; which was referred jointly to the Committees on Agriculture, Education and Labor, Foreign Affairs, Energy and Commerce, Natural Resources, Merchant Marine and Fisheries, Rules, Science, Space, and Technology, and Ways and Means

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A BILL

To provide for participation by the United States in a climate stabilization program.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

This Act may be cited as the ''Emergency Climate Stabilization and Earth Regeneration Act of 1992''.

SEC. 2. FINDINGS.

(a) DEVELOPING GOVERNMENT AWARENESS OF RESPONSIBILITY FOR CLIMATE CONDITIONS.—In 1969 Congress recognized both the seriousness of climate change

and the responsibility of the Federal Government to develop domestic and foreign policies to contribute to the preservation of the environment. The findings of congressional policy and responsibility in the National Environmental Policy Act of 1969 (42 U.S.C. 4331) and its enforcement led to further identification of the problem in the National Climate Program Act of 1978 (15 U.S.C. 2901) and its enforcement led to the Global Climate Protection Act of 1987, which found ''the global nature of this problem'' and the need for ''vigorous efforts to achieve international cooperation aimed at minimizing and responding to adverse climate change.'' Section 533(a) of the Foreign Assistance Act (22 U.S.C. 262) provided the following: ''It is the policy of the United States that sustainable economic growth must be predicated on the sustainable management of natural resources. The Secretary of the Treasury shall instruct the United States Executive Directors of each multilateral development bank (MDB) to promote vigorously within each MDB the expansion of programs in areas which address the problems of global climate change.'' Section 534(b)(1) of such Act provided the following: ''In order to achieve the maximum impact from activities relating to energy, the Agency for International Development shall focus energy assistance activities on the key countries, where assistance would have the

greatest impact on reducing emissions from greenhouse gases.''.

(b) HISTORICAL DATA ON CLIMATE CHANGE PROBLEMS.—Congress recognizes that basic information on climate change was developed in 1975 by the United States Committee for the Global Atmospheric Program, National Research Council, Washington, D.C., which issued a report ''Understanding Climate Change'' which included data on the rising carbon dioxide and curves of glacial cycles for the last 900,000 years.

(c) ACCELERATING PLANETARY CLIMATE CONDITIONS.—(1) The Congress finds that existing laws have not produced sufficient climate stabilization effort because human technological activity is accelerating the rate of carbon dioxide buildup in the atmosphere. The net result of this buildup is to speed up the greenhouse effect, leading to shifts of global climate, whether global warming and/or increasingly extreme and variable weather conditions. If these shifts continue, destruction of lives and property and, according to geological evidence, transition past the point of no return can follow. It is the consensus of a majority of workers in the field of ecology that we are now in a period of ecological destabilization that, given the time and effort needed to stabilize climatic conditions, constitutes an ecological emergency. Serious debate must

be held on the earth-atmosphere system producing climate change, on defining the goals to bring about climate stabilization, and on the best ways of achieving these goals.

(2) For purposes of paragraph (1)—

(A) the term ''destruction of lives and property'' refers to the world-wide effects a carbon dioxide-induced climate shift is having upon agriculture and the technology base; and

(B) the term ''point of no return'' refers to the point past which the shift of climate into destabilized conditions is no longer humanly controllable.

(d) PROGRAM NECESSITY.—(1) The Congress also finds that, because the earth is already into the transition into seriously destabilized conditions, and that soil, forest and climatic changes are already occurring (such as abnormal weather patterns), a coordinated, international, emergency climate-stabilization program is imperative. This program should reduce from the present 356 parts per million to 280 parts per million or less atmospheric carbon dioxide to levels low enough to prevent this rapidly accelerating transition. Climate stabilization can be accomplished through a program of ecosystem regeneration which reestablishes balance between atmospheric carbon dioxide and other gases which interact to influence atmospheric conditions. A significant means to reestablish this

balance is large-scale soil remineralization, which supports the regeneration of planetary vegetation and significant natural carbon sinks, which remove atmospheric carbon dioxide. Additional and essential means of climate stabilization include reforestation, saving swamps and estuaries, and rapid and extensive reduction of fossil fuel consumption through conservation and development of alternative energy technology.

(2) For purposes of paragraph (1)—

(A) the term ''soil remineralization'' means adding rock dust, with appropriate proportions of minerals and trace minerals, to the soil to support the growth of microorganisms and plant life that transforms atmospheric carbon dioxide to carbon and oxygen; and

(B) the term ''program of ecosystem regeneration'' means a program of sufficient magnitude and of such timing as to permit climate stabilization before climate conditions preclude action. This includes major reductions in activities that produce carbon dioxide such as fossil fuel consumption; and in activities that impair natural mechanisms for removing carbon dioxide from the atmosphere, such as forestry practices that reduce forest acreage beyond minimal requirements for fuel and building mate-

rials. It also involves replacing improper agricultural practices that deplete the soil, such as excessive use of petrochemical fertilizers, pesticides and herbicides, with methods of sustainable agriculture that enhance soil fertility.

(e) TIME PERIOD TO ACCOMPLISH OBJECTIVES.—The Congress also finds that the key time period for accomplishing the purposes of this Act is 10 to 15 years, with implementation to begin as soon as possible.

SEC. 3. PURPOSES.

(a) OVERALL PURPOSE.—The purpose of this Act is to establish a process whereby the Congress and the President of the United States shall cooperate in a national and international program to—

(1) reduce heat, drought, and subsequent famine and forest fires, tornadoes, and to decrease the freezing extremes, snow buildup, flooding, cloud cover, and storms in the winter;

(2) promote regeneration of the earth through reforestation, soil and ocean remineralization, conservation, and alternative energy technology development;

(3) maximize our food and agricultural security through research on soil remineralization and other environmentally sound, sustainable means that in-

crease the health and hardiness of crop plants and their resistance to climatic extremes and pest infestation; and

(4) assist in the creation and development of a secure, environmentally sustainable way of life that is consistent with long-term climate stabilization.

(b) SPECIFIC MEANS.—(1) Reduction of carbon dioxide is to be accomplished by the following means:

(A) A program to plant fast-growing mixed species of trees on suitable land, in the United States and/or other regions, especially in climatic and geographical regions that foster rapid tree growth, to consume additional carbon dioxide from the atmosphere.

(B) A program to revitalize the soils of existing forests and newly forested areas with finely ground mixed gravel dust, plus finely ground limestone on soils that have already become very acidic, to increase the growth of plant life so that it will more quickly consume atmospheric carbon dioxide. The Congress notes that the effectiveness of rock dust in substantially increasing the health and growth of plant life is supported by extensive research, and by the well-documented role of glacially-ground rock dust in restoring soil fertility.

(C) Conservation of energy, by means of thermal insulation of dwellings, factories and public and private office buildings; solar, wind, geothermal, and other noncarbon dioxide producing energy sources other than nuclear; work on increased energy efficiency; and by other feasible means of conserving energy.

(D) Remineralization of other major natural carbon sinks, to substantially increase the vitality and fecundity of their life forms as a means of removing carbon dioxide from the atmosphere, including bays, rivers, lakes, marshes, swamps and other wetlands, and the continental shelves.

(2) Whether acting alone or in a coordinated international effort, the United States recognizes that its contribution to this global program to reduce the greenhouse gases and stabilize the world's climate should be at least proportional to its past and current emission of greenhouse gases relative to the other nations of the world.

SEC. 4. CLIMATE STABILIZATION PROGRAM.

(a) IN GENERAL.—The President shall, within 270 days from the date of the enactment of this Act, promulgate a regulation providing for a climatic stabilization program to be coordinated by the Council established by section 5(b) and other appropriate Federal agencies, as deter-

mined by the President. The President shall begin and continue the implementation of the program to the extent funds are appropriated for such purpose or are available in the Fund established by section 9(a).

(b) OBTAINING INFORMATION.—(1) The regulation promulgated under subsection (a) shall provide for information development and processing centers which shall cooperate with international agencies concerning data outside the United States and shall develop and process data about world climatic conditions, including the following:

(A) Land surface air temperature.

(B) Rural surface air temperature.

(C) Desertification.

(D) Sea surface temperature.

(E) Troposphere temperature.

(F) Stratospheric air temperature.

(G) Cloud cover and optical characteristics.

(H) Precipitation.

(I) Mapping of soil mineral quality as it bears on forest and crop conditions.

(J) Trends in land use, including forests, swamp cover, marshlands, and wetlands.

(K) Forest fires and dying forests.

(L) Phytoplankton in ocean areas, nutrient requirements and potential increase in phytoplankton from nutrient supplementation such as iron.

(M) Snow cover, depth and volume of snow.

(N) Sea ice, arctic and antarctic ice cover.

(O) Losses due to environmental conditions, including, but not limited to, record heat spells, drought, storms with heavy rain and wind, floods, landslides, tornadoes and hurricanes, record cold conditions, abnormal frost and freezing conditions, blizzards, snowstorms, snow and ice buildup, length of growing seasons by region, forests dying, forest fires, forest and agricultural insect infestation, acid rain, lake damage, earthquakes, and volcanic action.

(2) The information development and processing centers shall assess and publish information on developing climate conditions, and their effects upon life on earth, in the following ways:

(A) Data shall be used to track and analyze the losses of food crops, utilities, buildings, roads, trees, production facilities of all types, human life, and elements of the technological infrastructure, including the magnitude of such losses over the 10 years immediately preceding the date of the enactment of this Act.

(B) When volcanic eruptions occur, the contribution of volcanic ash to soil remineralization shall be reviewed by an appropriate interagency force.

(C) The magnitude and rate of future breakdown of technological systems due to climate shift shall be estimated on a periodic basis.

(c) OVERALL PLAN.—The regulation promulgated under subsection (a) shall include a plan for the implementation of the climate stabilization program that provides for—

(1) participation at city, county, and State levels, through councils described in section 5(c), and at national and international levels;

(2) preliminary Federal, State, and local plans to be developed and implemented as soon as practicable;

(3) goals for the United States, including those that will determine the—

(A) quantity and quality of rock dust and other amendments to be applied to soil for at least 5 years of forest or crop growth;

(B) land areas to be remineralized by application of rock dust, and the quantity and quality of rock dust and other amendments to

be applied to soils to substantially increase forest growth during the next 15 years;

(C) priorities for regions and areas to be remineralized with rock dust to gain the greatest benefit in reduction of atmospheric carbon dioxide;

(4) description of international, national, State, and local policies that will support the climate stabilization program;

(5) international cooperation to maximize the primary activities of soil, forest, and energy work and reduction of atmospheric carbon dioxide, including—

(A) preferential support of climatic regions where forests can be developed and atmospheric carbon stored in biomass sinks the fastest;

(B) assistance for other countries in meeting their tree planting and soil remineralization objectives;

(6) planning and coordination of Federal actions through appropriate agencies for the purpose of stabilizing climate conditions by—

(A) immediately initiating emergency projects until more permanent programs are established;

(B) establishing a national ''CO/2 Budget'', which shall include current rates of carbon dioxide increase or decrease by source, annual rates, and plans for reductions for each of the next 5 years;

(C) redeveloping and expanding forests, swamps, marshlands, and wetlands;

(D) preparing estimates for additional net growth of existing remineralized forests and of newly planted forest areas;

(E) developing, enhancing, and mass-producing remineralization technology, including equipment to manufacture rock dust and equipment to apply it to the soil;

(F) participating in international research, investigating environmental implications, and plans to increase ocean phytoplankton, where addition of particular nutrients in specific areas will produce rapid, beneficial increases in phytoplankton and thereby add significantly to reduction of global atmospheric carbon dioxide;

(G) implementing changes in industry, transportation, energy technology, and agriculture that support the program;

(7) the enlistment of cooperation and participation by both the public and private sectors at city, county, State, and Federal levels as provided for in sections 5 and 6 in ways that will maximize—

(A) employment efforts in a manner that will provide full employment (with support services such as food, housing, health and childcare, and education) of the Nation's work force in a climate of international cooperation as this effort becomes a central theme of the Nation's productive activity until there is a restoration of earth-atmosphere balance; and

(B) cooperative enterprises to provide the rock grinding equipment necessary to produce sufficient rock dust for the purposes described in paragraph (3);

(8) the curtailment of counterproductive technological practices, including—

(A) reduction of fossil fuel use (including current oil wells and coal burning facilities) through conservation and development of alternative energy technology other than nuclear sources;

(B) the reduction of fossil fuel development projects, such as off-shore drilling for oil and further development in Alaska;

(C) providing appropriate guidelines for the cutting of trees for timber, fuel, and other agricultural, industrial, or residential purposes; and

(D) the reduction in the use of toxic and radioactive materials that are harmful to living tissue;

(9) support for ecologically sound technology and practices, including funding for—

(A) agricultural technology that supports remineralization and energy technology that improves the efficiency with which petrochemical fuels are used or develops an alternative, ecologically sound energy technology, the waste products of which rapidly recycle in the ecosystem and whose ecological effects are within the tolerances of the ecosystem for supporting life native to this geological period;

(B) development of alternative, benign energy technology such as cost- and energy-efficient solar thermal electric power plants in lieu of coal, oil, or nuclear plants;

(C) more fitting waste management policies, such as the composting of urban solid waste and the depositing of this material back into the soil in the region near which it is generated;

(D) environmentally and climatically sound waste-management policies, including the remineralizing and composting of urban solid wastes and wastes from animal feedlots and the depositing of this material back into the soil in the region near which it is generated;

(10) employment and community requirements of the program, including—

(A) training and retraining people to be employed on soil, forest, and energy projects; and

(B) maintaining the stability of local communities so that people working on the program can continue to reside in the locale in which they were residing before beginning such work; and

(11) the implementation of Articles 2.3 and 2.4 of the Charter of the United Nations (requiring the settlement of international disputes by peaceful means) and Articles 55 and 56 of such Charter (pro-

moting higher standards of living, full employment, and conditions of economic and social progress and development).

SEC. 5. ORGANIZATION.

(a) CONGRESSIONAL COMMITTEES.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall take steps to establish, through the rulemaking procedures of the Senate and the House, a Joint Committee on Climate Stabilization for the purpose of carrying out oversight activities with respect to the climate stabilization program established pursuant to this Act.

(b) ESTABLISHMENT OF FEDERAL COUNCIL.—(1) The Council on Climate Stabilization and Earth Regeneration is hereby established as an independent Federal agency responsible directly to the President.

(2) The President shall appoint 24 members to the Council, with the advice and consent of the Senate, from various political, labor, business, ethnic, environmental, scientific and other backgrounds, including one representative each from the National Governors Association and the National Council of Mayors, to assure the proper implementation of the program carried out under this Act.

(3) The Council shall review and report directly to the President concerning the implementation of the pro-

gram carried out under this Act, especially with respect to ensuring the participation and coordination of Federal agencies.

(4) The Council shall draw upon the research findings and action programs of the Committee on Earth Sciences of the Federal Coordinating Council on Science and Engineering Technology, the National Academy of Sciences, the National Oceanic and Atmospheric Administration, the National Science Foundation, the National Aeronautic and Space Administration, the Department of Energy, the Environmental Protection Agency, and other organizations engaged in climate stabilization efforts.

(5) Members of the Council shall serve for a term of 4 years, except that one-half of the members first appointed to the Council shall serve terms of 2 years. Members may be reappointed.

(6) The Chairman shall be appointed by the President, with the advice and consent of the Senate, and such Chairman shall serve a term of 4 years, but may be reappointed.

(c) STATE AND LOCAL COUNCILS.—(1) The President and the Council established by subsection (b) shall take steps to encourage the establishment of councils at the State and local levels of government to assure implementation of the climate stabilization program at those

levels through the participation of State and local governments, trade unions, industry, environmental organizations and other citizen groups in an interdisciplinary manner.

(2) Each State and local council shall prepare measures to prevent or minimize agricultural and technological damage and to maintain the technological and agricultural infrastructure. They shall also estimate, monitor, and report the effects of climate change on agricultural and technological systems, including utilities, transportation, communication, and industry.

SEC. 6. DISTRIBUTION OF RESPONSIBILITY.

The President shall provide, in the regulation promulgated under section 4(a), for maximum participation in the program established by this Act and cooperation at the international, Federal, State, and local levels of government, including the following:

(1) The development and implementation of plans at each level by the councils established under section 5(c) with appropriate cooperation among the councils at each level within a State.

(2) Requiring Federal agencies, under the direction of the Council established in section 5(b), to review, coordinate, and provide assistance with re-

spect to each State plan resulting from the cooperation of the councils at the various levels in a State.

(3) Designation of proper procedures for the management of funds at each level.

(4) Private sector participation through the manufacture and installation of cost- and energy-efficient solar thermal electric power facilities that displace carbon dioxide producing facilities.

(5) Widespread public participation.

(6) Extensive cooperation with international organizations.

SEC. 7. CRISIS MANAGEMENT.

The President shall provide, in the regulation promulgated under section 4(a), for a unified crisis management operation through coordinated international, Federal, State, and local interdisciplinary activity designed to minimize damage from, and to maintain agricultural and industrial production under, changing atmospheric conditions that cause natural disasters.

SEC. 8. EVALUATION.

The President shall provide, in the regulation promulgated under section 4(a), for extensive and ongoing evaluation of the climate stabilization program established under this Act, including—

(1) evaluation conducted by the Council created by section 5(b) and the State and local councils created pursuant to section 5(c) of the decrease in carbon dioxide achieved by reforestation, soil improvement, energy conservation, and alternative energy technology development;

(2) inclusion in each environmental impact statement made under the National Environmental Policy Act of an estimate of the proposed project on the carbon dioxide levels annually; and

(3) compliance with Federal laws and international treaties and agreements affecting ecology standards.

SEC. 9. FUNDING.

(a) TAX REVENUES.—

(1) IMPOSITION OF CORPORATE TAX SURCHARGE.—

(A) IN GENERAL.—Subchapter A of chapter 1 of the Internal Revenue Code of 1986 (relating to determination of tax liability) is amended by adding at the end thereof the following new part:

''PART IX—CORPORATE TAX SURCHARGE

''Sec. 60. Corporate tax surcharge.

"SEC. 60. CORPORATE TAX SURCHARGE.

''(a) IMPOSITION OF TAX.—In addition to the other taxes imposed by this chapter, there is hereby imposed on the income of every corporation for the taxable year a tax equal to 5 percent of the tax imposed by this chapter (determined without regard to this section) for such year.

''(b) NO CREDITS AGAINST TAX.—The tax imposed by this section shall not be treated as a tax imposed by this chapter for purposes of determining any credit allowable under subpart A, B, or D of part IV of this subchapter or under section 936.

''(c) ESTIMATED TAX.—For purposes of applying section 6655 (relating to estimated tax for corporations) with respect to any installment which is required to take into account the tax imposed by this section, section 6655(d)(1)(B)(ii) shall not apply.

''(d) ADMINISTRATIVE PROVISIONS.—For purposes of this title, to the extent the tax imposed by this section is attributable (under regulations prescribed by the Secretary) to a tax imposed by another section of this chapter, such tax shall be deemed to be imposed by such other section.

''(e) TERMINATION.—No tax shall be imposed by this section for any taxable year beginning after December 31, 1996.''

(B) CLERICAL AMENDMENT.—The table of parts for subchapter A of chapter 1 of such Code is amended by adding at the end thereof the following new item:

''Part IX. Corporate tax surcharge.''

(C) EFFECTIVE DATE.—The amendments made by this paragraph shall apply to taxable years ending after December 31, 1991.

(2) CLIMATE STABILIZATION TRUST FUND.—

(A) IN GENERAL.—Subchapter A of chapter 98 of such Code (relating to trust fund code) is amended by adding at the end thereof the following new section:

''SEC. 9511. CLIMATE STABILIZATION TRUST FUND.

''(a) CREATION OF TRUST FUND.—There is established in the Treasury of the United States a trust fund to be known as the 'Climate Stabilization Trust Fund', consisting of such amounts as may be appropriated or credited to such Trust Fund as provided in this section or section 9602(b).

''(b) TRANSFERS TO TRUST FUND.—There is hereby appropriated to the Climate Stabilization Trust Fund the amount determined by the Secretary to be equivalent to the taxes received in the Treasury under section 60 (relating to corporate tax surcharge).

''(c) EXPENDITURES FROM TRUST FUND.—Amounts in the Climate Stabilization Trust Fund shall be available, as provided in appropriation Acts, to carry out the Emergency Climate Stabilization and Earth Regeneration Act of 1991.''

(B) CLERICAL AMENDMENT.—The table of sections for such subchapter is amended by adding at the end thereof the following new item:

"Sec. 9511. Climate Stabilization Trust Fund."

(b) STATE AND LOCAL FUNDING.—Eighty percent of the funding for any project carried out under this Act shall be from Federal sources. The remainder of the funding for any such project shall be divided equally between State and local governments.

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out this Act.

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