Thursday, November 10, 2023, 10:35 am – 11:50 am

Session 206 | The Need For More Than Just Trees: Legal and Policy Considerations For Innovative Climate Solutions

Is there really a need for innovative sustainability and climate change solutions beyond just planting trees? The passage of the Inflation Reduction Act (IRA) in 2022 and the Infrastructure Investment and Jobs Act (IIJA) in 2021 will lead to significant investment in climate technology and clean energy. The Need for More than Just Trees: Legal and Policy Considerations for Innovative Sustainability and Climate Solutions will feature experts in energy, environmental policy, innovation, investments and entrepreneurship. The panel will explore cutting-edge solutions that go beyond traditional methods of carbon reduction and discuss the challenges and opportunities of innovating at scale to advance climate change, environmental, and green tech from both a legal and policy perspective. Join us as we delve deep into the market forces, government incentives and legal tools that will shape the future of our shared environment.

Moderator:
Hope Shimabuku, Regional Director, Texas Regional Office, United States Patent and Trademark Office

Speakers:
Vikram Agrawal, Co-Founder & CEO, American Resilience Partners; Director, EarthxCapital
Brad Chin, Partner and Chair of IP Practice Group, Bracewell
Jomy Methipara, Member, Dickinson Wright

Note: These materials are being provided as background information for the topics that will be discussed during this presentation.
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Climate Change Mitigation Pilot Program

The Climate Change Mitigation Pilot Program, a replacement of the Green Technology Pilot Program, is designed to positively impact the climate by accelerating the examination of patent applications for innovations that mitigate climate change. In June 2022, the United States Patent and Trademark Office (USPTO) launched the program for innovations designed to reduce greenhouse gas emissions. This program is inspired by the Green Technology Pilot Program that ended in March 2012.

Beginning on June 6, 2023, the USPTO will expand the eligibility requirements to include more technologies which will help make progress toward the goal of net-zero greenhouse gas emissions (https://www.whitehouse.gov/wp-content/uploads/2022/11/U.S.-Innovation-to-Meet-2050-Climate-Goals.pdf).

Under the expanded program, qualifying applications involving technologies that reduce, remove, prevent, and/or monitor greenhouse gas emissions, as specified below, will be advanced out of turn (made special) to expedite a first Office action. An Office action is a patent examiner's written notice of findings for the patent application.

An applicant must file a timely petition to make special using the required petition form in order to qualify for this program. For qualifying applications, no petition fee for the petition to make special is required and the applicant is not required to satisfy the other requirements of the accelerated examination program. The USPTO will accept petitions to make special under this program until June 7, 2027, or the date when a total of 4,000 applications have been granted special status under this program, whichever occurs earlier. This program aligns with and supports Executive Order 14008 (https://www.whitehouse.gov/briefing-room/presidential-actions/2021/01/27/executive-order-on-tackling-the-climate-crisis-at-home-and-abroad/), dated January 27, 2021, and supports the USPTO's efforts to secure an equitable economic future, promote progress toward achieving net-zero greenhouse gas emissions, and mitigate the effects of climate change. The requirements of the program, as expanded, are summarized below.

Requirements:

- Applications must contain one or more claims to a product or process that mitigates climate change by being designed to: (a) remove greenhouse gases already present in the atmosphere; (b) reduce and/or prevent additional greenhouse gas emissions; and/or (c) monitor, track, and/or verify greenhouse gas emission reductions.

- This program is open to:
  - Non-continuing original utility nonprovisional applications; and
  - Original utility nonprovisional applications that claim the benefit of the filing date under 35 U.S.C. 120, 121, 365(c), or 386(c) of only one prior application that is either a nonprovisional application or an international application designating the United States.
Note: Claiming the benefit under 35 U.S.C. 119(e) of one or more prior provisional applications or claiming a right of foreign priority under 35 U.S.C. 119(a)-(d) or (f) to one or more foreign applications will not affect eligibility for this pilot program.

- The application or national stage entry must be electronically filed using Patent Center (https://www.uspto.gov/patents/apply/patent-center), and the specification, claims, and abstract must be submitted in DOCX format. To learn more about filing in DOCX format, please consider attending a DOCX training webinar (http://www.uspto.gov/about-us/events/patents-docx-filing) or visiting the DOCX information page (https://www.uspto.gov/patent/docx).

- Applicants must file the petition to make special with the application or entry into the national stage under 35 U.S.C. 371 or within 30 days of the filing date or entry date of the application. The fee for the petition to make special under 37 CFR 1.102(d) has been waived for this program.


- Petition filing limitations: Applicants may not file a petition to participate in this pilot program if the inventor or any joint inventor has been named as the inventor or a joint inventor on more than twelve other nonprovisional applications in which a petition to make special under this program has been filed.

- All other requirements and conditions of this program are provided in the 2022 and 2023 Federal Register notices for this program.

How to file:


- When uploading Form PTO/SB/457, select the document description Petition for Climate Change Mitigation Pilot (found under the Petition Category) on the Patent Center screen to ensure timely and appropriate processing.

Announcements


- Applications granted special status for this pilot as of July 25, 2023: 481 filed / 326 granted
Contact us

For questions about Patent Center, please contact the Patent Electronic Business Center at 866-217-9197 or via email to ebc@uspto.gov.

For questions about the Climate Change Mitigation Pilot Program Federal Register notice, please contact the Office of Patent Legal Administration at 571-272-7704 or via email to PatentsClimateChangePilot@uspto.gov.

For questions about the status of a particular petition, please contact the Office of Petitions at 571-272-3282.

Note: Some material linked to from this page may require a PDF viewer.
Patenting innovation in climate science

Note: This blog originally published on the NOAA Research blog (https://research.noaa.gov/2023/06/21/patenting-innovation-in-climate-science/).

Parikha Mehta and Wayne Mackenzie discussing Dr. Bianca Baier's innovative AirCore atmospheric sampling device (https://gml.noaa.gov/ccgg/aircore/) and the HORUS glider (https://research.noaa.gov/2023/06/13/revolutionary-noaa-...
A Q&A with Parikha Mehta from the U.S. Patent and Trademark Office

Parikha Mehta has spent the last four months focused on the intersection of intellectual property and climate and environmental technologies while on an employee exchange (known as a detail) at NOAA from the U.S Patent and Trademark Office (https://research.noaa.gov/2023/02/25/noaa-us-patent-and-trademark-office-create-work-sharing-program-to-advance-green-technology/) (USPTO). Her goal: Help researchers understand the importance of protecting their inventions so that NOAA’s research and technology can better serve the public and inspire future innovation.

The work overlaps with her usual job as a senior patent examination policy advisor at USPTO. “In my USPTO role, I focus on advising all types of stakeholders on our patent policy—soup to nuts of the whole patent process,” she says.

At NOAA, Mehta visited labs and fisheries science centers and interviewed researchers about their knowledge of the patent process and technology transfer.

We sat down to ask her about her experience, and intellectual property issues.

How did you hear about the employee exchange opportunity with NOAA? What motivated you to apply?

I heard about this opportunity through the USPTO detail announcement program; our agency is really supportive of career development through short-term reassignment opportunities. My background is in science and engineering, and I was excited for the chance to spend some time a little closer to that. I was also eager to share my knowledge of patent law and policy to hopefully help people who are trying to solve problems I care about personally.

Before I started this detail, I knew broadly that NOAA was engaged in important research in a lot of different areas, but I didn’t appreciate the full scope of the agency’s impact until I got here. I’ve so enjoyed talking to the talented scientists and engineers here; meeting people and learning about their work has been incredibly rewarding, and also just a lot of fun.

Why is it important for researchers to patent inventions?
I've been inspired by how passionate NOAA researchers are about using science and engineering to help the public and the planet. Patents are a great vehicle for that, because they create a pathway for transforming innovation in the lab into something that the public can access and benefit from in day to day life.

Patents are also a tool for protecting the integrity of the important work that's being done at NOAA. If somebody else tries to claim ownership of an idea, or use it in a way that doesn't meet NOAA's high standards, that can harm the agency and the public. Patents can provide insurance against those things. For example, I met several NOAA researchers who are working on innovative tools for collecting improved data from the ocean or the atmosphere. If those tools are patented, NOAA can confidently share them for broader public use knowing there is a measure of protection against anyone else distributing sub-standard knockoffs or erasing NOAA's rightful credit for that innovation.

**What is holding people back? Why do you think people don’t seek out a patent?**

I think it’s mostly a matter of awareness. Scientists, engineers, and managers are often unfamiliar with how patents work, how they relate to federal research, and how to apply for them. The next two USPTO detailees will use what I’ve found to help NOAA’s research workforce learn about these topics, and hopefully help them feel more comfortable and confident when initiating discussions about how to protect NOAA inventions.
What do you say to someone who is hesitant about patenting?

Researchers sometimes feel that their inventions aren’t suitable for filing a patent application because they are too niche, too specific to a particular problem they are trying to solve in their lab. They assume that nobody else is going to want or be able to use their invention, so they talk themselves out of trying to pursue a patent for it. To that, I would say don’t sell yourself short; no invention is too small. The NOAA Technology Partnerships Office (https://techpartnerships.noaa.gov) has talented people who can guide that part of the decision making process; all you have to do is let them know you invented something, and they’ll help figure out the best path forward from there.

What has been the biggest surprise to you about NOAA and the culture here?

I don’t know if I would characterize this as surprising, but everyone’s strong mission identity and commitment to public service here has definitely made an impression on me. People show up to work here because they genuinely want to do good and help others; this really shone through in my interactions with every person I met at NOAA, not just the researchers. It’s been wonderful, and probably one of the things I will remember most about this experience.

Mehta is the first of three USPTO employees assigned to NOAA this year. While Mehta’s been working at NOAA, another detaillee has also gone from NOAA to USPTO to share climate science with their staff and advise on USPTO green initiatives (https://www.uspto.gov/about-us/news-updates/uspto-becomes-partner-international-green-technology-platform-wipo-green-0). In a forthcoming article we will talk to that detaillee about their experiences.

Comments:

Great article! Congratulations! Keep up the fantastic work!
Posted by Faculdade EAD (https://faculdade.grancursoonline.com.br/) on June 27, 2023 at 05:29 PM EDT # https://www.uspto.gov/blog/director/entry/patenting-innovation-in-climate-science#comment-1687901368730

I would characterize this as surprising, but everyone’s strong mission identity and commitment to public service here has definitely made an impression on me. People show up to work here because they genuinely want to do good and help others; this really shone through in my interactions with every person I met at NOAA, not just the researchers. It’s been wonderful, and probably one of the things I will remember most about this experience. Regards: http://cpsandtypingtest.com/2-minute-typing-test
Posted by Dave Seth (http://cpsandtypingtest.com/2-minute-typing-test/#google_vignette) on June 27, 2023 at 09:36 PM EDT # https://www.uspto.gov/blog/director/entry/patenting-innovation-in-climate-science#comment-1687916211426

Fascinating glimpse into the intersection of climate science and patenting! It’s crucial for researchers to protect their innovations, ensuring wider access and preventing misuse. Kudos to Parikha Mehta for bridging the gap and inspiring future innovation at NOAA. Looking forward to more stories like this!
Posted by MrDanzo (https://appymeda.online) on June 30, 2023 at 02:19 PM EDT # https://www.uspto.gov/blog/director/entry/patenting-innovation-in-climate-science#comment-1688149184004)
JANUARY 20, 2021

Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

Section 1. Policy. Our Nation has an abiding commitment to empower our workers and communities; promote and protect our public health and the environment; and conserve our national treasures and monuments, places that secure our national memory. Where the Federal Government has failed to meet that commitment in the past, it must advance environmental justice. In carrying out this charge, the Federal Government must be guided by the best science and be protected by processes that ensure the integrity of Federal decision-making. It is, therefore, the policy of my Administration to listen to the science; to improve public health and protect our environment; to ensure access to clean air and water; to limit exposure to dangerous chemicals and pesticides; to hold polluters accountable, including those who disproportionately harm communities of color and low-income communities; to reduce greenhouse gas emissions; to bolster resilience to the impacts of climate change; to restore and expand our national treasures and monuments; and to prioritize both environmental justice and the creation of the well-paying union jobs necessary to deliver on these goals.

To that end, this order directs all executive departments and agencies (agencies) to immediately review and, as appropriate and consistent with applicable law, take action to address the promulgation of Federal regulations and other actions during the last 4 years that conflict with these important national objectives, and to immediately commence work to confront the climate crisis.

Sec. 2. Immediate Review of Agency Actions Taken Between January 20, 2017, and January 20, 2021. (a) The heads of all agencies shall immediately review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (agency actions) promulgated, issued, or adopted between January 20, 2017, and January 20, 2021, that are or may be inconsistent with, or present obstacles to, the policy set forth in section 1 of this order. For any such actions identified by the agencies, the heads of agencies
shall, as appropriate and consistent with applicable law, consider suspending, revising, or rescinding the agency actions. In addition, for the agency actions in the 4 categories set forth in subsections (i) through (iv) of this section, the head of the relevant agency, as appropriate and consistent with applicable law, shall consider publishing for notice and comment a proposed rule suspending, revising, or rescinding the agency action within the time frame specified.


Regulatory Actions and Influential Scientific Information,” 86 Fed. Reg. 469 (January 6, 2021), as soon as possible.

(b) Within 30 days of the date of this order, heads of agencies shall submit to the Director of the Office of Management and Budget (OMB) a preliminary list of any actions being considered pursuant to section (2)(a) of this order that would be completed by December 31, 2021, and that would be subject to OMB review. Within 90 days of the date of this order, heads of agencies shall submit to the Director of OMB an updated list of any actions being considered pursuant to section (2)(a) of this order that would be completed by December 31, 2025, and that would be subject to OMB review. At the time of submission to the Director of OMB, heads of agencies shall also send each list to the National Climate Advisor. In addition, and at the same time, heads of agencies shall send to the National Climate Advisor a list of additional actions being considered pursuant to section (2)(a) of this order that would not be subject to OMB review.

(c) Heads of agencies shall, as appropriate and consistent with applicable law, consider whether to take any additional agency actions to fully enforce the policy set forth in section 1 of this order. With respect to the Administrator of the Environmental Protection Agency, the following specific actions should be considered:

(i) proposing new regulations to establish comprehensive standards of performance and emission guidelines for methane and volatile organic compound emissions from existing operations in the oil and gas sector, including the exploration and production, transmission, processing, and storage segments, by September 2021; and


(d) The Attorney General may, as appropriate and consistent with applicable law, provide notice of this order and any actions taken pursuant to section 2(a) of this order to any court with jurisdiction over pending litigation related to those agency actions identified pursuant to section (2)(a) of this order, and may, in his discretion, request that the court stay or otherwise dispose of litigation, or seek other appropriate relief consistent with this order, until the completion of the processes described in this order.
(e) In carrying out the actions directed in this section, heads of agencies shall seek input from the public and stakeholders, including State local, Tribal, and territorial officials, scientists, labor unions, environmental advocates, and environmental justice organizations.

Sec. 3. Restoring National Monuments. (a) The Secretary of the Interior, as appropriate and consistent with applicable law, including the Antiquities Act, 54 U.S.C. 320301 et seq., shall, in consultation with the Attorney General, the Secretaries of Agriculture and Commerce, the Chair of the Council on Environmental Quality, and Tribal governments, conduct a review of the monument boundaries and conditions that were established by Proclamation 9681 of December 4, 2017 (Modifying the Bears Ears National Monument); Proclamation 9682 of December 4, 2017 (Modifying the Grand Staircase-Escalante National Monument); and Proclamation 10049 of June 5, 2020 (Modifying the Northeast Canyons and Seamounts Marine National Monument), to determine whether restoration of the monument boundaries and conditions that existed as of January 20, 2017, would be appropriate.

(b) Within 60 days of the date of this order, the Secretary of the Interior shall submit a report to the President summarizing the findings of the review conducted pursuant to subsection (a), which shall include recommendations for such Presidential actions or other actions consistent with law as the Secretary may consider appropriate to carry out the policy set forth in section 1 of this order.

(c) The Attorney General may, as appropriate and consistent with applicable law, provide notice of this order to any court with jurisdiction over pending litigation related to the Grand Staircase-Escalante, Bears Ears, and Northeast Canyons and Seamounts Marine National Monuments, and may, in his discretion, request that the court stay the litigation or otherwise delay further litigation, or seek other appropriate relief consistent with this order, pending the completion of the actions described in subsection (a) of this section.

Sec. 4. Arctic Refuge. (a) In light of the alleged legal deficiencies underlying the program, including the inadequacy of the environmental review required by the National Environmental Policy Act, the Secretary of the Interior shall, as appropriate and consistent with applicable law, place a temporary moratorium on all activities of the Federal Government relating to the implementation of the Coastal Plain Oil and Gas Leasing Program, as established by the Record of Decision signed August 17, 2020, in the Arctic National Wildlife Refuge. The Secretary shall review the program and, as appropriate and consistent with applicable law, conduct a new, comprehensive analysis of the potential environmental impacts of the oil and gas program.

(b) In Executive Order 13754 of December 9, 2016 (Northern Bering Sea Climate Resilience), and in the Presidential Memorandum of December 20, 2016 (Withdrawal of Certain Portions of
the United States Arctic Outer Continental Shelf From Mineral Leasing), President Obama withdrew areas in Arctic waters and the Bering Sea from oil and gas drilling and established the Northern Bering Sea Climate Resilience Area. Subsequently, the order was revoked and the memorandum was amended in Executive Order 13795 of April 28, 2017 (Implementing an America-First Offshore Energy Strategy). Pursuant to section 12(a) of the Outer Continental Shelf Lands Act, 43 U.S.C. 1341(a), Executive Order 13754 and the Presidential Memorandum of December 20, 2016, are hereby reinstated in their original form, thereby restoring the original withdrawal of certain offshore areas in Arctic waters and the Bering Sea from oil and gas drilling.

(c) The Attorney General may, as appropriate and consistent with applicable law, provide notice of this order to any court with jurisdiction over pending litigation related to the Coastal Plain Oil and Gas Leasing Program in the Arctic National Wildlife Refuge and other related programs, and may, in his discretion, request that the court stay the litigation or otherwise delay further litigation, or seek other appropriate relief consistent with this order, pending the completion of the actions described in subsection (a) of this section.

Sec. 5. Accounting for the Benefits of Reducing Climate Pollution. (a) It is essential that agencies capture the full costs of greenhouse gas emissions as accurately as possible, including by taking global damages into account. Doing so facilitates sound decision-making, recognizes the breadth of climate impacts, and supports the international leadership of the United States on climate issues. The “social cost of carbon” (SCC), “social cost of nitrous oxide” (SCN), and “social cost of methane” (SCM) are estimates of the monetized damages associated with incremental increases in greenhouse gas emissions. They are intended to include changes in net agricultural productivity, human health, property damage from increased flood risk, and the value of ecosystem services. An accurate social cost is essential for agencies to accurately determine the social benefits of reducing greenhouse gas emissions when conducting cost-benefit analyses of regulatory and other actions.

(b) There is hereby established an Interagency Working Group on the Social Cost of Greenhouse Gases (the “Working Group”). The Chair of the Council of Economic Advisers, Director of OMB, and Director of the Office of Science and Technology Policy shall serve as Co-Chairs of the Working Group.

(i) Membership. The Working Group shall also include the following other officers, or their designees: the Secretary of the Treasury; the Secretary of the Interior; the Secretary of Agriculture; the Secretary of Commerce; the Secretary of Health and Human Services; the Secretary of Transportation; the Secretary of Energy; the Chair of the Council on Environmental Quality; the Administrator of the Environmental Protection Agency; the
(ii) Mission and Work. The Working Group shall, as appropriate and consistent with applicable law:

(A) publish an interim SCC, SCN, and SCM within 30 days of the date of this order, which agencies shall use when monetizing the value of changes in greenhouse gas emissions resulting from regulations and other relevant agency actions until final values are published;

(B) publish a final SCC, SCN, and SCM by no later than January 2022;

(C) provide recommendations to the President, by no later than September 1, 2021, regarding areas of decision-making, budgeting, and procurement by the Federal Government where the SCC, SCN, and SCM should be applied;

(D) provide recommendations, by no later than June 1, 2022, regarding a process for reviewing, and, as appropriate, updating, the SCC, SCN, and SCM to ensure that these costs are based on the best available economics and science; and

(E) provide recommendations, to be published with the final SCC, SCN, and SCM under subparagraph (A) if feasible, and in any event by no later than June 1, 2022, to revise methodologies for calculating the SCC, SCN, and SCM, to the extent that current methodologies do not adequately take account of climate risk, environmental justice, and intergenerational equity.

(iii) Methodology. In carrying out its activities, the Working Group shall consider the recommendations of the National Academies of Science, Engineering, and Medicine as reported in Valuing Climate Damages: Updating Estimation of the Social Cost of Carbon Dioxide (2017) and other pertinent scientific literature; solicit public comment; engage with the public and stakeholders; seek the advice of ethics experts; and ensure that the SCC, SCN, and SCM reflect the interests of future generations in avoiding threats posed by climate change.

Sec. 6. Revoking the March 2019 Permit for the Keystone XL Pipeline. (a) On March 29, 2019, the President granted to TransCanada Keystone Pipeline, L.P. a Presidential permit (the " Permit") to construct, connect, operate, and maintain pipeline facilities at the international border of the United States and Canada (the "Keystone XL pipeline"), subject to express conditions and potential revocation in the President's sole discretion. The Permit is hereby revoked in accordance with Article 1(1) of the Permit.
(b) In 2015, following an exhaustive review, the Department of State and the President determined that approving the proposed Keystone XL pipeline would not serve the U.S. national interest. That analysis, in addition to concluding that the significance of the proposed pipeline for our energy security and economy is limited, stressed that the United States must prioritize the development of a clean energy economy, which will in turn create good jobs. The analysis further concluded that approval of the proposed pipeline would undermine U.S. climate leadership by undercutting the credibility and influence of the United States in urging other countries to take ambitious climate action.

(c) Climate change has had a growing effect on the U.S. economy, with climate-related costs increasing over the last 4 years. Extreme weather events and other climate-related effects have harmed the health, safety, and security of the American people and have increased the urgency for combatting climate change and accelerating the transition toward a clean energy economy. The world must be put on a sustainable climate pathway to protect Americans and the domestic economy from harmful climate impacts, and to create well-paying union jobs as part of the climate solution.

(d) The Keystone XL pipeline disserves the U.S. national interest. The United States and the world face a climate crisis. That crisis must be met with action on a scale and at a speed commensurate with the need to avoid setting the world on a dangerous, potentially catastrophic, climate trajectory. At home, we will combat the crisis with an ambitious plan to build back better, designed to both reduce harmful emissions and create good clean-energy jobs. Our domestic efforts must go hand in hand with U.S. diplomatic engagement. Because most greenhouse gas emissions originate beyond our borders, such engagement is more necessary and urgent than ever. The United States must be in a position to exercise vigorous climate leadership in order to achieve a significant increase in global climate action and put the world on a sustainable climate pathway. Leaving the Keystone XL pipeline permit in place would not be consistent with my Administration's economic and climate imperatives.

hereby revoked. Executive Order 13834 of May 17, 2018 (Efficient Federal Operations), is hereby revoked except for sections 6, 7, and 11.

(b) Executive Order 13807 of August 15, 2017 (Establishing Discipline and Accountability in the Environmental Review and Permitting Process for Infrastructure Projects), is hereby revoked. The Director of OMB and the Chair of the Council on Environmental Quality shall jointly consider whether to recommend that a replacement order be issued.

(c) Executive Order 13920 of May 1, 2020 (Securing the United States Bulk-Power System), is hereby suspended for 90 days. The Secretary of Energy and the Director of OMB shall jointly consider whether to recommend that a replacement order be issued.

(d) The Presidential Memorandum of April 12, 2018 (Promoting Domestic Manufacturing and Job Creation Policies and Procedures Relating to Implementation of Air Quality Standards), the Presidential Memorandum of October 19, 2018 (Promoting the Reliable Supply and Delivery of Water in the West), and the Presidential Memorandum of February 19, 2020 (Developing and Delivering More Water Supplies in California), are hereby revoked.


(f) The Director of OMB and the heads of agencies shall promptly take steps to rescind any orders, rules, regulations, guidelines, or policies, or portions thereof, including, if necessary, by proposing such rescissions through notice-and-comment rulemaking, implementing or enforcing the Executive Orders, Presidential Memoranda, and draft guidance identified in this section, as appropriate and consistent with applicable law.

Sec. 8. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency, or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.
(b) This order shall be implemented in a manner consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN JR.

THE WHITE HOUSE,
January 20, 2021.
Executive Order on Tackling the Climate Crisis at Home and Abroad

The United States and the world face a profound climate crisis. We have a narrow moment to pursue action at home and abroad in order to avoid the most catastrophic impacts of that crisis and to seize the opportunity that tackling climate change presents. Domestic action must go hand in hand with United States international leadership, aimed at significantly enhancing global action. Together, we must listen to science and meet the moment.

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

PART I — PUTTING THE CLIMATE CRISIS AT THE CENTER OF UNITED STATES FOREIGN POLICY AND NATIONAL SECURITY

Section 101. Policy. United States international engagement to address climate change — which has become a climate crisis — is more necessary and urgent than ever. The scientific community has made clear that the scale and speed of necessary action is greater than previously believed. There is little time left to avoid setting the world on a dangerous, potentially catastrophic, climate trajectory. Responding to the climate crisis will require both significant short-term global reductions in greenhouse gas emissions and net-zero global emissions by mid-century or before.

It is the policy of my Administration that climate considerations shall be an essential element of United States foreign policy and national security. The United States will work with other countries and partners, both bilaterally and multilaterally, to put the world on a sustainable climate pathway. The United States will also move quickly to build resilience, both at home and abroad, against the impacts of climate change that are already manifest and will continue to intensify according to current trajectories.

Sec. 102. Purpose. This order builds on and reaffirms actions my Administration has already taken to place the climate crisis at the forefront of this Nation’s foreign policy and national security planning, including submitting the United States instrument of acceptance to rejoin the Paris Agreement. In implementing — and building upon — the Paris Agreement’s three
overarching objectives (a safe global temperature, increased climate resilience, and financial flows aligned with a pathway toward low greenhouse gas emissions and climate-resilient development), the United States will exercise its leadership to promote a significant increase in global climate ambition to meet the climate challenge. In this regard:

(a) I will host an early Leaders' Climate Summit aimed at raising climate ambition and making a positive contribution to the 26th United Nations Climate Change Conference of the Parties (COP26) and beyond.

(b) The United States will reconvene the Major Economies Forum on Energy and Climate, beginning with the Leaders' Climate Summit. In cooperation with the members of that Forum, as well as with other partners as appropriate, the United States will pursue green recovery efforts, initiatives to advance the clean energy transition, sectoral decarbonization, and alignment of financial flows with the objectives of the Paris Agreement, including with respect to coal financing, nature-based solutions, and solutions to other climate-related challenges.

(c) I have created a new Presidentially appointed position, the Special Presidential Envoy for Climate, to elevate the issue of climate change and underscore the commitment my Administration will make toward addressing it.

(d) Recognizing that climate change affects a wide range of subjects, it will be a United States priority to press for enhanced climate ambition and integration of climate considerations across a wide range of international fora, including the Group of Seven (G7), the Group of Twenty (G20), and fora that address clean energy, aviation, shipping, the Arctic, the ocean, sustainable development, migration, and other relevant topics. The Special Presidential Envoy for Climate and others, as appropriate, are encouraged to promote innovative approaches, including international multi-stakeholder initiatives. In addition, my Administration will work in partnership with States, localities, Tribes, territories, and other United States stakeholders to advance United States climate diplomacy.

(e) The United States will immediately begin the process of developing its nationally determined contribution under the Paris Agreement. The process will include analysis and input from relevant executive departments and agencies (agencies), as well as appropriate outreach to domestic stakeholders. The United States will aim to submit its nationally determined contribution in advance of the Leaders' Climate Summit.

(f) The United States will also immediately begin to develop a climate finance plan, making strategic use of multilateral and bilateral channels and institutions, to assist developing countries in implementing ambitious emissions reduction measures, protecting critical
ecosystems, building resilience against the impacts of climate change, and promoting the flow of capital toward climate-aligned investments and away from high-carbon investments. The Secretary of State and the Secretary of the Treasury, in coordination with the Special Presidential Envoy for Climate, shall lead a process to develop this plan, with the participation of the Administrator of the United States Agency for International Development (USAID), the Chief Executive Officer of the United States International Development Finance Corporation (DFC), the Chief Executive Officer of the Millennium Challenge Corporation, the Director of the United States Trade and Development Agency, the Director of the Office of Management and Budget, and the head of any other agency providing foreign assistance and development financing, as appropriate. The Secretary of State and the Secretary of the Treasury shall submit the plan to the President, through the Assistant to the President for National Security Affairs and the Assistant to the President for Economic Policy, within 90 days of the date of this order.

(g) The Secretary of the Treasury shall:

(i) ensure that the United States is present and engaged in relevant international fora and institutions that are working on the management of climate-related financial risks;

(ii) develop a strategy for how the voice and vote of the United States can be used in international financial institutions, including the World Bank Group and the International Monetary Fund, to promote financing programs, economic stimulus packages, and debt relief initiatives that are aligned with and support the goals of the Paris Agreement; and

(iii) develop, in collaboration with the Secretary of State, the Administrator of USAID, and the Chief Executive Officer of the DFC, a plan for promoting the protection of the Amazon rainforest and other critical ecosystems that serve as global carbon sinks, including through market-based mechanisms.

(h) The Secretary of State, the Secretary of the Treasury, and the Secretary of Energy shall work together and with the Export-Import Bank of the United States, the Chief Executive Officer of the DFC, and the heads of other agencies and partners, as appropriate, to identify steps through which the United States can promote ending international financing of carbon-intensive fossil fuel-based energy while simultaneously advancing sustainable development and a green recovery, in consultation with the Assistant to the President for National Security Affairs.

(i) The Secretary of Energy, in cooperation with the Secretary of State and the heads of other agencies, as appropriate, shall identify steps through which the United States can intensify
international collaborations to drive innovation and deployment of clean energy technologies, which are critical for climate protection.

(j) The Secretary of State shall prepare, within 60 days of the date of this order, a transmittal package seeking the Senate’s advice and consent to ratification of the Kigali Amendment to the Montreal Protocol on Substances that Deplete the Ozone Layer, regarding the phasedown of the production and consumption of hydrofluorocarbons.

Sec. 103. Prioritizing Climate in Foreign Policy and National Security. To ensure that climate change considerations are central to United States foreign policy and national security:

(a) Agencies that engage in extensive international work shall develop, in coordination with the Special Presidential Envoy for Climate, and submit to the President, through the Assistant to the President for National Security Affairs, within 90 days of the date of this order, strategies and implementation plans for integrating climate considerations into their international work, as appropriate and consistent with applicable law. These strategies and plans should include an assessment of:

(i) climate impacts relevant to broad agency strategies in particular countries or regions;

(ii) climate impacts on their agency-managed infrastructure abroad (e.g., embassies, military installations), without prejudice to existing requirements regarding assessment of such infrastructure;

(iii) how the agency intends to manage such impacts or incorporate risk mitigation into its installation master plans; and

(iv) how the agency’s international work, including partner engagement, can contribute to addressing the climate crisis.

(b) The Director of National Intelligence shall prepare, within 120 days of the date of this order, a National Intelligence Estimate on the national and economic security impacts of climate change.

(c) The Secretary of Defense, in coordination with the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, the Chair of the Council on Environmental Quality, the Administrator of the Environmental Protection Agency, the Director of National Intelligence, the Director of the Office of Science and Technology Policy, the Administrator of the National Aeronautics and Space Administration, and the heads of other agencies as appropriate, shall develop and submit to the President, within 120 days of
the date of this order, an analysis of the security implications of climate change (Climate Risk Analysis) that can be incorporated into modeling, simulation, war-gaming, and other analyses.

(d) The Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall consider the security implications of climate change, including any relevant information from the Climate Risk Analysis described in subsection (c) of this section, in developing the National Defense Strategy, Defense Planning Guidance, Chairman's Risk Assessment, and other relevant strategy, planning, and programming documents and processes. Starting in January 2022, the Secretary of Defense and the Chairman of the Joint Chiefs of Staff shall provide an annual update, through the National Security Council, on the progress made in incorporating the security implications of climate change into these documents and processes.

(e) The Secretary of Homeland Security shall consider the implications of climate change in the Arctic, along our Nation’s borders, and to National Critical Functions, including any relevant information from the Climate Risk Analysis described in subsection (c) of this section, in developing relevant strategy, planning, and programming documents and processes. Starting in January 2022, the Secretary of Homeland Security shall provide an annual update, through the National Security Council, on the progress made in incorporating the homeland security implications of climate change into these documents and processes.

Sec. 104. Reinstatement. The Presidential Memorandum of September 21, 2016 (Climate Change and National Security), is hereby reinstated.

PART II - TAKING A GOVERNMENT-WIDE APPROACH TO THE CLIMATE CRISIS

Sec. 201. Policy. Even as our Nation emerges from profound public health and economic crises borne of a pandemic, we face a climate crisis that threatens our people and communities, public health and economy, and, starkly, our ability to live on planet Earth. Despite the peril that is already evident, there is promise in the solutions — opportunities to create well-paying union jobs to build a modern and sustainable infrastructure, deliver an equitable, clean energy future, and put the United States on a path to achieve net-zero emissions, economy-wide, by no later than 2050.

We must listen to science — and act. We must strengthen our clean air and water protections. We must hold polluters accountable for their actions. We must deliver environmental justice in communities all across America. The Federal Government must drive assessment, disclosure, and mitigation of climate pollution and climate-related risks in every sector of our economy, marshaling the creativity, courage, and capital necessary to make our Nation resilient in the face of this threat. Together, we must combat the climate crisis with bold, progressive
action that combines the full capacity of the Federal Government with efforts from every corner of our Nation, every level of government, and every sector of our economy.

It is the policy of my Administration to organize and deploy the full capacity of its agencies to combat the climate crisis to implement a Government-wide approach that reduces climate pollution in every sector of the economy; increases resilience to the impacts of climate change; protects public health; conserves our lands, waters, and biodiversity; delivers environmental justice; and spurs well-paying union jobs and economic growth, especially through innovation, commercialization, and deployment of clean energy technologies and infrastructure. Successfully meeting these challenges will require the Federal Government to pursue such a coordinated approach from planning to implementation, coupled with substantive engagement by stakeholders, including State, local, and Tribal governments.

Sec. 202. White House Office of Domestic Climate Policy. There is hereby established the White House Office of Domestic Climate Policy (Climate Policy Office) within the Executive Office of the President, which shall coordinate the policy-making process with respect to domestic climate-policy issues; coordinate domestic climate-policy advice to the President; ensure that domestic climate-policy decisions and programs are consistent with the President's stated goals and that those goals are being effectively pursued; and monitor implementation of the President's domestic climate-policy agenda. The Climate Policy Office shall have a staff headed by the Assistant to the President and National Climate Advisor (National Climate Advisor) and shall include the Deputy Assistant to the President and Deputy National Climate Advisor. The Climate Policy Office shall have such staff and other assistance as may be necessary to carry out the provisions of this order, subject to the availability of appropriations, and may work with established or ad hoc committees or interagency groups. All agencies shall cooperate with the Climate Policy Office and provide such information, support, and assistance to the Climate Policy Office as it may request, as appropriate and consistent with applicable law.

Sec 203. National Climate Task Force. There is hereby established a National Climate Task Force (Task Force). The Task Force shall be chaired by the National Climate Advisor.

(a) Membership. The Task Force shall consist of the following additional members:

(i) the Secretary of the Treasury;

(ii) the Secretary of Defense;

(iii) the Attorney General;
(iv) the Secretary of the Interior;
(v) the Secretary of Agriculture;
(vi) the Secretary of Commerce;
(vii) the Secretary of Labor;
(viii) the Secretary of Health and Human Services;
(ix) the Secretary of Housing and Urban Development;
(x) the Secretary of Transportation;
(xi) the Secretary of Energy;
(xii) the Secretary of Homeland Security;
(xiii) the Administrator of General Services;
(xiv) the Chair of the Council on Environmental Quality;
(xv) the Administrator of the Environmental Protection Agency;
(xvi) the Director of the Office of Management and Budget;
(xvii) the Director of the Office of Science and Technology Policy;
(xviii) the Assistant to the President for Domestic Policy;
(xix) the Assistant to the President for National Security Affairs;
(xx) the Assistant to the President for Homeland Security and Counterterrorism; and
(xxi) the Assistant to the President for Economic Policy.

(b) Mission and Work. The Task Force shall facilitate the organization and deployment of a Government-wide approach to combat the climate crisis. This Task Force shall facilitate planning and implementation of key Federal actions to reduce climate pollution; increase resilience to the impacts of climate change; protect public health; conserve our lands, waters, oceans, and biodiversity; deliver environmental justice; and spur well-paying union jobs and economic growth. As necessary and appropriate, members of the Task Force will engage on
these matters with State, local, Tribal, and territorial governments; workers and communities; and leaders across the various sectors of our economy.

(c) Prioritizing Actions. To the extent permitted by law, Task Force members shall prioritize action on climate change in their policy-making and budget processes, in their contracting and procurement, and in their engagement with State, local, Tribal, and territorial governments; workers and communities; and leaders across all the sectors of our economy.

USE OF THE FEDERAL GOVERNMENT'S BUYING POWER AND REAL PROPERTY AND ASSET MANAGEMENT

Sec. 204. Policy. It is the policy of my Administration to lead the Nation's effort to combat the climate crisis by example – specifically, by aligning the management of Federal procurement and real property, public lands and waters, and financial programs to support robust climate action. By providing an immediate, clear, and stable source of product demand, increased transparency and data, and robust standards for the market, my Administration will help to catalyze private sector investment into, and accelerate the advancement of America's industrial capacity to supply, domestic clean energy, buildings, vehicles, and other necessary products and materials.

Sec. 205. Federal Clean Electricity and Vehicle Procurement Strategy. (a) The Chair of the Council on Environmental Quality, the Administrator of General Services, and the Director of the Office and Management and Budget, in coordination with the Secretary of Commerce, the Secretary of Labor, the Secretary of Energy, and the heads of other relevant agencies, shall assist the National Climate Advisor, through the Task Force established in section 203 of this order, in developing a comprehensive plan to create good jobs and stimulate clean energy industries by revitalizing the Federal Government's sustainability efforts.

(b) The plan shall aim to use, as appropriate and consistent with applicable law, all available procurement authorities to achieve or facilitate:

(i) a carbon pollution-free electricity sector no later than 2035; and

(ii) clean and zero-emission vehicles for Federal, State, local, and Tribal government fleets, including vehicles of the United States Postal Service.

(c) If necessary, the plan shall recommend any additional legislation needed to accomplish these objectives.
(d) The plan shall also aim to ensure that the United States retains the union jobs integral to and involved in running and maintaining clean and zero-emission fleets, while spurring the creation of union jobs in the manufacture of those new vehicles. The plan shall be submitted to the Task Force within 90 days of the date of this order.

Sec. 206. Procurement Standards. Consistent with the Executive Order of January 25, 2021, entitled, “Ensuring the Future Is Made in All of America by All of America's Workers,” agencies shall adhere to the requirements of the Made in America Laws in making clean energy, energy efficiency, and clean energy procurement decisions. Agencies shall, consistent with applicable law, apply and enforce the Davis-Bacon Act and prevailing wage and benefit requirements. The Secretary of Labor shall take steps to update prevailing wage requirements. The Chair of the Council on Environmental Quality shall consider additional administrative steps and guidance to assist the Federal Acquisition Regulatory Council in developing regulatory amendments to promote increased contractor attention on reduced carbon emission and Federal sustainability.

Sec. 207. Renewable Energy on Public Lands and in Offshore Waters. The Secretary of the Interior shall review siting and permitting processes on public lands and in offshore waters to identify to the Task Force steps that can be taken, consistent with applicable law, to increase renewable energy production on those lands and in those waters, with the goal of doubling offshore wind by 2030 while ensuring robust protection for our lands, waters, and biodiversity and creating good jobs. In conducting this review, the Secretary of the Interior shall consult, as appropriate, with the heads of relevant agencies, including the Secretary of Defense, the Secretary of Agriculture, the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, the Secretary of Energy, the Chair of the Council on Environmental Quality, State and Tribal authorities, project developers, and other interested parties. The Secretary of the Interior shall engage with Tribal authorities regarding the development and management of renewable and conventional energy resources on Tribal lands.

Sec. 208. Oil and Natural Gas Development on Public Lands and in Offshore Waters. To the extent consistent with applicable law, the Secretary of the Interior shall pause new oil and natural gas leases on public lands or in offshore waters pending completion of a comprehensive review and reconsideration of Federal oil and gas permitting and leasing practices in light of the Secretary of the Interior's broad stewardship responsibilities over the public lands and in offshore waters, including potential climate and other impacts associated with oil and gas activities on public lands or in offshore waters. The Secretary of the Interior shall complete that review in consultation with the Secretary of Agriculture, the Secretary of Commerce, through the National Oceanic and Atmospheric Administration, and the
Secretary of Energy. In conducting this analysis, and to the extent consistent with applicable law, the Secretary of the Interior shall consider whether to adjust royalties associated with coal, oil, and gas resources extracted from public lands and offshore waters, or take other appropriate action, to account for corresponding climate costs.

Sec. 209. Fossil Fuel Subsidies. The heads of agencies shall identify for the Director of the Office of Management and Budget and the National Climate Advisor any fossil fuel subsidies provided by their respective agencies, and then take steps to ensure that, to the extent consistent with applicable law, Federal funding is not directly subsidizing fossil fuels. The Director of the Office of Management and Budget shall seek, in coordination with the heads of agencies and the National Climate Advisor, to eliminate fossil fuel subsidies from the budget request for Fiscal Year 2022 and thereafter.

Sec. 210. Clean Energy in Financial Management. The heads of agencies shall identify opportunities for Federal funding to spur innovation, commercialization, and deployment of clean energy technologies and infrastructure for the Director of the Office of Management and Budget and the National Climate Advisor, and then take steps to ensure that, to the extent consistent with applicable law, Federal funding is used to spur innovation, commercialization, and deployment of clean energy technologies and infrastructure. The Director of the Office of Management and Budget, in coordination with agency heads and the National Climate Advisor, shall seek to prioritize such investments in the President's budget request for Fiscal Year 2022 and thereafter.

Sec. 211. Climate Action Plans and Data and Information Products to Improve Adaptation and Increase Resilience. (a) The head of each agency shall submit a draft action plan to the Task Force and the Federal Chief Sustainability Officer within 120 days of the date of this order that describes steps the agency can take with regard to its facilities and operations to bolster adaptation and increase resilience to the impacts of climate change. Action plans should, among other things, describe the agency's climate vulnerabilities and describe the agency's plan to use the power of procurement to increase the energy and water efficiency of United States Government installations, buildings, and facilities and ensure they are climate-ready. Agencies shall consider the feasibility of using the purchasing power of the Federal Government to drive innovation, and shall seek to increase the Federal Government's resilience against supply chain disruptions. Such disruptions put the Nation's manufacturing sector at risk, as well as consumer access to critical goods and services. Agencies shall make their action plans public, and post them on the agency website, to the extent consistent with applicable law.
(b) Within 30 days of an agency's submission of an action plan, the Federal Chief Sustainability Officer, in coordination with the Director of the Office of Management and Budget, shall review the plan to assess its consistency with the policy set forth in section 204 of this order and the priorities issued by the Office of Management and Budget.

(c) After submitting an initial action plan, the head of each agency shall submit to the Task Force and Federal Chief Sustainability Officer progress reports annually on the status of implementation efforts. Agencies shall make progress reports public and post them on the agency website, to the extent consistent with applicable law. The heads of agencies shall assign their respective agency Chief Sustainability Officer the authority to perform duties relating to implementation of this order within the agency, to the extent consistent with applicable law.

(d) To assist agencies and State, local, Tribal, and territorial governments, communities, and businesses in preparing for and adapting to the impacts of climate change, the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, the Secretary of Homeland Security, through the Administrator of the Federal Emergency Management Agency, and the Director of the Office of Science and Technology Policy, in coordination with the heads of other agencies, as appropriate, shall provide to the Task Force a report on ways to expand and improve climate forecast capabilities and information products for the public. In addition, the Secretary of the Interior and the Deputy Director for Management of the Office of Management and Budget, in their capacities as the Chair and Vice-Chair of the Federal Geographic Data Committee, shall assess and provide to the Task Force a report on the potential development of a consolidated Federal geographic mapping service that can facilitate public access to climate-related information that will assist Federal, State, local, and Tribal governments in climate planning and resilience activities.

EMPOWERING WORKERS THROUGH REBUILDING OUR INFRASTRUCTURE FOR A SUSTAINABLE ECONOMY

Sec. 212. Policy. This Nation needs millions of construction, manufacturing, engineering, and skilled-trades workers to build a new American infrastructure and clean energy economy. These jobs will create opportunities for young people and for older workers shifting to new professions, and for people from all backgrounds and communities. Such jobs will bring opportunity to communities too often left behind — places that have suffered as a result of economic shifts and places that have suffered the most from persistent pollution, including low-income rural and urban communities, communities of color, and Native communities.
Sec. 213. Sustainable Infrastructure. (a) The Chair of the Council on Environmental Quality and the Director of the Office of Management and Budget shall take steps, consistent with applicable law, to ensure that Federal infrastructure investment reduces climate pollution, and to require that Federal permitting decisions consider the effects of greenhouse gas emissions and climate change. In addition, they shall review, and report to the National Climate Advisor on, siting and permitting processes, including those in progress under the auspices of the Federal Permitting Improvement Steering Council, and identify steps that can be taken, consistent with applicable law, to accelerate the deployment of clean energy and transmission projects in an environmentally stable manner.

(b) Agency heads conducting infrastructure reviews shall, as appropriate, consult from an early stage with State, local, and Tribal officials involved in permitting or authorizing proposed infrastructure projects to develop efficient timelines for decision-making that are appropriate given the complexities of proposed projects.

EMPOWERING WORKERS BY ADVANCING CONSERVATION, AGRICULTURE, AND REFORESTATION

Sec. 214. Policy. It is the policy of my Administration to put a new generation of Americans to work conserving our public lands and waters. The Federal Government must protect America's natural treasures, increase reforestation, improve access to recreation, and increase resilience to wildfires and storms, while creating well-paying union jobs for more Americans, including more opportunities for women and people of color in occupations where they are underrepresented. America's farmers, ranchers, and forest landowners have an important role to play in combating the climate crisis and reducing greenhouse gas emissions, by sequestering carbon in soils, grasses, trees, and other vegetation and sourcing sustainable bioproducts and fuels. Coastal communities have an essential role to play in mitigating climate change and strengthening resilience by protecting and restoring coastal ecosystems, such as wetlands, seagrasses, coral and oyster reefs, and mangrove and kelp forests, to protect vulnerable coastlines, sequester carbon, and support biodiversity and fisheries.

Sec. 215. Civilian Climate Corps. In furtherance of the policy set forth in section 214 of this order, the Secretary of the Interior, in collaboration with the Secretary of Agriculture and the heads of other relevant agencies, shall submit a strategy to the Task Force within 90 days of the date of this order for creating a Civilian Climate Corps Initiative, within existing appropriations, to mobilize the next generation of conservation and resilience workers and maximize the creation of accessible training opportunities and good jobs. The initiative shall aim to conserve and restore public lands and waters, bolster community resilience, increase
reforestation, increase carbon sequestration in the agricultural sector, protect biodiversity, improve access to recreation, and address the changing climate.

Sec. 216. Conserving Our Nation's Lands and Waters. (a) The Secretary of the Interior, in consultation with the Secretary of Agriculture, the Secretary of Commerce, the Chair of the Council on Environmental Quality, and the heads of other relevant agencies, shall submit a report to the Task Force within 90 days of the date of this order recommending steps that the United States should take, working with State, local, Tribal, and territorial governments, agricultural and forest landowners, fishermen, and other key stakeholders, to achieve the goal of conserving at least 30 percent of our lands and waters by 2030.

(i) The Secretary of the Interior, the Secretary of Agriculture, the Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, and the Chair of the Council on Environmental Quality shall, as appropriate, solicit input from State, local, Tribal, and territorial officials, agricultural and forest landowners, fishermen, and other key stakeholders in identifying strategies that will encourage broad participation in the goal of conserving 30 percent of our lands and waters by 2030.

(ii) The report shall propose guidelines for determining whether lands and waters qualify for conservation, and it also shall establish mechanisms to measure progress toward the 30-percent goal. The Secretary of the Interior shall subsequently submit annual reports to the Task Force to monitor progress.

(b) The Secretary of Agriculture shall:

(i) initiate efforts in the first 60 days from the date of this order to collect input from Tribes, farmers, ranchers, forest owners, conservation groups, firefighters, and other stakeholders on how to best use Department of Agriculture programs, funding and financing capacities, and other authorities, and how to encourage the voluntary adoption of climate-smart agricultural and forestry practices that decrease wildfire risk fueled by climate change and result in additional, measurable, and verifiable carbon reductions and sequestration and that source sustainable bioproducts and fuels; and

(ii) submit to the Task Force within 90 days of the date of this order a report making recommendations for an agricultural and forestry climate strategy.

(c) The Secretary of Commerce, through the Administrator of the National Oceanic and Atmospheric Administration, shall initiate efforts in the first 60 days from the date of this order to collect input from fishermen, regional ocean councils, fishery management councils,
EMPOWERING WORKERS THROUGH REVITALIZING ENERGY COMMUNITIES

Sec. 217. Policy. It is the policy of my Administration to improve air and water quality and to create well-paying union jobs and more opportunities for women and people of color in hard-hit communities, including rural communities, while reducing methane emissions, oil and brine leaks, and other environmental harms from tens of thousands of former mining and well sites. Mining and power plant workers drove the industrial revolution and the economic growth that followed, and have been essential to the growth of the United States. As the Nation shifts to a clean energy economy, Federal leadership is essential to foster economic revitalization of and investment in these communities, ensure the creation of good jobs that provide a choice to join a union, and secure the benefits that have been earned by workers.

Such work should include projects that reduce emissions of toxic substances and greenhouse gases from existing and abandoned infrastructure and that prevent environmental damage that harms communities and poses a risk to public health and safety. Plugging leaks in oil and gas wells and reclaiming abandoned mine land can create well-paying union jobs in coal, oil, and gas communities while restoring natural assets, revitalizing recreation economies, and curbing methane emissions. In addition, such work should include efforts to turn properties idled in these communities, such as brownfields, into new hubs for the growth of our economy. Federal agencies should therefore coordinate investments and other efforts to assist coal, oil and gas, and power plant communities, and achieve substantial reductions of methane emissions from the oil and gas sector as quickly as possible.


(a) Membership. The Interagency Working Group shall consist of the following additional members:

(i) the Secretary of the Treasury;

(ii) the Secretary of the Interior;
(iii) the Secretary of Agriculture;
(iv) the Secretary of Commerce;
(v) the Secretary of Labor;
(vi) the Secretary of Health and Human Services;
(vii) the Secretary of Transportation;
(viii) the Secretary of Energy;
(ix) the Secretary of Education;
(x) the Administrator of the Environmental Protection Agency;
(xi) the Director of the Office of Management and Budget;
(xii) the Assistant to the President for Domestic Policy and Director of the Domestic Policy Council; and
(xiii) the Federal Co-Chair of the Appalachian Regional Commission.

(b) Mission and Work.

(i) The Interagency Working Group shall coordinate the identification and delivery of Federal resources to revitalize the economies of coal, oil and gas, and power plant communities; develop strategies to implement the policy set forth in section 217 of this order and for economic and social recovery; assess opportunities to ensure benefits and protections for coal and power plant workers; and submit reports to the National Climate Advisor and the Assistant to the President for Economic Policy on a regular basis on the progress of the revitalization effort.

(ii) As part of this effort, within 60 days of the date of this order, the Interagency Working Group shall submit a report to the President describing all mechanisms, consistent with applicable law, to prioritize grantmaking, Federal loan programs, technical assistance, financing, procurement, or other existing programs to support and revitalize the economies of coal and power plant communities, and providing recommendations for action consistent with the goals of the Interagency Working Group.
(c) Consultation. Consistent with the objectives set out in this order and in accordance with applicable law, the Interagency Working Group shall seek the views of State, local, and Tribal officials; unions; environmental justice organizations; community groups; and other persons it identifies who may have perspectives on the mission of the Interagency Working Group.

(d) Administration. The Interagency Working Group shall be housed within the Department of Energy. The Chairs shall convene regular meetings of the Interagency Working Group, determine its agenda, and direct its work. The Secretary of Energy, in consultation with the Chairs, shall designate an Executive Director of the Interagency Working Group, who shall coordinate the work of the Interagency Working Group and head any staff assigned to the Interagency Working Group.

(e) Officers. To facilitate the work of the Interagency Working Group, the head of each agency listed in subsection (a) of this section shall assign a designated official within the agency the authority to represent the agency on the Interagency Working Group and perform such other duties relating to the implementation of this order within the agency as the head of the agency deems appropriate.

SECURING ENVIRONMENTAL JUSTICE AND SPURRING ECONOMIC OPPORTUNITY

Sec. 219. Policy. To secure an equitable economic future, the United States must ensure that environmental and economic justice are key considerations in how we govern. That means investing and building a clean energy economy that creates well-paying union jobs, turning disadvantaged communities — historically marginalized and overburdened — into healthy, thriving communities, and undertaking robust actions to mitigate climate change while preparing for the impacts of climate change across rural, urban, and Tribal areas. Agencies shall make achieving environmental justice part of their missions by developing programs, policies, and activities to address the disproportionately high and adverse human health, environmental, climate-related and other cumulative impacts on disadvantaged communities, as well as the accompanying economic challenges of such impacts. It is therefore the policy of my Administration to secure environmental justice and spur economic opportunity for disadvantaged communities that have been historically marginalized and overburdened by pollution and underinvestment in housing, transportation, water and wastewater infrastructure, and health care.

Sec. 220. White House Environmental Justice Interagency Council. (a) Section 1-102 of Executive Order 12898 of February 11, 1994 (Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations), is hereby amended to read as follows:
“(a) There is hereby created within the Executive Office of the President a White House Environmental Justice Interagency Council (Interagency Council). The Chair of the Council on Environmental Quality shall serve as Chair of the Interagency Council.

“(b) Membership. The Interagency Council shall consist of the following additional members:

(i) the Secretary of Defense;

(ii) the Attorney General;

(iii) the Secretary of the Interior;

(iv) the Secretary of Agriculture;

(v) the Secretary of Commerce;

(vi) the Secretary of Labor;

(vii) the Secretary of Health and Human Services;

(viii) the Secretary of Housing and Urban Development;

(ix) the Secretary of Transportation;

(x) the Secretary of Energy;

(xi) the Chair of the Council of Economic Advisers;

(xii) the Administrator of the Environmental Protection Agency;

(xiii) the Director of the Office of Management and Budget;

(xiv) the Executive Director of the Federal Permitting Improvement Steering Council;

(xv) the Director of the Office of Science and Technology Policy;

(xvi) the National Climate Advisor;

(xvii) the Assistant to the President for Domestic Policy; and

(xviii) the Assistant to the President for Economic Policy.
“(c) At the direction of the Chair, the Interagency Council may establish subgroups consisting exclusively of Interagency Council members or their designees under this section, as appropriate.

“(d) Mission and Work. The Interagency Council shall develop a strategy to address current and historic environmental injustice by consulting with the White House Environmental Justice Advisory Council and with local environmental justice leaders. The Interagency Council shall also develop clear performance metrics to ensure accountability, and publish an annual public performance scorecard on its implementation.

“(e) Administration. The Office of Administration within the Executive Office of the President shall provide funding and administrative support for the Interagency Council, to the extent permitted by law and within existing appropriations. To the extent permitted by law, including the Economy Act (31 U.S.C. 1535), and subject to the availability of appropriations, the Department of Labor, the Department of Transportation, and the Environmental Protection Agency shall provide administrative support as necessary.

“(f) Meetings and Staff. The Chair shall convene regular meetings of the Council, determine its agenda, and direct its work. The Chair shall designate an Executive Director of the Council, who shall coordinate the work of the Interagency Council and head any staff assigned to the Council.

“(g) Officers. To facilitate the work of the Interagency Council, the head of each agency listed in subsection (b) shall assign a designated official within the agency to be an Environmental Justice Officer, with the authority to represent the agency on the Interagency Council and perform such other duties relating to the implementation of this order within the agency as the head of the agency deems appropriate.”

(b) The Interagency Council shall, within 120 days of the date of this order, submit to the President, through the National Climate Advisor, a set of recommendations for further updating Executive Order 12898.

Sec. 221. White House Environmental Justice Advisory Council. There is hereby established, within the Environmental Protection Agency, the White House Environmental Justice Advisory Council (Advisory Council), which shall advise the Interagency Council and the Chair of the Council on Environmental Quality.

(a) Membership. Members shall be appointed by the President, shall be drawn from across the political spectrum, and may include those with knowledge about or experience in
environmental justice, climate change, disaster preparedness, racial inequity, or any other area determined by the President to be of value to the Advisory Council.

(b) Mission and Work. The Advisory Council shall be solely advisory. It shall provide recommendations to the White House Environmental Justice Interagency Council established in section 220 of this order on how to increase the Federal Government's efforts to address current and historic environmental injustice, including recommendations for updating Executive Order 12898.

(c) Administration. The Environmental Protection Agency shall provide funding and administrative support for the Advisory Council to the extent permitted by law and within existing appropriations. Members of the Advisory Council shall serve without either compensation or reimbursement of expenses.

(d) Federal Advisory Committee Act. Insofar as the Federal Advisory Committee Act, as amended (5 U.S.C. App.), may apply to the Advisory Council, any functions of the President under the Act, except for those in section 6 of the Act, shall be performed by the Administrator of the Environmental Protection Agency in accordance with the guidelines that have been issued by the Administrator of General Services.

Sec. 222. Agency Responsibilities. In furtherance of the policy set forth in section 219:

(a) The Chair of the Council on Environmental Quality shall, within 6 months of the date of this order, create a geospatial Climate and Economic Justice Screening Tool and shall annually publish interactive maps highlighting disadvantaged communities.

(b) The Administrator of the Environmental Protection Agency shall, within existing appropriations and consistent with applicable law:

(i) strengthen enforcement of environmental violations with disproportionate impact on underserved communities through the Office of Enforcement and Compliance Assurance; and

(ii) create a community notification program to monitor and provide real-time data to the public on current environmental pollution, including emissions, criteria pollutants, and toxins, in frontline and fenceline communities — places with the most significant exposure to such pollution.

(c) The Attorney General shall, within existing appropriations and consistent with applicable law:
(i) consider renaming the Environment and Natural Resources Division the Environmental Justice and Natural Resources Division;

(ii) direct that division to coordinate with the Administrator of the Environmental Protection Agency, through the Office of Enforcement and Compliance Assurance, as well as with other client agencies as appropriate, to develop a comprehensive environmental justice enforcement strategy, which shall seek to provide timely remedies for systemic environmental violations and contaminations, and injury to natural resources; and

(iii) ensure comprehensive attention to environmental justice throughout the Department of Justice, including by considering creating an Office of Environmental Justice within the Department to coordinate environmental justice activities among Department of Justice components and United States Attorneys' Offices nationwide.

(d) The Secretary of Health and Human Services shall, consistent with applicable law and within existing appropriations:

(i) establish an Office of Climate Change and Health Equity to address the impact of climate change on the health of the American people; and

(ii) establish an Interagency Working Group to Decrease Risk of Climate Change to Children, the Elderly, People with Disabilities, and the Vulnerable as well as a biennial Health Care System Readiness Advisory Council, both of which shall report their progress and findings regularly to the Task Force.

(e) The Director of the Office of Science and Technology Policy shall, in consultation with the National Climate Advisor, within existing appropriations, and within 100 days of the date of this order, publish a report identifying the climate strategies and technologies that will result in the most air and water quality improvements, which shall be made public to the maximum extent possible and published on the Office's website.

Sec. 223. Justice40 Initiative. (a) Within 120 days of the date of this order, the Chair of the Council on Environmental Quality, the Director of the Office of Management and Budget, and the National Climate Advisor, in consultation with the Advisory Council, shall jointly publish recommendations on how certain Federal investments might be made toward a goal that 40 percent of the overall benefits flow to disadvantaged communities. The recommendations shall focus on investments in the areas of clean energy and energy efficiency; clean transit; affordable and sustainable housing; training and workforce development; the remediation and reduction of legacy pollution; and the development of critical clean water infrastructure. The
recommendations shall reflect existing authorities the agencies may possess for achieving the 40-percent goal as well as recommendations on any legislation needed to achieve the 40-percent goal.

(b) In developing the recommendations, the Chair of the Council on Environmental Quality, the Director of the Office of Management and Budget, and the National Climate Advisor shall consult with affected disadvantaged communities.

(c) Within 60 days of the recommendations described in subsection (a) of this section, agency heads shall identify applicable program investment funds based on the recommendations and consider interim investment guidance to relevant program staff, as appropriate and consistent with applicable law.

(d) By February 2022, the Director of the Office of Management and Budget, in coordination with the Chair of the Council on Environmental Quality, the Administrator of the United States Digital Service, and other relevant agency heads, shall, to the extent consistent with applicable law, publish on a public website an annual Environmental Justice Scorecard detailing agency environmental justice performance measures.

PART III — GENERAL PROVISIONS

Sec. 301. General Provisions. (a) Nothing in this order shall be construed to impair or otherwise affect:

(i) the authority granted by law to an executive department or agency or the head thereof; or

(ii) the functions of the Director of the Office of Management and Budget, relating to budgetary, administrative, or legislative proposals.

(b) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(c) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

JOSEPH R. BIDEN JR.

THE WHITE HOUSE,

FACT SHEET: Biden-Harris Administration Announces New Private and Public Sector Investments for Affordable Electric Vehicles

President Biden’s Investing in America Agenda is Unleashing a Manufacturing and Clean Energy Boom and Accelerating the Production of Affordable Electric Vehicles

As part of President Biden’s goal of having 50 percent of all new vehicle sales be electric by 2030, the White House is announcing public and private commitments to support America’s historic transition to electric vehicles (EV) under the EV Acceleration Challenge. These commitments are part of President Biden’s Investing in America agenda to spur domestic manufacturing, strengthen supply chains, boost U.S. competitiveness and create good-paying jobs. Because of President Biden’s leadership and historic investments, electric vehicle sales have tripled and the number of publicly available charging ports has grown by over 40 percent since he took office. There are now more than three million EVs on the road and over 135,000 public EV chargers across the country.

President Biden’s Inflation Reduction Act adds and expands tax credits for purchases of new and used EVs—helping bring the benefits of clean energy to communities across the nation. The law also provides incentives to electrify heavy-duty vehicles like school buses, and includes support for the installation of residential, commercial, and municipal EV charging infrastructure. These incentives complement investments from the Bipartisan Infrastructure Law and other federal initiatives that are spurring the domestic manufacturing of EVs and batteries and the development of a national EV charging network that provides access to low income and disadvantaged communities.

These incentives will lower the cost of EVs and EV charging infrastructure; increase consumer demand and competition; promote equity and inclusion; and accelerate the growth of the EV market. They are creating good-paying manufacturing jobs in America building EVs, bringing supply chains home, and unleashing unprecedented private sector investments—with more than $100 billion already announced for battery manufacturing alone. The White House announced the EV Acceleration Challenge to bring a clean, safe, affordable, and reliable transportation future to Americans even faster.
Today companies and nonprofits including Blink Charging, the National Automobile Dealers Association, Pacific Gas & Electric, Uber, Zipcar and others, are announcing new commitments to expand EV fleets, increase consumer education, and grow the availability of EV charging.

**ACCELERATING THE EV TRANSITION**

The Biden-Harris Administration’s Investing in America agenda has spurred public and private sector commitments to accelerate the transition to electric vehicles. State and local governments are also leveraging federal funds to expand electrification of their vehicle fleets. These announcements build on the EV charging network expansion and manufacturing announcements highlighted by the White House in February, which will add more than 100,000 public chargers across the country. Announcements being spotlighted today fall into four categories: Consumer Education and Support, Tools and Resources, EV Fleet Expansion, and Community Charging: Commercial and Multifamily:

**Fleet Expansion**

- **Uber** is committing to reach 400 million EV miles driven on its platform in the U.S. by the end of 2023 by distributing resources through its Green Future program to help hundreds of thousands of drivers transition to EVs and through its partnerships with automakers, rental companies, and charging companies.

- **Zipcar** is committing to allocate 25% of its electric vehicles to disadvantaged communities in 2023.

- **Redwood Materials** is committed to scaling production of critical battery components in the U.S., with the goal of powering 5 million EVs by 2030 and will use recycled content from end-of-life batteries to achieve this target, including end-of-life EVs and consumer rechargeable lithium-ion devices and batteries.

- **Highland Electric Fleets**, a full-service fleet electrification company, is committing to help 1,000 North American school districts, including those in historically underserved communities, improve student and community health by electrifying their school bus fleets by 2030.

- **Xcel Energy** and **Colorado Car Share** are committing to launch an electric car sharing program for underserved and high emissions communities in Colorado by the end of 2023.

- **Ceres** is committing to support the 32+ major global and U.S. member companies of its Corporate Electric Vehicle Alliance in transitioning to EVs by: 1) developing a resource for companies to promote sustainable EV supply chain practices and 2) providing a platform
for peer-to-peer dialogue on commercial fleet electrification best practices by the end of 2023.

- **World Resources Institute**'s Electric School Bus Initiative is committing to expand its toolkit in May with the launch of a Total Cost of Ownership tool designed to help estimate the lifetime cost of electric school bus ownership, and an updated Market Report & Buyer's Guide for fleet owners transitioning to electric school buses.

- **Revel** is committing to expand its all-electric, all-employee rideshare fleet from 200 to 500 EVs by June 2023 and to open the first public fast charging site in Harlem, as part of the company's goal to triple public fast charging access for all New Yorkers over the next year.

- **The City of Madison** is committing to convert 100% of the gas vehicles (900) in its fleet to electric vehicles by 2030.

- **Broken Arrow Neighbors** (BAN) is committing to replace 100% of its cargo vehicles (4) which pickup 52 times per week the food given to BAN's neighbors in need with EV cargo vans by 2023.

**Community Charging: Commercial and Multifamily**

- **Blink Charging** is committing to invest $49 million to increase its manufacturing capacity in Bowie, Maryland from 10,000 to 40,000 chargers per year by 2024.

- **Pacific Gas & Electric** (PG&E) and **Ecology Action** are committing to directly install approximately 2,000 electric vehicle (EV) charging ports at no cost to customers at approximately 450 multifamily properties and small businesses in underserved communities by 2025 to increase access to charging and EV adoption.

- **We Realize Inc.** is committing to add over 200,000 electric semi-truck Level 2 and DC Fast charging stations to its nationwide network by 2030.

- The **National EV Charging Initiative**, a coalition of business, labor, government and non-profits organized by the Natural Resources Defense Council, is committing to launch its Energize! campaign on May 15 to stretch federal funding for EV charging further by securing complementary state, utility, and private investments and policies that also speed the energization of charging stations for cars, trucks, and buses.

- This June, **EPRI** is committing to launch “EVs2Scale2030”, a new three-year initiative to mobilize 500 industry stakeholders including, utilities, vehicle manufacturers, fleet operators, and charging providers, to ready the grid and accelerate the charging infrastructure needed to support the large-scale electrification of transportation.
• **itselectric** is committing to install 100 curbside Level 2 chargers in cities across the U.S. to focus on charging infrastructure for drivers without dedicated off-street parking by the end of 2023.

• **TeraWatt Infrastructure** is developing a network of high-powered charging centers for electric fleets and committing to deliver one terawatt-hour of charging for light-, medium- and heavy-duty vehicles by 2025, which is equivalent to powering over 160,000 homes for a year.

• **Smart Charge America** is committing to install over 140,000 Level 2 chargers by 2030.

• **Span.IO, Inc.,** a climate technology company enabling consumer electrification through its products and services commits to tripling the number of EV home charger installs by 2024.

• **Sustainable CT** is committing to provide matching funds for a dozen community-led EV infrastructure and EV procurement projects in 2023 across Connecticut through its Community Match Fund.

• **Virginia Clean Cities’ Mid-Atlantic Partnership** is committing to deploying 375 public charging stations in Virginia, DC, Maryland, and West Virginia by the end of 2024, including public charging in rural and underserved communities.

• **Qmerit** is committing to aid 100 companies in electrifying their fleets through installation of home and workplace charging and to help 500 companies deploy EV charging for their employees or customers by the end of 2023.

### Consumer Education and Support

• **Generation180**, a clean energy nonprofit organization, and **REVERB.org** will partner on Dave Matthews Band’s Summer Tour in a commitment to launch the National Going Electric Pledge campaign to inspire all Americans to make their next vehicle electric.

• **Lucid** is committing over the next 8 months to demonstrate the Lucid Air’s 500+ mile range in the 42-city Dream Ahead Tour to show Americans how efficient electric vehicles can provide consumers the range they need while using less energy and reducing costs.

• **Avanza EV**, a new national initiative by Citizen Energy, is committing to deploy chargers and bilingual EV education in at least 1,500 low-income majority Latino multifamily housing communities and engage at least 400,000 families by 2028.

• **Climate Power** is committing to educate over 1 million people about EVs through its influencer network by June 2024.
• **Sierra Club**, a grassroots environmental organization with millions of members and supporters, is committing to empower its network of advocates with campaign resources to leverage new federal and state investments for accelerating the adoption of electric cars, trucks, transit buses, school buses, bikes and more, with a focus on the communities most harmed by air pollution.

• The **Electric Vehicle Association** is committing to host over 500 EV Events in 2023, with events in every state providing information from actual EV owners on how easy, economical, and amazing it is to drive electric.

• **Drive Clean Colorado**, a Clean Cities Coalition, is committing to deliver EV ride & drives to 5,000 Coloradans in 2023, with a focus on underserved and disproportionately affected communities.

• **Drive Clean Indiana**, in collaboration with the Indiana Department of Environmental Management (IDEM) and eight state utility partners, is committing to launch GoEVIN, a new statewide education, outreach, and marketing campaign that will reach Hoosiers to support deployment of EV Charging Infrastructure in late-Spring to early-Summer 2023.

**Tools and Resources**

• **National Automobile Dealers Association (NADA)** and **Center for Sustainable Energy** are committing to launch online dealer training in 2023 that will be available to over 180,000 salespeople at NADA’s 16,000+ member dealers to help them master the nuances of selling electric vehicles and accelerate mass-market EV adoption.

• **Exelon**, the nation’s largest utility serving over 10 million customers in the Mid-Atlantic and Midwest, is committing to expand its customer-facing tools and resources in the second half of 2023 by offering a comprehensive fleet electrification assessment service through its EVsmart Program designed to help customers and businesses navigate vehicle electrification, create fleet electrification plans, and estimate total costs of ownership savings.

• **WEX**, payment solution provider for more than a half of a million commercial fleet operators in the U.S., is committing to launch a free tool to predict savings generated by converting to electric vehicles as well as an innovative solution to reimburse employees who charge their commercial fleet vehicles at home.

• **The County of Los Angeles** is committing to accelerate equitable EV adoption by expanding multi-lingual access to its Electrifyze.la EV education platform to support underserved communities in conjunction with an infrastructure goal of 10,000 charging
stations at County facilities by 2030 including in the near term, 150 stations at public housing sites and 120 at multi-family housing sites by 2024.

- **Southeast Electric Transportation Regional Initiative** (Duke University, Georgia Tech, and partner organizations) is committing to launch a public-facing web portal this spring that will identify, aggregate, and increase visibility of active federal, state, university, and other private and public sector funding, business, and engagement opportunities for electric vehicles and charging stations in the region.

Today's announcements build on previous commitments that have been announced since March 8, 2023. These announcements include:

**Federal Government**

- Federal agencies have already acquired 13,000 light- and medium-duty zero emission vehicles (ZEVs) in FY23—about four times the number of ZEVs acquired in FY22. President Biden's Federal Sustainability Plan requires federal agencies to transition the largest fleet in the world to all electric by acquiring 100 percent light-duty ZEVs annually by 2027 and acquiring 100 percent medium- and heavy-duty ZEVs annually by 2035.

- Federal agencies are committing to deploy an additional 24,000 charging stations at Federal facilities by the next fiscal year, adding to the more than 5,000 charging stations already installed at Federal facilities nationwide.

- Station Locator Tool that will help consumers charge their EVs quickly, affordably and conveniently. The tool will soon offer:

**Fleet Expansion**

- **First Student**, a major supplier of school bus services, is committing to transition 30,000 fossil fuel-powered school buses to electric school buses by 2035.

- **Cirba Solutions**, a battery materials and management company, is committing to process end-of-life batteries and Gigafactory manufacturing scrap, creating enough battery-materials to equip 1,000,000 EVs by 2028.

- **Waymo**, an autonomous driving technology company, is committing to deploy the all-electric Jaguar I-PACE across all of its ride-hailing service territories this spring and retire its previous generation platform.
• **Amazon** is announcing it has rolled out over 3,000 electric delivery vehicles as part of its commitment to bring 100,000 electric delivery vehicles to the road by 2030.

• **Trane Technologies**, a company focused on efficient and sustainable climate solutions for buildings, homes and transportation, is committing to transition 100 percent of its global fleet of more than 8,000 vehicles, including service vans and trucks, to all electric vehicles by 2030.

**Community Charging: Commercial and Multifamily**

• **Enel X Way** is committing to sell over 2,000,000 EV chargers in North America by 2030, including over 10,000 public DC fast charging stations, and is also committing to enter the North American EV public charging station market in 2023.

• **Walmart** is committing to install new electric vehicle fast-charging stations at thousands of Walmart and Sam’s Club locations across the country by 2030.

• **Prologis**, a major global developer and owner of logistics real estate with more than 3,400 properties in the US, is committing to make every new eligible Prologis development ready for EV charging and transition its U.S. maintenance vehicle fleet to 100 percent alternative fuel vehicles by 2030.

• **Siemens** is committing to install charging stations across the U.S. at its facilities and employees’ homes to support the electric conversion of its 10,000-vehicle fleet by 2030 and to set a requirement that 10% of parking spaces include EV charging stations at all new company facility construction projects.

• **CALSTART, Forth, the Electrification Coalition, EVHybridNoire** and peer national implementation partners are committing to launch the Charge@Work campaign and Electric Vehicle Adoption Leadership (EVAL) certification program in Fall 2023 which will engage over 50,000 employers/workplaces, representing hundreds of thousands of employees, with the end goal of catalyzing over 100,000 electric vehicle workplace charging stations.

• **SWTCH**, an EV charging provider, is committing to expand equitable access to EV charging in underserved communities by deploying over 20,000 EV chargers, the majority of which will serve multi-family buildings, by 2024.

• **Rocky Mountain Institute** is committing to launch a multi-family charging accelerator pilot in three states to scale multi-unit dwelling charging infrastructure financing and deployment nationwide in 2024.
Consumer Education and Support

- **Hertz** is committing to substantially increase its electric vehicle rentals this year forecasting nearly two million EV rentals in 2023, approximately five times the number of EV rentals in 2022, and extending the electric vehicle experience to leisure and business travelers and rideshare drivers across the country.

- **Consumer Reports** is committing to delivering expert advice and unbiased information for people who are considering whether to make the shift to an electric vehicle through its new online tool called the Electric Vehicle Savings Finder. It provides detailed, up-to-date information about federal, state, and local EV purchase incentives available to consumers, specific to where they live.

- **GreenLatinos, Hip Hop Caucus, Sierra Club, Clean Energy for America, Alliance of Nurses for Healthy Environments, Electric Transportation Community Development Corporation, National Religious Partnership for the Environment, Plug in America, Public Citizen, Union of Concerned Scientists, Electric Vehicle Association, League of Conservation Voters, Coltura, and the Natural Resources Defense Council** are committing to launch Route Zero in April - a cross-country, relay style campaign highlighting the investments made in EV infrastructure and EV manufacturing around the country, focusing on how equitable EV deployment helps mitigate pollution harms.

- **Sierra Club, Plug in America, the Electric Vehicle Association and EVHybridNoire** are committing to host more than 300 events in 2023 to celebrate the shift to electric vehicles, including the opportunity to connect with EV drivers in their own communities, ask questions, and get behind the wheel to try EVs out.

- **Mercedes-Benz** is committing to launch “Electric Dream Days,” a new EV marketing campaign with retail events at dealerships and EV test drives in April 2023.

Tools and Resources

- **Rewiring America**, a non-profit organization, is committing to launch an online personal electrification planner in 2023 with the initial goal of helping 100,000 homeowners and renters create roadmaps to electrify their homes and to choose electric vehicles and home chargers.

- **Google** is committing to provide up-to-date information about availability and coverage of tax credits across eligible passenger vehicles, through a new Search tool that incorporates federal guidance to surface eligible EV tax credits, alongside other critical information.
• **Plug in America**, a non-profit organization, is committing to reach 250,000 consumers over the next year with PlugStar.com, its online EV information and shopping tool.

• **Wells Fargo** is releasing a new tool to support business leaders transitioning to electric vehicle fleets by modeling deployment that incorporates the cost of electrification, tax credits, cost savings, and environmental benefits.

• The **American Public Transportation Association** and the **Edison Electric Institute** are committing to develop and distribute a new resource for transit agencies to streamline their efforts to electrify their bus fleets.

The EV Acceleration Challenge is accepting submissions on a rolling basis. The White House will be highlighting additional commitments. Organizations can submit a commitment on the EV Acceleration Challenge.

###
By signing the Inflation Reduction Act, President Biden is delivering on his promise to meet the climate crisis and build an economy that works for working families. The Inflation Reduction Act makes historic investments in America's future while lowering health care and energy costs. It's the most aggressive action we have taken to confront the climate crisis. It'll lower the deficit and ask the super wealthy and corporations to pay their fair share. And no one making under $400,000 per year will pay a penny more in taxes.

President Biden and Congressional Democrats beat back the special interests to pass this historic legislation that builds a brighter future for young Americans by lowering costs, advancing environmental justice while building a cleaner future, and growing the economy from the bottom up and the middle out.

**TACKLE THE CLIMATE CRISIS**

This law represents the single most aggressive action the U.S. is taking to tackle the climate crisis and create clean energy solutions in American history. The law will bring down energy costs for families and create thousands of good jobs, all while reducing climate pollution and ensuring that we have a clean, secure future energy supply. It will:

**Reduce Pollution:** The law would reduce about a gigaton (a billion metric tons) of greenhouse gas emissions in 2030 and position America to meet President Biden's climate goals of cutting climate pollution in half by 2030 and reaching net-zero emissions by no later than 2050.

**Advance Environmental Justice:** Climate change disproportionately impacts low-income communities and communities of color. The Act will work to alleviate legacy pollution and to ensure that clean energy opportunities reach all Americans through:

- Creating new Environmental Justice Block Grants—which will support community-led projects across the country, including tackling pollution in port communities where air pollution is especially deadly.
• Creating a new Clean Energy and Sustainability Accelerator that will seed state and local clean energy financing banks, which will help disadvantaged communities access the benefits of the law.

• Providing funding for Tribal communities to bring clean, zero-emissions power to homes and to boost their climate resilience.

**Cut Energy Costs:** The law makes it more affordable to purchase energy efficient and electric appliances, home improvements, and more to bring down energy costs. Overall, the law puts America on track to meet the President's climate goals, which will save every family an average of $500 per year on their energy bills, providing support for:

• **Efficient Appliances and Home Upgrades** – The law includes direct consumer rebates when households need to upgrade furnaces, water heaters, stoves, ovens, or other home appliances with more energy efficient and electric appliances. Households can save up to 30% with tax credits for home construction projects on windows, doors, insulation, or other weatherization measures that prevent energy from escaping homes. These upgrades can lower future utility bills by at least $350 per year.

• **Home Energy Systems** – When households want to install solar on their roof they can save up to 30% with tax credits. For example, average family installing solar using this credit would save $9,000 on their electricity bill over the life of the system, or about $300 per year.

• **Cleaner Cars and Trucks** – The law will bring down the sticker price of electric vehicles, providing Americans tax credits of up to $7,500 for new and $4,000 for used electric vehicle purchases. This measure could especially help young Americans buy their first car and skip the gas pump forever.

**LOWER HEALTH CARE COSTS**

Since 2014, the Affordable Care Act (ACA) has helped provide quality health insurance coverage for people who don't receive coverage through their jobs. Still, health insurance remains unaffordable for many Americans. During his campaign, President Biden promised to build on the ACA by making premium tax credits more generous and lowering health care premiums for working families. The President's American Rescue Plan kept that commitment by improving premium tax credits. However, those improvements are set to expire at the end of 2022. The *Inflation Reduction Act* extends them through 2025:
• **Saving 13 Million Americans Hundreds of Dollars per Year.** About 13 million Americans will save an average of about $800 annually on health insurance premiums. Young people will also benefit significantly, as more than 3.5 million people ages 18-34 are on marketplace health care plans.

• About 3 million more people will have coverage next year with this extension. Although the uninsured rate fell to the lowest level in U.S. history in early 2022, young people ages 18-24 continue to be the most likely to be uninsured.

• By increasing access to coverage, the law will improve health outcomes; improve financial security by reducing medical debt and rent and mortgage delinquencies; and narrow racial disparities in health coverage and care access.

**MAKE THE TAX CODE FAIRER**

President Trump and Congressional Republicans’ 2017 tax law only made an unfair tax system worse. The Inflation Reduction Act of 2022 is a critical step forward in making our tax code fairer. It will raise revenue by:

• Ensuring that high-income people and large corporations pay the taxes they already owe.

• Cracking down on large, profitable corporations that currently get away with paying no federal income tax.

• Imposing a 1% surcharge on corporate stock buybacks that will encourage businesses to invest.

The legislation’s tax reforms won’t just raise revenue to finance critically needed investments to lower costs and combat climate change, they are also an important component of building an economy that rewards work rather than wealth and doesn’t let the rich and powerful get away with playing by a separate set of rules. Millions of working families will have better access to the benefits they are entitled to under the tax code and be able to get their questions answered quickly and efficiently, thanks to the law’s transformational investments in the Internal Revenue Service. And, no family making less than $400,000 per year will see their taxes go up by a single cent.

###
FACT SHEET: Inflation Reduction Act Advances Environmental Justice

Most Significant Climate Legislation in U.S. History Delivers for Overburdened Communities

By signing the Inflation Reduction Act, President Biden is delivering on his promise to build an economy that works for working families, including communities that have been underinvested and underserved for too long. President Biden and Congressional Democrats beat back special interests to pass this historic legislation that lowers energy costs, advance environmental justice while building a cleaner future, and grows the economy from the bottom up and the middle out.

For far too long, communities across our country have faced environmental injustices, bearing the brunt of toxic pollution, enduring underinvestment in infrastructure and critical services, and suffering disproportionate impacts from climate change. The Inflation Reduction Act includes historic investments in environmental justice, including establishing several new environmental justice grant programs. The law will improve public health, reduce pollution, and revitalize communities that are marginalized, underserved, and overburdened by pollution while increase access to affordable and accessible clean energy.

The Inflation Reduction Act builds on the historic investments in President Biden’s Bipartisan Infrastructure Law and advances his Justice40 Initiative, which will deliver 40 percent of the overall benefits of climate and clean energy investments to disadvantaged communities. In total, hundreds of federal programs, including those established by the Inflation Reduction Act and Bipartisan Law, representing historic investments are being reimagined and transformed to meet the Justice40 goal and maximize benefits to disadvantaged communities.

The Inflation Reduction Act will:

REDUCE POLLUTION

All people deserve to breathe clean air, drink clean water, and live in healthy communities free from toxic pollutants. However, research shows that low-income communities, communities of color, and Tribal and indigenous communities are more likely to live near polluting sites and
face negative health impacts from ongoing pollution and environmental hazards. The Act invests directly in programs to reduce pollution in frontline communities, including:

- **Creating Climate and Environmental Justice Block Grants** to support community-led projects in disadvantaged communities and address disproportionate environmental and public health harms related to pollution and climate change.

- **Funding for fenceline monitoring** near industrial facilities, air quality sensors in disadvantaged communities, new and upgraded multipollutant monitoring sites, and monitoring and mitigation of methane and wood heater emissions.

- Protecting our children with investments to monitor and reduce pollution at **public schools** in disadvantaged communities.

**IMPROVE CLEAN TRANSIT**

Communities living near transportation corridors have been exposed to toxic pollution which can cause respiratory and cardiovascular harm – especially in children. The Inflation Reduction Act will clean up transit systems and provide healthier, sustainable transportation options for all Americans, including:

- **Addressing diesel emissions** from goods movement facilities and speeding their adoption of clean heavy-duty vehicles, a key part of the Diesel Emissions Reduction Act.

- **Cleaning up ports** to reduce the pollution burden faced by fenceline communities, jump-starting the transition of ports to zero-emissions with funding for clean technology and emissions reduction plans.

- **Creating Neighborhood Access and Equity Grants** to support neighborhood equity, safety, and affordable transportation access. These grants will reconnect communities divided by existing infrastructure, mitigate negative impacts of transportation facilities or construction projects on communities, and support equitable transportation planning.

**MAKE CLEAN ENERGY MORE AFFORDABLE AND ACCESSIBLE**

As the U.S. grows its clean energy economy, no community will be left behind. The Inflation Reduction Act helps achieve this goal by:

- **Spurring solar project development** in communities with a 20% bonus credit for solar projects on federally-subsidized affordable housing projects and a 10% bonus credit for solar projects in low-income communities.
• Creating a new **Clean Energy and Sustainability Accelerator**, which will seed state and local clean energy financing institutions, support the deployment of distributed zero-emission technologies like heat-pumps, community solar and EV charging, while prioritizing over 50% of its investments in disadvantaged communities.

• Creating a new **grant program for Improving Energy Efficiency or Water Efficiency or Climate Resilience of Affordable Housing**, which will help cover the cost when families need to replace energy appliances and equipment.

• Expanding access to affordable, clean energy in **Indian country** with rebates that give families money back when they need to purchase efficient electric appliances, bring clean power to homes that have never had electricity access, and new investments in energy projects and infrastructure through DOE’s **Tribal Energy Loan Guarantee Program**.

**STRENGTHEN RESILIENCE TO CLIMATE CHANGE**

People of color and low-income communities live in areas most vulnerable to climate change fueled weather events. The Act will strengthen the resilience of communities to climate change impacts and leverage the ecosystems they depend on, including:

• Boosting the **resilience of Tribal and Native Hawaiian communities**, landscapes, and fisheries from the impacts of climate change and severe drought.

• Enabling the U.S. Department of **Housing and Urban Development** to improve the **climate resilience of affordable housing**.

• Planting trees, establishing **community and urban forests**, and expanding green spaces in cities, which combats climate change, lowers energy bills and reduces heat-related death and illness.

###
FACT SHEET: The Inflation Reduction Act Supports Workers and Families

By signing the Inflation Reduction Act, President Biden is delivering on his promise to build an economy that works for working families. President Biden is the most pro-worker, pro-union President in history, and the Inflation Reduction Act builds on that legacy. President Biden and Congressional Democrats beat back special interests to pass this historic law that lowers costs for families, creates good-paying jobs for workers, and grows the economy from the bottom up and the middle out.

The Inflation Reduction Act lowers prescription drug costs, health care costs, and energy costs. It's the most aggressive action on tackling the climate crisis in American history, which will lift up American workers and create good-paying, union jobs across the country. It'll lower the deficit and ask the ultra-wealthy and corporations to pay their fair share. And no one making under $400,000 per year will pay a penny more in taxes.

CREATE CLEAN ENERGY JOBS

The Inflation Reduction Act creates good-paying union jobs that will help reduce emissions across every sector of our economy. As President Biden promised when running for president, the law includes some of the strongest labor protections and incentives ever attached to clean energy tax credit programs. It will:

- **Incentivize prevailing wages.** The expanded tax credits for energy efficient commercial buildings, new energy efficient homes, and electric vehicle (EV) charging infrastructure will include bonus credits for businesses that pay prevailing wages and hire registered apprentices, ensuring local wages are not undercut by low-road contractors.

- **Stop companies from ripping off workers.** It will penalize companies that promise to pay prevailing wages but don’t follow through, and workers who are owed prevailing wages will receive the difference, plus interest.

- **Make it in America.** For the first time ever, the Inflation Reduction Act establishes Make it in America provisions for the use of American-made equipment for clean energy
production. The law provides expanded clean energy tax credits for wind, solar, nuclear, clean hydrogen, clean fuels, and carbon capture, including bonus credits for businesses that pay workers a prevailing wage and use registered apprenticeship programs.

MAKE THE TAX CODE FAIRER

The Inflation Reduction Act will make our tax code fairer by cracking down on millionaires, billionaires, and corporations that evade their obligations, and making sure the largest corporations pay their fair share. No family making less than $400,000 per year will see their taxes go up by a single cent. The Inflation Reduction Act will raise revenue by:

- Going after tax dodgers, ensuring the wealthy and large corporations pay the taxes they already owe.

- Cracking down on the largest profitable corporations that currently get away with paying little to no federal income tax, instituting a minimum corporate tax of 15%.

- Imposing a 1% surcharge on corporate stock buybacks, to encourage businesses to invest instead of enriching CEOs or funneling profits tax-free to shareholders.

- Making transformational investments in taxpayer service so that regular Americans can get their questions answered and access the credits and benefits they are entitled to.

The law’s tax reforms won’t just raise revenue to finance critically needed investments to lower costs for working families and combat climate change, they are also an important component of building an economy that rewards work rather than wealth and doesn’t let the rich and powerful get away with playing by a separate set of rules.

REVITALIZE AMERICAN MANUFACTURING

President Biden made a promise to re-energize American manufacturing, and he kept his promise. The President already has the strongest record of growing manufacturing jobs in modern history, and this law invests in American workers and industry. The Inflation Reduction Act will:

- **Build American clean energy supply chains**, by incentivizing domestic production in clean energy technologies like solar, wind, carbon capture, and clean hydrogen.

- **Support American workers** with targeted tax incentives aimed at manufacturing U.S.-sourced products such as batteries, solar, and offshore wind components, and technologies
for carbon capture systems.

• **Strengthen America’s manufacturing base.** The Inflation Reduction promotes domestic sourcing and American jobs. For example, clean energy tax credits are increased if the amount of American steel used in wind projects meets the domestic content threshold, and bonus credits apply to employers who use of prevailing wages and apprenticeships, ensuring that federal tax policy supports good-paying, high-skilled jobs.

• **Create good-paying union jobs in energy communities.** Clean energy tax credits will be increased by 10% if the clean energy projects are established in communities that have previously relied upon the extraction, processing, transport, or storage of coal, oil, or natural gas as a significant source of employment, creating jobs and economic development in the communities that have powered America for generations.

**LOWER HEALTH CARE COSTS**

President Biden has followed through on his promise to lower the cost of prescription drugs. The Inflation Reduction Act will protect Medicare recipients from catastrophic drug costs by phasing in a cap for out-of-pocket costs and establishing a $35 cap for a month’s supply of insulin. And, as an historic win, Medicare will be able to negotiate prices for high-cost drugs for the first time ever. For union members or family members who benefit from the Affordable Care Act, it extends health insurance premium subsidies.

###
International Sustainability Standards Board

About the International Sustainability Standards Board

The Trustees of the IFRS Foundation announced the formation of the International Sustainability Standards Board (ISSB) on 3 November 2021 at COP26 in Glasgow, following strong market demand for its establishment. The ISSB is developing—in the public interest—standards that will result in a high-quality, comprehensive global baseline of sustainability disclosures focused on the needs of investors and the financial markets.

Sustainability factors are becoming a mainstream part of investment decision-making. There are increasing calls for companies to provide high-quality, globally comparable information on sustainability-related risks and opportunities, as indicated by feedback from many consultations with market participants.

There is also a strong desire to address a fragmented landscape of voluntary, sustainability-related standards and requirements that add cost, complexity and risk to both companies and investors.

The ISSB has international support with its work to develop sustainability disclosure standards backed by the G7, the G20, the International Organization of Securities Commissions (IOSCO), the Financial Stability Board, African Finance Ministers and Finance Ministers and Central Bank Governors from more than 40 jurisdictions.

The ISSB has set out four key objectives:
1. to develop standards for a global baseline of sustainability disclosures;
2. to meet the information needs of investors;
3. to enable companies to provide comprehensive sustainability information to global capital markets; and
4. to facilitate interoperability with disclosures that are jurisdiction-specific and/or aimed at broader stakeholder groups.

The ISSB builds on the work of market-led investor-focused reporting initiatives, including the Climate Disclosure Standards Board (CDSB), the Task Force for Climate-related Financial Disclosures (TCFD), the Value Reporting Foundation’s Integrated Reporting Framework and industry-based SASB Standards, as well as the World Economic Forum’s Stakeholder Capitalism Metrics.

The ISSB is committed to delivering standards that are cost-effective, decision-useful and market informed.

• The standards are developed with efficiency in mind, helping companies to report what is needed globally to investors across markets globally.
• The standards are designed to provide the right information, in the right way, to support investor decision-making and facilitate international comparability to attract capital.
• A company can avoid double-reporting by applying the ISSB’s standards. When jurisdictional requirements build on the global baseline, companies are able to meet jurisdictional requirements while benefiting from the efficiency and comparability of the global baseline.

To stay up to date with our news, create an ifrs.org account and select from the 'IFRS Sustainability' follows on the dashboard.

**Related information**

Sustainability FAQs

General Sustainability-related Disclosures project

Climate-related Disclosures project

Consolidated organisations
Expansion and Extension of the Climate Change Mitigation Pilot Program

A Notice by the Patent and Trademark Office on 06/01/2023

**DOCUMENT DETAILS**

**Printed version:**
PDF (https://www.govinfo.gov/content/pkg/FR-2023-06-01/pdf/2023-11660.pdf)

**Publication Date:**
06/01/2023 (/documents/2023/06/01)

**Agencies:**

**Dates:**
Pilot Duration: The Climate Change Mitigation Pilot Program, as expanded by this notice, will run from June 6, 2023, until either June 7, 2027, or the date the USPTO accepts a total of 4,000 grantable petitions (considering both the existing and expanded programs), whichever occurs first. The USPTO may, at its sole discretion, terminate the program depending on factors such as workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. If the program is terminated, the USPTO will notify the public. The USPTO will continue to indicate on its website the total number of petitions filed and the number of applications accepted into the program.

**Document Type:**
Notice

**Document Citation:**
88 FR 35841

**Page:**
35841-35843 (3 pages)

**Agency/Docket Number:**
Docket No.: PTO-P-2023-0023

**Document Number:**
2023-11660
Expansion and Extension of the Climate Change Mitigation Pilot Program
PTO-P-2023-0023 (https://www.regulations.gov/docket/PTO-P-2023-0023)

AGENCY:
United States Patent and Trademark Office, Department of Commerce.

ACTION:
Notice.

SUMMARY:
On June 3, 2022, the United States Patent and Trademark Office (USPTO) implemented the Climate Change Mitigation Pilot Program as a component of its ongoing efforts to encourage and incentivize innovation in the climate space and as an example of its commitment to policies tackling climate change. The initial phase of the program—ending June 5, 2023—has sought to positively impact the climate by accelerating the examination of patent applications for products and processes designed to reduce greenhouse gas emissions. Through this notice, the USPTO is expanding the program to include innovations in any economic sector that are designed to make progress toward achieving net-zero greenhouse gas emissions. This includes innovations designed to remove greenhouse gases already present in the atmosphere; reduce and/or prevent additional greenhouse gas emissions; and/or monitor, track, and/or verify greenhouse gas emission reductions. The USPTO is also increasing the filing limitations for petitions under the program and extending the duration of the program. These changes will permit more applications to qualify for the program, thereby allowing more innovations that will aid in achieving national climate goals to be advanced out of turn for examination. As with the existing program, applications accepted into the expanded program will be advanced out of turn (accorded special status) for first action on the merits. The conditions, eligibility requirements, and guidelines of the expanded program will be the same as those established for the existing program, unless modified by this notice. By expanding and extending the program, the USPTO aims to emphasize the urgency of zero- and negative-emissions solutions, and further encourage investment in an equitable, clean energy future.

DATES:
Pilot Duration: The Climate Change Mitigation Pilot Program, as expanded by this notice, will run from June 6, 2023, until either June 7, 2027, or the date the USPTO accepts a total of 4,000 grantable petitions (considering both the existing and expanded programs), whichever occurs first. The USPTO may, at its sole discretion, terminate the program depending on factors such as workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. If the program is terminated, the USPTO will notify the public. The USPTO will continue to indicate on its website the total number of petitions filed and the number of applications accepted into the program.

FOR FURTHER INFORMATION CONTACT:
Kristie A. Mahone, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at 571-272-9016 or Kristie.Mahone@uspto.gov (mailto:Kristie.Mahone@uspto.gov); or Susy Tsang-Foster, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at 571-272-7711 or Susy.Tsang-Foster@uspto.gov (mailto:Susy.Tsang-Foster@uspto.gov). For questions on electronic filing, please contact the Patent Electronic Business Center at 866-217-9197 during its operating hours of 6 a.m. to midnight ET, Monday–Friday, or ebc@uspto.gov (mailto:ebc@uspto.gov). For questions related to a particular petition, please contact the Office of Petitions at 571-272-3282 during its operating hours of 8:30 a.m. to 5 p.m. ET, Monday–Friday.

SUPPLEMENTARY INFORMATION:

Part I. Background

In 2022, the USPTO published a notice implementing the Climate Change Mitigation Pilot Program, which aligns with and supports Executive Order 14008 (/executive-order/14008). See Climate Change Mitigation Pilot Program, 87 FR 33750 (/citation/87-FR-33750) (June 3, 2022) (2022 Notice). The initial phase of the program has focused on innovations that reduce greenhouse gas emissions. Specifically, the existing program permits an application that claims certain products and/or processes designed to reduce greenhouse gas emissions to be advanced out of turn (accorded special status) for first action on the merits without meeting all of the requirements of the accelerated examination program, if the applicant files a petition to make special under 37 CFR 1.102(d) (https://www.ecfr.gov/current/title-37/section-1.102#p-1.102(d)) that meets all the requirements in the 2022 Notice. In the petition to make special, the applicant must certify that: (1) the claimed invention covers a product or process that mitigates climate change, (2) the product or process is designed to reduce greenhouse gas emissions, (3) the applicant has a good faith belief that expediting patent examination of the application will likely have a positive impact on the climate, and (4) the inventor or any
joint inventor has not been named as the inventor or a joint inventor on more than four other nonprovisional applications in which a petition to make special under this program has been filed. The USPTO, however, committed to periodically evaluating the program to determine whether and to what extent coverage should be expanded or limited.

Part II. Expansion of the Pilot Program

A. Subject Matter Coverage

As stressed in the 2021 Long-Term Strategy, reaching net-zero greenhouse gas emissions by 2050 necessitates a robust pursuit of removal solutions, given the unlikelihood of completely eliminating greenhouse gas emissions from some activities. Further, technologies designed to monitor, track, and/or verify greenhouse gas emission reductions are anticipated as necessary expedients. See U.S. Innovation to Meet 2050 Climate Goals: Assessing Initial R&D Opportunities (Nov. 2022), available at www.whitehouse.gov/wp-content/uploads/2022/11/U.S.-Innovation-to-Meet-2050-Climate-Goals.pdf. Considering the criticality of tackling climate change and the experiential knowledge of the USPTO resources needed to deliver accelerated review in the climate space, the USPTO is expanding the program to include a broader range of technologies designed to make progress toward achieving the goal of net-zero emissions. Specifically, the USPTO is replacing the second certification set forth in the 2022 Notice with a certification “that the product or process is designed to: (a) remove greenhouse gases already present in the atmosphere; (b) reduce and/or prevent additional greenhouse gas emissions; and/or (c) monitor, track, and/or verify greenhouse gas emission reductions.” Applicants must continue to certify that the claimed invention covers a product or process that mitigates climate change, and that they have a good faith belief that expediting patent examination of the application will likely have a positive impact on the climate, as set forth in the 2022 Notice.

B. Filing Limitations

The USPTO is also increasing the filing limitations to afford more opportunities to participate. In particular, an applicant may file a petition to participate in the program if the inventor or any joint inventor has not been named as the inventor or a joint inventor on more than 12—up from 4—other nonprovisional patent applications in which a petition to make special under this program has been filed. Specifically, the USPTO is replacing the fourth certification set forth in the 2022 Notice with a certification “that the inventor or any joint inventor has not been named as the inventor or a joint inventor on more than 12 other nonprovisional applications in which a petition to make special under this program has been filed.” If the inventor or any one of the joint inventors of the current application has been named as the inventor or a joint inventor on more than 12 other nonprovisional patent applications in which petitions under this program have been filed, then the petition for the current application may not be appropriately filed. Any petitions filed during the existing program count toward the filing limitations in the expanded program.

C. Office Form Required for Filing a Petition

Petition form PTO/SB/457, titled “CERTIFICATION AND PETITION TO MAKE SPECIAL UNDER THE CLIMATE CHANGE MITIGATION PILOT PROGRAM,” is still required to make the petition under the program. Other than the changes to the subject matter coverage and the filing limitations described above, the conditions, eligibility requirements, and guidelines of the program will be the same as those provided in the 2022 Notice. The USPTO will modify the certifications contained in petition form PTO/SB/457—at
numbered items 2 and 11—to correspond with the changes described above. The modified petition form will be available for use on June 6, 2023, at [www.uspto.gov/patents/apply/forms](http://www.uspto.gov/patents/apply/forms).

The USPTO reminds applicants that under the 2022 Notice, the petition to make special (form PTO/SB/457) must be electronically filed using Patent Center, with the application or entry into the national stage under 35 U.S.C. 371 ([https://www.govinfo.gov/link/uscode/35/371](https://www.govinfo.gov/link/uscode/35/371)), or within 30 days of the filing date or entry date of the application. The USPTO encourages applicants interested in participating in the program to review the 2022 Notice, along with the information provided on the program’s web page, at [www.uspto.gov/patents/laws/patent-related-notices/climate-change-mitigation-pilot-program](http://www.uspto.gov/patents/laws/patent-related-notices/climate-change-mitigation-pilot-program).

**Part III. Extension of the Pilot Program**

The program, as expanded by this notice, will run from June 6, 2023, until either June 7, 2027, or until the date that the USPTO accepts a total of 4,000 grantable petitions, whichever occurs first. The total of 4,000 grantable petitions includes petitions granted under the existing and expanded programs combined. Information concerning the number of petitions that have been filed and granted under the program will continue to be available on the program’s web page. The USPTO may further extend the program (with or without modifications) depending on feedback from the participants and the effectiveness of the program.

Katherine K. Vidal,

Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2023–11660 Filed 5–31–23; 8:45 am]

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INFORMATION

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Data collected from the APA AIS are used to estimate the catch per angler of recreational saltwater fishers. These APA AIS estimates are combined with estimates derived from independent but complementary surveys of fishing effort, the Fishing Effort Survey and the For-Hire Survey, to estimate total, state-level fishing catch, by species, and participation. These estimates are used in the development, implementation, and monitoring of fishery management programs by the NMFS, regional fishery management councils, interstate marine fisheries commissions, and state fishery agencies.

Affected Public: Individuals or Households.

Frequency: One-time, in-person interview.

Respondent's Obligation: Voluntary.

Legal Authority: Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.)

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB Control Number 0648-0659.

Sheleen Dumas,
Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022-11968 Filed 6-2-22; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Agency Information Collection Activities; Submission to the Office of Management and Budget (OMB) for Review and Approval; Comment Request; North Atlantic Recreational Fishing Survey III

The Department of Commerce will submit the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with the Paperwork Reduction Act of 1995, or on or after the date of publication of this notice. We invite the general public and other Federal agencies to comment on proposed, and continuing information collections, which helps us assess the impact of our information collection requirements and minimize the public's reporting burden. Public comments were previously requested via the Federal Register on March 21, 2022, during a 60-day comment period. This notice allows for an additional 30 days for public comments.

Agency: National Oceanic and Atmospheric Administration (NOAA), Commerce.

Title: Survey to Collect Economic Data from Recreational Anglers Along the Atlantic Coast.

OMB Control Number: 0648-0783.

Form Number(s): None.

Type of Request: Regular [revision of currently approved information collections].

Number of Respondents: 442.

Average Hours per Response: Eligible Anglers, 14 minutes; Ineligible Anglers, 4 minutes.

Total Annual Burden Hours: 58.

Needs and Uses: This request is for revision and extension of a currently approved information collection and is sponsored by NOAA’s Northeast Fisheries Science Center (NEFSC). The original data collection effort in 2019 under OMB Control Number 0648-0783 was to assess how changes in saltwater recreational fishing regulations affect angler effort, angler welfare, fishing mortality, and future stock levels. That data collection effort focused on anglers who fished for Atlantic cod and haddock off the Atlantic coast from Maine to Massachusetts (North Atlantic Recreational Fishing Survey I). In 2020, the collection was revised to remove the cod and haddock survey and add a survey focused on anglers who fish for summer flounder and black sea bass along the Atlantic coast from Massachusetts to North Carolina (North Atlantic Recreational Fishing Survey II). In 2022, the current collection will re-add the original cod and haddock survey to this control number (North Atlantic Recreational Fishing Survey III).

The objective of this survey will be to update our understanding of how anglers who fish for Atlantic cod and haddock, respond to changes in management options and fishing regulations (e.g., bag limits, size limits, dates of open seasons, etc.) along the Atlantic coast from Maine to Massachusetts. The survey data will provide the information fisheries managers need to conduct updated and improved analysis of the socio-economic effects to recreational anglers and to coastal communities of proposed changes in fishing regulations. The recreational fishing community and regional fisheries management councils have requested more species-specific socio-economic studies of recreational fishing that can be used in the analysis of fisheries policies. This survey will address that stated need for more species-specific studies.

The survey population consists of those anglers who fish in saltwater along the North Atlantic coast from Maine to Massachusetts and who possess a license to fish. A sample of anglers will be drawn from state fishing license frames. The survey will be conducted using both mail and email to contact anglers and invite them to take the survey online. Anglers not responding to the online survey may receive a paper survey in the mail. 

Affected Public: Individuals.

Frequency: The NARFS III will be a cross-sectional survey asking anglers to respond once to a single questionnaire.

Respondent's Obligation: Voluntary.

This information collection request may be viewed at www.reginfo.gov. Follow the instructions to view the Department of Commerce collections currently under review by OMB.

Written comments and recommendations for the proposed information collection should be submitted within 30 days of the publication of this notice on the following website www.reginfo.gov/public/do/PRAMain. Find this particular information collection by selecting “Currently under 30-day Review—Open for Public Comments” or by using the search function and entering either the title of the collection or the OMB Control Number 0648-0783.

Sheleen Dumas,
Department PRA Clearance Officer, Office of the Chief Information Officer, Commerce Department.

[FR Doc. 2022-11969 Filed 6-2-22; 8:45 am]

BILLING CODE 3510-22-P

DEPARTMENT OF COMMERCE

Patent and Trademark Office

[Docket No.: PTO-P-2021-0039]

Climate Change Mitigation Pilot Program

AGENCY: United States Patent and Trademark Office, Department of Commerce.

ACTION: Notice.

SUMMARY: As part of its ongoing efforts to incentivize more and inclusive...
innovation, including in key technology areas such as climate change, and to maximize that innovation’s widespread impact, including by reducing greenhouse gas emissions, the United States Patent and Trademark Office (USPTO) is implementing the Climate Change Mitigation Pilot Program, which is designed to positively impact the climate by accelerating the examination of patent applications for innovations that reduce greenhouse gas emissions. The program is intended to encourage research, development and innovation in the climate space and provide ready and equitable intellectual property protection to incentivize investment and bring those solutions to the country and world. The program aligns with and supports Executive Order 14008, dated January 27, 2021, and is part of the USPTO’s efforts to secure an equitable economic future, reduce greenhouse gas emissions and mitigate climate change.

Applications accepted into the pilot program will be advanced out of turn (accorded special status) for first action on the merits.

DATES: Pilot Duration: The Climate Change Mitigation Pilot Program will accept petitions to make special beginning June 3, 2022 until either June 3, 2023 or the date the USPTO accepts a total of 1,000 grantable petitions, whichever occurs first. The USPTO may, at its sole discretion, terminate the pilot program depending on factors such as workload and resources needed to administer the program, feedback from the public, and the effectiveness of the program. If the pilot program is terminated, the USPTO will notify the public. The USPTO will indicate on its website the total number of petitions filed and the number of applications accepted into the pilot program.

FOR FURTHER INFORMATION CONTACT: Kristie M. Kinred, Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at Kristie.Kinred@uspto.gov; or Susy Tsang-Foster, Senior Legal Advisor, Office of Patent Legal Administration, Office of the Deputy Commissioner for Patents, at Susy.Tsang-Foster@uspto.gov. For questions on electronic filing, please contact the Electronic Business Center at: 866-217-9197 during their operating hours of 6 a.m. to midnight ET, Monday–Friday, or email at ebc@uspto.gov. For questions relating to a particular petition, please contact the Office of Petitions at 571-272-3282 during their operating hours of 8:30 a.m. to 5 p.m. ET, Monday–Friday.

SUPPLEMENTARY INFORMATION: New patent applications are normally taken up for examination in the order of their U.S. filing date or national stage entry date. See §§ 708 and 1893.03(b) of the Manual of Patent Examining Procedure (MPEP) (9th ed., rev. 10.2019, June 2020). The USPTO has procedures under which an application will be advanced out of turn (accorded special status) for examination if the applicant files (1) a petition to make special under 37 CFR 1.102(c) or (d) with the appropriate showing, or (2) a request for prioritized examination under 37 CFR 1.102(e). See 37 CFR 1.102(c)–(e) and MPEP §§ 708.02, 708.02(a), and 708.02(b). The USPTO revised its accelerated examination procedures effective August 25, 2006, requiring that all petitions to make special comply with the requirements of the revised accelerated examination (AE) program, set forth in MPEP § 708.02(a), except those based on an inventor’s health or age or the Patent Prosecution Highway (P3H) Pilot Program. See Changes to Practice for Petitions in Patent Applications To Make Special and for Accelerated Examination, 71 FR 36323 (June 26, 2006).

The USPTO is implementing a new Climate Change Mitigation Pilot Program. The program, which aligns with and supports Executive Order 14008, permits an application that claims certain products and/or processes that mitigate climate change by reducing greenhouse gas emissions to be advanced out of turn (accorded special status) for first action on the merits without meeting all of the requirements of the accelerated examination program set forth in MPEP § 708.02(a) (for example, examination support document) if the applicant files a petition to make special under 37 CFR 1.102(d) meeting all of the requirements set forth in this notice.

To qualify, applicants must file a petition to make special under the pilot program, and the application must claim an invention directed to certain technologies that are designed to reduce greenhouse gas emissions. Applicants must also certify that (1) they have a good faith belief that expediting examination of the application will likely have a positive impact on the climate, and (2) the inventor or any joint inventor has not been named as the inventor or a joint inventor on more than four other nonprovisional applications in which a petition to make special under this program has been filed. Applications accepted into the pilot program will be advanced out of turn (accorded special status) for first action on the merits without meeting all of the current requirements, including any extra fee payments, of the accelerated examination program (for example, the requirement for an examination support document) or the prioritized examination program (for example, the prioritized examination fee or processing fee).

All other requirements of the accelerated examination program that are not required by this notice, including the 37 CFR 1.17(h) fee for a petition to make special under 37 CFR 1.102(d), are hereby waived based upon the special procedure specified in this notice. The USPTO will periodically evaluate the pilot program to determine whether and to what extent its coverage should be expanded or limited.

No fees or requirements other than those discussed above are waived by this pilot program.

Part I. Requirements To Participate

In addition to filing a nonprovisional patent application that is ready for examination (including a specification, drawings(s) if necessary, at least one claim, and payment of all fees associated with the filing of an application), the patent application and the petition to participate in this pilot program must meet the requirements that follow.

(1) Types of Applications and Time for Filing Petition

The petition to make special under the pilot program must be filed:

(a) With the electronic filing of a noncontinuing original utility nonprovisional application or entry into the national stage under 35 U.S.C. 371, within 30 days of the filing date or entry date of the application; or

(b) with the electronic filing of an original utility nonprovisional application claiming the benefit of an earlier filing date under 35 U.S.C. 120, 121, 365(c), or 386(c) of only one prior nonprovisional application or only one prior international application designating the United States or within 30 days of the filing date of such application.

Definition

Noncontinuing application: A noncontinuing application is an application that is not a continuation, divisional, or continuation-in-part application filed under the conditions specified in 35 U.S.C. 120, 121, 365(c), or 386(c) and 37 CFR 1.78. See section 201.02 of the MPEP.

The pilot program is reserved for the nonprovisional applications described above that have not received a first office action (including a written restriction requirement). Any application that claims the benefit of the
filing date of two or more prior filed applications that are nonprovisional. U.S. applications and/or international applications designating the United States are not eligible for participation in the pilot program. Claiming the benefit under 35 U.S.C. 119(e) of one or more prior provisional applications or claiming a right of foreign priority under 35 U.S.C. 119(a)–(d) or (f) to one or more foreign applications will not affect eligibility for the pilot program.

(2) Office Form Required for Filing Petition

Form PTO/SB/457, titled “CERTIFICATION AND PETITION TO MAKE SPECIAL UNDER THE CLIMATE CHANGE MITIGATION PILOT PROGRAM,” required to be used to make the petition under the pilot. It is available at https://www.uspto.gov/patent/forms/forms-patent-applications-filed-or-after-september-16-2012. Form PTO/SB/457 contains the necessary certifications for qualification to participate in the pilot. Use of the form will enable the USPTO to quickly identify and process the petition. In addition, use of the form will help applicants understand and comply with the petition requirements of the pilot program. Under 5 CFR 1320.3(h), form PTO/SB/457 does not collect “information” within the meaning of the Paperwork Reduction Act of 1995.

(3) Required Certification

The petition to make special must certify: (1) That the claimed invention covers a product or process that mitigates climate change; (2) that the product or process is designed to reduce greenhouse gas emissions; (3) that applicant has a good faith belief that expediting patent examination of the application will likely have a positive impact on the climate; and (4) that the inventor or any joint inventor has not been named as the inventor or a joint inventor on more than four other nonprovisional applications in which a petition to make special under this program has been filed. Form PTO/SB/457 contains these certifications.

(4) Publication Requirement for Applications

If applicant files the petition to make special on the date of filing of an application, the application may not be filed with a nonpublication request. If applicant previously filed a nonpublication request in the application, applicant must file a rescission of the nonpublication request no later than the time the petition to make special is filed. Applicant may use form PTO/SB/36 to rescind the nonpublication request.

(5) Application Data Sheet Requirement

Unless previously filed in the patent application, the petition must be accompanied by a properly signed application data sheet per 37 CFR 1.76 meeting the conditions specified in 37 CFR 1.53(b)(3)(i).

(6) Claim Limit and No Multiple Dependent Claims

When the petition is filed and throughout pendancy, the application must contain no more than 3 independent claims and 20 total claims and no multiple dependent claims. The examiner may refuse entry of any amendment in reply to an office action that, if entered, would result in a set of pending claims that exceeds either of these claim limits or adds a multiple dependent claim. See Part IV of this notice.

(7) Electronic Filing of Application and Petition Required

The petition to make special may only be made by filing form PTO/SB/457, which must be filed electronically using the USPTO’s Patent Center (at https://patentcenter.uspto.gov/#1). Applicants must file the petition using the document description indicated on form PTO/SB/457. In addition, the application or national stage entry must be filed using Patent Center, and the specification, claims, and abstract must be submitted in DOCX format. Prior to submitting the application for filing, applicants will receive a feedback document. Applicants may find it beneficial to review the feedback document and make corrections to the application before filing the application. By making the necessary corrections before filing, applicants may avoid delays that can occur in the pre-examination process. For more information on DOCX filing in Patent Center, please see https://www.uspto.gov/patents/docx.

(8) Filing Limitations

An applicant may file a petition to participate in the pilot program if the inventor or any joint inventor has not been named as the inventor or a joint inventor on more than four other nonprovisional patent applications in which a petition to make special under this program has been filed. Therefore, if the inventor or any one of the joint inventors of the instant application has been named as the inventor or a joint inventor on more than four other nonprovisional applications in which petitions under this pilot program have been filed, then the petition for the instant application may not be appropriately filed.

Definition

Claimed invention covers a product or process that mitigates climate change: This phrase is only met when an application includes a claim that would correspond to one or more of the technical concepts within subclass Y02A, Y02B, Y02C, Y02D, Y02E, Y02F, Y02G or Y02W in the Cooperative Patent Classification (CPC) system. For example, a claim to a process to capture or dispose of methane would correspond to Y02C 20/20. The full schedule of Y02 class is available at: https://www.uspto.gov/web/patents/classification/cpc/html/cpc-y02.html.

Part II. Internal Processing of the Petition Under the Pilot Program

If applicant files a petition to make special under the pilot program, the USPTO will decide the petition once the application is in condition for examination. If the petition is granted, the application will be accorded special status under the pilot program. The application will be placed on an examiner’s special docket until a first office action on the merits. After the first action on the merits, the application will no longer be treated as special during examination, for example, if an amendment is filed, it will be placed on the examiner’s regular amended docket.

If the petition to make special under the pilot program does not comply with the requirements set forth in this notice, the USPTO may notify the applicant of the deficiency by issuing a notice. The notice will give applicant only one opportunity to correct the deficiency. If applicant still wishes to participate in the pilot program, applicant must file a reply via Patent Center that includes appropriate corrections and a properly signed petition form PTO/SB/457 within one month or thirty days, whichever is longer, from the mailing/notification date of the notice informing applicant of the deficiency. The time period for reply is not extendable under 37 CFR 1.136(a). If applicant fails to correct the deficiency indicated in the notice within the time period set forth therein, the application will not be accepted into the pilot program and will be taken up for examination in accordance with standard examination procedures. In addition, the petition will be dismissed without an opportunity for correction if it is deficient in any of the following ways:

(1) The application does not contain a
claim that complies with the eligibility requirements of this notice (that is, the claim does not cover a product or process that mitigates climate change by reducing greenhouse gas emissions); (2) the application claims the benefit of the filing date of two or more prior filed applications that are nonprovisional U.S. applications and/or international applications designating the United States; and (3) The petition was not filed with the application or entry into the national stage under 35 U.S.C. 371 or within 30 days of the application's filing date or national stage entry date.

Part III. Requirement for Restriction

If the claims in the application are directed to multiple inventions, the examiner may make a requirement for restriction or unity of invention in accordance with current restriction practice. The examiner will attempt to contact the applicant following the procedure for the telephone restriction practice set forth in MPEP § 812.01. If a telephone restriction requirement is made, applicant must make an election without traverse to an invention that meets the eligibility requirements of this notice. If applicant refuses to make an election (for example, by failing to reply to a request for a telephonic interview within five business days of the examiner's request), the special status of the application will be terminated and the examiner may mail a written restriction requirement.

Part IV. Office Actions and Replies Under the Pilot Program

Applications that are accorded special status under the pilot program will be placed on an examiner's special docket until a first office action on the merits. After the first office action on the merits, the application will be placed on the examiner's regular docket.

A reply to an office action must be fully responsive to the rejections, objections, and requirements made by the examiner. Any amendment filed in reply to an office action may be treated as not fully responsive if it attempts to: (1) Add claims that would result in more than three independent claims or more than 20 total claims pending in the application; (2) add any multiple dependent claim(s); or (3) cancel all claims that meet the requirements of the pilot program (that is, the application no longer contains any claims that cover a product or process that reduces greenhouse gas emissions and thereby mitigate climate change). If a reply to a nonfinal office action is not fully responsive because it does not comply with the pilot claim requirements but is a bona fide attempt to advance the application to final action, the examiner may, at their discretion, provide a shortened statutory period of two (2) months for the applicant to supply a fully responsive reply. Extensions of this time period under 37 CFR 1.136(a) to the notice of nonresponsive amendment will be permitted, but in no case can any extension carry the date for reply to this notice beyond the maximum period of SIX MONTHS set by statute (35 U.S.C. 133). However, any further nonresponsive amendment typically will not be treated as bona fide, and therefore, the time period set in the prior notice will continue to run.

Part V. After-Final and Appeal Procedures

In any amendment, affidavit, or other evidence after a final office action and prior to appeal must comply with 37 CFR 1.118. During the appeal process, the application will be treated in accordance with the normal appeal procedures (see MPEP Chapter 1200).

Part VI. Proceedings Outside the Normal Examination Process

If an application becomes involved in proceedings outside the normal examination process (for example, a secrecy order, derivation proceeding, or petitions under 37 CFR 1.181-1.183), the USPTO will place the application in special status under the pilot program before and after such proceedings. During those proceedings, however, the application will not be under special status. For example, while under a secrecy order, the application will be treated in accordance with the normal secrecy order procedures and will not be in special status under the pilot program. Once the proceeding outside the normal examination process is completed, the application will continue in special status as described above in this notice.

Part VII. Withdrawal From the Pilot Program

There is no provision for withdrawal from the pilot program. An applicant may abandon an application that has been granted special status under the pilot program in favor of a continuing application. However, a continuing application will not automatically be granted special status based on the petition filed in the parent application. Each application (including each continuing application) must, on its own, meet all requirements for special status under the pilot program, and be accompanied by its own petition as detailed in Part I (2) above.

Katherine K. Vidal,
Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office.

[FR Doc. 2022-11930 Filed 6-2-22; 8:45 am]

BILING CODE 3110-16-P

COMMITTEE FOR PURCHASE FROM PEOPLE WHO ARE BLIND OR SEVERELY DISABLED

Procurement List; Proposed Deletions

AGENCY: Committee for Purchase From People Who Are Blind or Severely Disabled.

ACTION: Proposed deletion from the Procurement List.

SUMMARY: The Committee is proposing to delete a service(s) from the Procurement List that was furnished by nonprofit agencies employing persons who are blind or have other severe disabilities.

DATES: Comments must be received on or before: July 3, 2022.

ADDRESSES: Comments contact: Michael R. Jurkowski, Telephone: (703) 785-6404, or email CMTEFedReg@AbilityOne.gov.

FOR FURTHER INFORMATION CONTACT: For further information or to submit comments contact: Michael R. Jurkowski, Telephone: (703) 785-6404, or email CMTEFedReg@AbilityOne.gov.

SUPPLEMENTARY INFORMATION: This notice is published pursuant to 41 U.S.C. 8503 (a)(2) and 41 CFR 51-2.3. Its purpose is to provide interested persons an opportunity to submit comments on the proposed actions.

Deletions

The following service is proposed for deletion from the Procurement List:

Service(s)

Service Type: Janitorial/Custodial Service

Mandatory for: U.S. Army Reserve, New Kensington Memorial USARC/RMA 106, 2450 Leechburg Road, New Kensington, PA

Designated Source of Supply: Beaver County Association for the Blind, Beaver Falls, PA

Contracting Activity: DEPT OF THE ARMY, WEQK ACC-PICA

Michael R. Jurkowski,
Acting Director, Business Operations.

[FR Doc. 2022-11937 Filed 6-2-22; 8:45 am]

BILING CODE 3363-01-P
"This is a case where conscience and convenience cross paths, where dealing with this existential threat to the planet and increasing our economic growth and prosperity are one and the same. When I think of climate change ... I think of jobs."

President Joe Biden Before Signing Executive Actions on Tackling Climate Change, Creating Jobs, and Restoring Scientific Integrity (Jan. 27, 2021)

Take Climate Action in Your Community

Find out how the Inflation Reduction Act can help you or your family save on energy bills, purchase electric vehicles and energy-saving appliances, and access the economic opportunities of the clean energy future.

Find out how the Bipartisan Infrastructure Law can help your community supercharge the transition to clean energy, clean up pollution, and more.

Encourage your community to join the President’s Building Performance Standards Coalition to reduce emissions while lowering energy bills.

Explore the new “Solar Power in Your Community” guidebook to accelerate solar projects and jobs in your city, county, or town.

Follow President Biden’s lead on sustainability – help your company, organization, or local government reduce emissions across operations through the Better Climate Challenge.

Apply to join the Department of Energy’s Clean Energy Corps, a group of current agency staff and new hires who will advance the clean energy revolution.

President Biden’s Actions to Tackle the Climate Crisis
President Biden campaigned on a bold vision of tackling the climate crisis with the urgency that science demands, by building a clean energy economy that benefits all Americans—with lower costs for families, good-paying jobs for workers, and healthier air and cleaner water for communities.

Since Day One, President Biden has delivered. After rejoining the Paris Agreement and restoring U.S. leadership on the world stage, President Biden created the first-ever National Climate Task Force, with more than 25 Cabinet-level leaders from across agencies working together on groundbreaking goals:

- Reducing U.S. greenhouse gas emissions 50-52% below 2005 levels in 2030
- Reaching 100% carbon pollution-free electricity by 2035
- Achieving a net-zero emissions economy by 2050
- Delivering 40% of the benefits from federal investments in climate and clean energy to disadvantaged communities

The Biden-Harris Administration is taking decisive steps to reduce emissions, increase resilience, advance environmental justice, and achieve true energy security. This federal mobilization, building on the leadership of states, Tribal Nations, and local governments, has already spurred historic progress:

- The United States set records for clean energy deployment in 2021, bringing enough new solar and wind projects online to power 10 million homes and tripling utility-scale battery storage capacity.

- The three-millionth electric vehicle hit the road, 135,000 chargers were installed, and companies invested over $110 billion in EV and battery manufacturing, helping create battery manufacturing capacity to supply 13 million EVs each year.

- Major climate “firsts” included the Administration’s approval of the first commercial-scale offshore wind project in federal waters, the first commercial flight powered by 100% sustainable aviation fuel flying from Chicago to DC, and U.S. steel and cement companies committing for the first time to reach net-zero emissions no later than 2050.

- Clean energy is by far the biggest job creator in America’s energy sector, with over 3 million Americans employed in clean energy jobs during 2021 earning wages 25% over the national median.
• On the international stage, President Biden worked with E.U. counterparts to rally more than 100 countries to join the Global Methane Pledge, a new partnership to reduce super-polluting methane emissions 30% from 2020 levels by 2030.

President Biden and Vice President Harris also made tackling climate change, advancing environmental justice, and creating jobs centerpieces of the Inflation Reduction Act and Bipartisan Infrastructure Law.

Passed in August 2022, the Inflation Reduction Act is the most significant legislation in U.S. history to tackle the climate crisis and strengthen American energy security. It will lower energy costs for households, saving families hundreds of dollars per year on energy bills; create millions of good-paying jobs for American workers through manufacturing of solar panels, wind turbines, and electric vehicles; and deliver a healthy future for our children and grandchildren by cutting pollution and advancing environmental justice. The savings, jobs, and other benefits provided by this legislation will reach communities across the country.

Additionally, the Bipartisan Infrastructure Law provides historic resources for upgrading the power grid, improving public transit and investing in zero-emission transit and school buses, installing a nationwide EV charging network, cleaning up legacy pollution, replacing lead pipes and delivering clean water. President Biden’s Bipartisan Infrastructure Law will also strengthen the nation’s resilience and save taxpayer money, helping communities safeguard against extreme weather events, catastrophic wildfires, and other climate-related disasters—which last year caused more than $165 billion in damages from the biggest 18 weather and climate disasters alone.

President Biden and Vice President Harris also made climate action and environmental justice a centerpiece of the Bipartisan Infrastructure Law. This legislation provides the largest federal investments ever in upgrading the power grid, improving public transit and investing in zero-emission transit and school buses, installing a nationwide EV charging network, cleaning up legacy pollution, replacing lead pipes and delivering clean water. President Biden’s Bipartisan Infrastructure Law will also strengthen the nation’s resilience and save taxpayer money, helping communities safeguard against extreme weather events, catastrophic wildfires, and other climate-related disasters—which last year caused more than $145 billion in damages from the biggest 20 disasters alone.

This is the decisive decade for the world to confront climate change and avoid the worst, irreversible impacts of this crisis. That’s why the President has called on Congress to act on climate by providing clean energy investments and tax credits that will bring down the sticker prices of EVs, weatherize homes and businesses to cut energy costs, and save American
families an average of $500 a year. President Biden will continue leading to meet this moment and deliver economic opportunities, health benefits, and household savings here at home—by accelerating our transition to clean energy, and protecting Americans from fossil fuel price spikes.

President Biden’s Leadership in Action

Through executive and regulatory actions, public-private partnerships, international diplomacy, and more, President Biden is working towards achieving his bold goals while taking steps to grow the economy, create jobs, and build a clean energy future – all while rallying the world to step up too.

Reducing Emissions and Accelerating Clean Energy

President Biden and Vice President Harris have mobilized a whole-of-government effort in every sector of the economy – taking executive actions that will reduce greenhouse gas
emissions, accelerate clean energy production and deployment, and create good-paying jobs that strengthen the economy. In addition to the actions below, the Administration is leading by example across federal operations and procurement through the President’s Federal Sustainability Plan.

**Power Sector**

**Transportation Sector**

**Buildings Sector**

**Industry Sector**

**Lands & Agriculture Sector**

**Advancing Environmental Justice & Empowering Workers**

President Biden and Vice President Harris have worked since Day One to confront environmental injustices, toxic pollution, underinvestment in infrastructure and critical services, and disproportionate impacts from climate change on communities across the nation. The Administration has activated the entire federal government to advance environmental justice and for the first time in our nation’s history, elevate the voices, perspectives, and lived experiences of environmental justice communities to guide White House and Federal Government priorities, policies, investments, and decision-making.

The Biden-Harris Administration is committed to continually fighting for environmental justice through early, meaningful, and sustained partnership with communities and dedicated leadership in Federal agencies.

**More on Environmental Justice and Workers**

**Strengthening Climate Resilience**
As climate-related extreme weather events increase in frequency and ferocity, the Biden-Harris Administration is taking bold steps to strengthen the nation’s resilience to severe impacts climate change has on our communities, infrastructure, economies, and more.

More on Climate Resilience

**Leveraging Domestic Ambition to Rally Global Peers**

While the U.S. has committed itself to addressing the climate crisis, countries across the globe must also step up given that more than 85% of global climate pollution comes from beyond our borders. President Biden and his team are rallying the world to take the decisive action needed in this decade to tackle the climate crisis.

More on International Efforts

**National Climate Task Force Membership**
ACCEPTANCE ON BEHALF OF THE UNITED STATES OF AMERICA

I, Joseph R. Biden Jr., President of the United States of America, having seen and considered the Paris Agreement, done at Paris on December 12, 2015, do hereby accept the said Agreement and every article and clause thereof on behalf of the United States of America.

Done at Washington this 20th day of January, 2021.

JOSEPH R. BIDEN JR.
Green Power Markets

Summary of Inflation Reduction Act provisions related to renewable energy

This page summarizes information in the Inflation Reduction Act related to renewable energy project tax provisions. While EPA does have some Inflation Reduction Act funding opportunities, the Green Power Partnership does not and is only presenting this material for informational purposes. This page will be updated as Treasury and other federal agencies develop guidance and responses related to the Inflation Reduction Act.

The Inflation Reduction Act of 2022 is the most significant climate legislation in U.S. history, offering funding, programs, and incentives to accelerate the transition to a clean energy economy and will likely drive significant deployment of new clean electricity resources. Most provisions of the Inflation Reduction Act of 2022 became effective 1/1/2023.

The Inflation Reduction Act incentives reduce renewable energy costs for organizations like Green Power Partners – businesses, nonprofits, educational institutions, and state, local, and tribal organizations. Taking advantage of Inflation Reduction Act incentives,
such as tax credits, is key to lowering GHG emission footprints and accelerating the clean energy transition.

- Investment Tax Credit and Production Tax Credit
- Environmental Justice ITC Adder
- Clean Energy ITC / Clean Energy PTC
- Tax Credit Monetization
- Additional Resources

**Investment Tax Credit and Production Tax Credit**

The Investment Tax Credit (ITC) and Production Tax Credit (PTC) allow taxpayers to deduct a percentage of the cost of renewable energy systems from their federal taxes. These credits are available to taxable businesses entities and certain tax-exempt entities eligible for direct payment of tax credits (see Tax Credit Monetization below).

Certain projects are eligible for either the ITC or PTC, but not both.

<table>
<thead>
<tr>
<th>Eligible for ITC or PTC</th>
<th>Eligible for ITC</th>
<th>Eligible for PTC</th>
</tr>
</thead>
<tbody>
<tr>
<td>multiple solar and wind technologies, municipal solid waste, geothermal (electric), and tidal</td>
<td>energy storage technologies, microgrid controllers, fuel cells, geothermal (heat pump and direct use), combined heat &amp; power, microturbines, and interconnection costs</td>
<td>biomass, landfill gas, hydroelectric, marine and hydrokinetic</td>
</tr>
</tbody>
</table>

Through at least 2025, the Inflation Reduction Act extends the Investment Tax Credit [2] <https://programs.dsireusa.org/system/program/detail/658> (ITC) of 30% and Production Tax Credit [3] <https://programs.dsireusa.org/system/program/detail/734> (PTC) of $0.0275/kWh (2023 value),
as long as projects meet prevailing wage & apprenticeship requirements for projects over 1 MW AC.

For systems placed in service on or after January 1, 2025, the Clean Electricity Production Tax Credit and the Clean Electricity Investment Tax Credit will replace the traditional PTC / ITC.

Projects can qualify for additional credit amounts, described below:

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount* for Projects less than 1MW\textsubscript{AC} (Cumulative)</th>
<th>Amount* for Projects greater than 1MW\textsubscript{AC} (Cumulative)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Base Tax Credit</td>
<td>ITC: 30% PTC:2.75¢/kWh</td>
<td>ITC: 6% PTC: 0.5¢/kWh</td>
</tr>
<tr>
<td>Wage &amp; Apprenticeship Requirements (Requires a percentage of total labor hours performed by qualified apprentices)</td>
<td>ITC: N/A PTC: N/A</td>
<td>ITC: +24% PTC: +2.25¢/kWh</td>
</tr>
</tbody>
</table>

*The ITC amount is a percentage of the total qualifying project cost basis. All values assume labor requirements are met.

**Bonus Credit:**

<table>
<thead>
<tr>
<th>Category</th>
<th>Amount* for Projects less than 1MW\textsubscript{AC} (Cumulative)</th>
<th>Amount* for Projects greater than 1MW\textsubscript{AC} (Cumulative)</th>
</tr>
</thead>
</table>
### Domestic Content Minimums

<table>
<thead>
<tr>
<th></th>
<th>ITC: +10%</th>
<th>PTC: +0.3¢/kWh</th>
</tr>
</thead>
<tbody>
<tr>
<td>(% attributable to U.S. Manufactured Products)</td>
<td>ITC: +10%</td>
<td>PTC: +0.3¢/kWh</td>
</tr>
</tbody>
</table>

### Siting in Energy Community

<table>
<thead>
<tr>
<th></th>
<th>ITC: +10%</th>
<th>PTC: +0.3¢/kWh</th>
</tr>
</thead>
<tbody>
<tr>
<td>ex. Brownfield site, area related to mining operations)</td>
<td>ITC: +10%</td>
<td>PTC: +0.3¢/kWh</td>
</tr>
</tbody>
</table>

### Siting in Low-Income Community or on Indian Land (<5 MWAC)

<table>
<thead>
<tr>
<th></th>
<th>ITC: +10%</th>
<th>PTC: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ITC: +10%</td>
<td>PTC: N/A</td>
</tr>
</tbody>
</table>

### Qualified Low-Income Residential Building Project or Economic Benefit Project

<table>
<thead>
<tr>
<th></th>
<th>ITC: +20%</th>
<th>PTC: N/A</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>ITC: +20%</td>
<td>PTC: N/A</td>
</tr>
</tbody>
</table>

---

**Environmental Justice Wind and Solar Capacity Limitations under Section 48(e)**

The Inflation Reduction Act Section 48(e) offers new access to clean energy tax credits with an emphasis on reaching disadvantaged populations and communities with environmental justice concerns. Certain ITC projects may be eligible for bonus credits if they meet certain environmental justice criteria. Only solar and wind technologies are eligible in 2023 and 2024. Energy storage is eligible if "connected to" the solar or wind project.

The requirements are:

- Projects must be less than 5MWAC
- Requires allocation by Treasury - Capped at 1.8 GWDC per year
- Projects can't be placed in service before applying for allocation
In 2025, becomes part of tech-neutral ITC (through 2032)

<table>
<thead>
<tr>
<th>Category (Adder Percentage)</th>
<th>2023 Allocation</th>
</tr>
</thead>
<tbody>
<tr>
<td>Category 1: Located in Low-Income Communities * (10%)</td>
<td>700 MW</td>
</tr>
<tr>
<td>Category 2: Located on Indian Land (10%)</td>
<td>200MW</td>
</tr>
<tr>
<td>Category 3: Qualified Low-Income Residential Building Project (20%)</td>
<td>200MW</td>
</tr>
<tr>
<td>Category 4: Qualified Low-Income Economic Benefit Project (20%)</td>
<td>700MW</td>
</tr>
</tbody>
</table>

*See IRC Sec. 45D(e) and IRS Notice 2013-17 [https://www.irs.gov/pub/irs-drop/n-23-17.pdf]. This provision is pending full guidance.

**Tax Credit Monetization**

Here's how Inflation Reduction Act's new **direct pay** and **transfer** options allow more organizations to utilize clean energy tax credits for equipment placed in service on or after January 1, 2023 and through December 31, 2032:

- The **direct pay option** allows certain non-taxable entities to directly monetize certain tax credits for entities such as state, local, and tribal governments, rural electric cooperatives, the Tennessee Valley Authority, and others to directly monetize specific tax credits [https://home.treasury.gov/system/files/136/fact-sheet-ira-equitable-clean-energy-economy.pdf] including many renewable energy credits such as the ITC and the PTC. Applicable entities may elect to treat these tax credits as refundable payments of tax. Such entities are eligible to receive a direct payment from the IRS for any amount paid in excess of their tax liability for credits.

- The Inflation Reduction Act also allows eligible taxpayers that are not tax-exempt entities to **transfer** all or a portion of certain tax credits, including the ITC and PTC, to an unrelated party.

EPA anticipates that there will be more opportunities (through tax credits) to directly participate in projects. For more information on individual opportunities, see The Database of State Incentives for Renewables & Efficiency (DSIRE)'s database of all U.S. renewable energy incentives and programs [2](https://programs.dsireusa.org/system/program>, and DSIRE's database of federal incentives [2].

### Clean Energy Production Tax Credit and Clean Energy Investment Tax Credit

Starting January 1, 2025, the Inflation Reduction Act replaces the traditional PTC with the Clean Energy Production Tax Credit (§13701) and the traditional ITC with the Clean Electricity Investment Tax Credit (§ 13702).

These tax credits are functionally similar to the ITC/PTC but is not technology-specific. It applies to all generation facilities (and energy storage systems under ITC) that have an anticipated greenhouse gas emissions rate of zero. The credit amount is generally calculated in the same manner as described above but will be phased out as the U.S. meets greenhouse gas emission reduction targets.

### Additional Resources

- [EPA's Inflation Reduction Act Web Area](https://epa.gov/inflation-reduction-act)
- [ENERGY STAR - Federal Tax Credits and Incentives for Energy Efficiency](https://www.energystar.gov/about/federal_taxCredits)
• The White House Inflation Reduction Act Guidebook [2]
  <https://www.whitehouse.gov/cleanenergy/inflation-reduction-act-guidebook/>


• Department of Treasury – Inflation Reduction Act Guidance [2]

• Database of State Incentives for Renewable & Efficiency (DSIRE)'s database of all US renewable energy incentives and programs [2]
  <https://programs.dsireusa.org/system/program>

Green Power Markets Home <https://epa.gov/green-power-markets>

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Act <https://epa.gov/green-power-markets/act>

Resources <https://epa.gov/green-power-markets/resources>

Emerging Issues <https://epa.gov/green-power-markets/emerging-issues>

Contact Us <https://epa.gov/green-power-markets/forms/green-power-markets-contact-us-form> to ask a question, provide feedback, or report a problem.

LAST UPDATED ON JUNE 1, 2023
Discover.

**Accessibility Statement** [https://epa.gov/accessibility/epa-accessibility-statement]

**Budget & Performance** [https://epa.gov/planandbudget]

**Contracting** [https://epa.gov/contracts]

**EPA www Web Snapshot** [https://epa.gov/utilities/wwwepagov-snapshots]

**Grants** [https://epa.gov/grants]

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**Plain Writing** [https://epa.gov/web-policies-and-procedures/plain-writing]

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**Privacy and Security Notice** [https://epa.gov/privacy/privacy-and-security-notice]

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**Inspector General** [https://epa.gov/office-inspector-general/about-epas-office-inspector-general]

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USPTO becomes a partner in international green-technology platform, WIPO GREEN

July 21, 2022 Press Release: 22-18

WASHINGTON — The United States Patent and Trademark Office (USPTO) became a technology partner to the global green-technology platform of the World Intellectual Property Organization (WIPO), WIPO GREEN (https://www3.wipo.int/wipogreen/en/).

WIPO GREEN is a public-private partnership established by WIPO in 2013. Its 145 international partners include major technology companies, intellectual property (IP) offices, business groups, research institutes, and nongovernmental organizations. The partnership provides an online platform for technology exchange, connecting providers and seekers of environmentally friendly technologies, and organizes acceleration projects, conferences, and international events that highlight the availability of green technologies.

"By becoming a WIPO GREEN partner, the USPTO joins the effort to help companies, communities, and individuals from around the world identify innovative green technologies and who is producing and selling them," said Kathi Vidal, Under Secretary of Commerce for Intellectual Property and Director of the USPTO. "This is a critical tool we can use to meet the challenge of global climate change, and helps fulfill President Biden's promise to engage in international efforts that support climate-aligned technologies and investments."

The announcement came at a meeting the USPTO Director held with WIPO Director General Daren Tang during the organization’s annual Meetings of the Assemblies in Geneva, Switzerland.

The USPTO’s contributions to WIPO GREEN include its own initiatives that are designed to address the challenge of climate change, including:

- The USPTO Climate Change Mitigation Pilot Program (https://www.uspto.gov/patents/laws/patent-related-notices/climate-change-mitigation-pilot-program), which accelerates the examination of patent applications involving innovations to reduce greenhouse gas emissions
- The soon-to-be-announced Patents for Humanity: Clean Energy Technologies awards competition, a green technology-focused version of the USPTO’s highly successful Patents for Humanity awards competition (https://www.uspto.gov/ip-policy/patent-policy/patents-humanity)

With this announcement, the USPTO joins 10 other IP offices as partners in WIPO GREEN: Brazil, Canada, Chile, Denmark, France, Japan, Lebanon, Morocco, Portugal, and Switzerland.

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The United States Patent and Trademark Office (USPTO) published a notice in the Federal Register announcing the expansion and extension of the Climate Change Mitigation Pilot Program, which was initially launched in June 2022. Beginning on June 6, 2023, the USPTO will expand the program eligibility requirements to encompass a more robust group of innovations in any economic sector that advance progress toward achieving net-zero greenhouse gas emissions. Included innovations will be those designed to:

- Remove greenhouse gases already present in the atmosphere;
- Reduce and/or prevent additional greenhouse gas emissions; and/or
- Monitor, track, and/or verify greenhouse gas emission reductions.

The expansion also includes an increase in the maximum number of nonprovisional applications an inventor is allowed to “make special,” or those that qualify for expedited initial review by the agency under the pilot program.

“Continuing this program is an important part of our efforts to incentivize and widen access to the intellectual property system for those inventors on the cutting edge of technologies that effectively address climate change,” said Kathi Vidal, Under Secretary of Commerce for Intellectual Property and Director of the USPTO. “Accelerated review of climate change–related patent applications provides another tool to help move these innovations from idea to impact.”

“NOAA is a proud supporter of the USPTO’s Climate Change Mitigation Pilot Program to help advance cutting-edge innovations that mitigate the effects of climate change,” said Dr. Richard W. Spinrad, Under Secretary of Commerce for Oceans and Atmosphere & National Oceanic and Atmospheric Administration (NOAA) Administrator. “This initiative fits cleanly into the Biden administration’s clean energy agenda that seeks to address the climate crisis by tapping into our country’s innovative spirit to help preserve our environmental sustainability for generations to come. We are excited to work with our sister agency—the USPTO—and all of Commerce to move this initiative forward.”

As with the existing program, qualifying utility nonprovisional applications accepted into the expanded program will be advanced out of turn (accorded special status) until a first action on the merits—typically the first substantive examination—is complete. Applicants will not be required to satisfy the current requirements of the accelerated examination program or the prioritized examination program.

The expanded program will run from June 6, 2023 until either June 7, 2027, or the date the USPTO accepts a total of 4,000 grantable petitions (taking into account both the existing and expanded programs), whichever occurs earlier, subject to the USPTO’s discretion to terminate prior.
The expansion and extension of this program supports the USPTO’s ongoing commitment to address climate change by encouraging and accelerating innovations that lead to net-zero emissions. By affording more opportunities for participation with a broader pool of eligible innovations, the expanded program aims to complement other efforts to fight against climate change.


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CERTIFICATION AND PETITION TO MAKE SPECIAL UNDER THE CLIMATE CHANGE MITIGATION PILOT PROGRAM

<table>
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<tr>
<th>First Named Inventor:</th>
<th>Nonprovisional Application Number (if known):</th>
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<td>Title of invention:</td>
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APPLICANT HEREBY CERTIFIES THE FOLLOWING AND PETITIONS FOR ADVANCEMENT OF EXAMINATION UNDER THE CLIMATE CHANGE MITIGATION PILOT PROGRAM FOR THE ABOVE-IDENTIFIED APPLICATION.

1. The claim(s) of the above-identified application (the application) cover(s) a product or process that mitigates climate change (i.e., the claim(s) correspond(s) to one or more of the technical concepts within subclass Y02A, Y02B, Y02C, Y02D, Y02E, Y02P, Y02T or Y02W in the Cooperative Patent Classification (CPC) system). The full schedule of the Y02 class is available at https://www.uspto.gov/web/patents/classification/cpc/html/cpc-Y.html#Y02.

2. The product or process is designed to: (a) remove greenhouse gases already present in the atmosphere; (b) reduce and/or prevent additional greenhouse gas emissions; and/or (c) monitor, track, and/or verify greenhouse gas emission reductions.

3. The applicant has a good faith belief that expediting patent examination will likely have a positive impact on the climate.

4. The application is a non-continuing original utility nonprovisional application or an original utility nonprovisional application that claims the benefit of only one prior nonprovisional application or one prior international application designating the United States.

5. The application is or was filed electronically using Patent Center.

6. The specification, claim(s) and abstract on filing or on national stage entry are or were submitted in DOCX format.

7. A properly signed application data sheet meeting the conditions specified in 37 CFR 1.53(f)(3)(i) is or was filed in the application.

8. No nonpublication request was filed for the application or if such a request was previously filed, the nonpublication request is or has been rescinded. Form PTO/SB/36 may be used to rescind the nonpublication request.

9. The basic filing fee, search fee, and examination fee are paid with this request or have already been paid in the application. The applicant understands that any required application size fee must be paid for the application. The fee for a petition to make special under 37 CFR 1.102(d) has been waived for this pilot program.

10. The applicant agrees to the following: (a) the application may not contain, or be amended to contain, more than three independent claims, more than twenty total claims, or any multiple dependent claims, (b) any reply to a non-final Office action may not cancel all claims that meet the eligibility requirements of this pilot program, and (c) if a telephone restriction requirement is made, applicant must make an election without traverse to an invention that meets the eligibility requirements of this pilot program.

11. The inventor or any joint inventor has not been named as the inventor or a joint inventor on more than twelve other nonprovisional applications in which a petition to make special under this program has been filed.

12. This petition is either (a) electronically filed using Patent Center with the filing of the application or entry into the National Stage as to the United States, or (b) electronically filed using Patent Center within 30 days of the filing date of the application or entry into the National Stage as to the United States.

Signature

Name (Printed/Typed)             Date

Practitioner Registration Number

Note: This form must be signed in accordance with 37 CFR 1.33. See 37 CFR 1.4(d) for signature requirements and certifications. Submit multiple forms if more than one signature is required.*

☐ *Total of ________ forms are submitted.

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The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. The United States Patent and Trademark Office (USPTO) collects the information in this record under authority of 35 U.S.C. 2. The USPTO’s system of records is used to manage all applicant and owner information including name, citizenship, residence, post office address, and other information with respect to inventors and their legal representatives pertaining to the applicant’s/owner’s activities in connection with the invention for which a patent is sought or has been granted. The applicable Privacy Act System of Records Notice for the information collected in this form is COMMERCE/PAT-TM-7 Patent Application Files, available in the Federal Register at 78 FR 19243 (March 29, 2013), https://www.govinfo.gov/content/pkg/FR-2013-0329/pdf/2013-07341.pdf.

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5) a Member of Congress submitting a request involving an individual to whom the record pertains, when the individual has requested the Member’s assistance with respect to the subject matter of the record;
6) a court, magistrate, or administrative tribunal, in the course of presenting evidence, including disclosures to opposing counsel in the course of settlement negotiations;
7) the Administrator, General Services Administration (GSA), or their designee, during an inspection of records conducted by GSA under authority of 44 U.S.C. 2904 and 2906, in accordance with the GSA regulations and any other relevant (i.e., GSA or Commerce) directive, where such disclosure shall not be used to make determinations about individuals;
8) another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c));
9) the Office of Personnel Management (OPM) for personnel research purposes; and
10) the Office of Management and Budget (OMB) for legislative coordination and clearance.

If you do not furnish the information requested on this form, the USPTO may not be able to process and/or examine your submission, which may result in termination of proceedings, abandonment of the application, and/or expiration of the patent.