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The Regulation of Geoengineering - Science and Technology Committee [Contents](#)

5 Collaborative working with the US Congress

Introduction

113. As we have explained in chapter 1, the suggestion for collaborative working came during our visit to Washington DC in April 2009, when Representative Bart Gordon, Chairman of the House of Representatives Science and Technology Committee, suggested that the two Committees might wish to identify a subject on which they could work together. When drawing up our joint programme with the House Committee, we took the recommendations in the Royal Society's report into consideration. The House Committee would conduct an inquiry on geoengineering—its first exploration of the topic—while we would run a complementary short inquiry on the regulatory aspects of geoengineering. The text of a joint statement agreed between the Committees is the Annex to this Report. The House Committee is examining issues regarding the research and development of geoengineering proposals, focusing its inquiry on the following questions:

- Under what circumstances would the US consider initiating research or the actual deployment of geoengineering?
- Which, if any, of the proposed geoengineering activities warrant further evaluation through coordinated, government-sponsored research, and which activities should be removed from consideration due to unacceptable risks or costs?
- Which US Federal Agencies have either the legal jurisdiction or technical resources to address geoengineering and, of those, which should lead a coordinated US effort?

- To inform international decision-making processes regarding the deployment of geoengineering activities, what level of investment in research is appropriate?
- Which existing international frameworks would govern research, development and deployment of geoengineering? And what new models for international cooperation must be developed to address the unique challenges of geoengineering deployment?
- How could these international frameworks for research and development serve to inform the regulation of deployment of geoengineering activities?

Ultimately, the hearings may lead to the formation of legislation authorising US government agencies to undertake certain geoengineering research activities and establish intergovernmental research agreements with other nations.

114. The evidence we have gathered and our Report will form part of the House Committee's evidence and our Chairman plans to give oral testimony to the House Committee when it takes testimony on issues of governance on 18 March 2010. When the US House Committee publishes its Hearing Record, it will include our Committee Report.

Arrangements for collaborative working

115. The House of Commons has specific procedural arrangements for joint working with the National Assembly for Wales but not the national legislatures of foreign countries. In these circumstances we adopted straightforward arrangements. We each ran discrete but dovetailed inquiries. We discussed and agreed areas to cover and an outline timetable with the House Committee.

116. The two Committees could not sit or take evidence together—which would anyway be difficult to arrange in practical terms—but within the procedural constraints we worked together sharing publicly available papers and kept in close contact. The following arrangements were adopted:

- the staff of each Committee were in regular contact with one another and shared information on geoengineering;
- all Commons Committee memoranda and transcripts were sent to the US Committee once reported to the House of Commons;
- all House Committee papers were sent to the Commons Committee once reported to the Committee Clerk;
- the Commons Committee's report was to contain a chapter drawing on the experience of two Committees working together with, if necessary, recommendations on arrangements for future coordination; and
- the Chairman of the Commons Committee would testify in March 2010 on the conclusions and recommendations in the Commons Committee report to the House Committee, which would be treated as testimony to the House Committee.

Review of procedural arrangements

117. We have seen the collaborative working with the House Committee as part of our search for innovative methods of working. From our point of view, we regard it as a success and we hope that the House Committee will regard it similarly. Having seen the way the House Committee organises its business and with its focus on producing draft federal legislation it is clear that full joint inquiries and hearings with members from both Committees sitting together in joint session may not be practicable at this stage. From our discussions with colleagues on the House Committee we understand that they feel the same way. That said, **we must put on record that we are enthusiastic supporters of collaborative working between national legislatures on topics with international reach such as geoengineering and we consider that there are a range of measures that could be taken to streamline the process of collaborative working.**

118. In administrative terms, many processes employed by the House Committee were familiar to us and we found that coordination of these processes was essential to successful collaborative working. These "basics" between the two committees include:

- a) agreeing terms of reference for inquiries and hearings along with an indicative timetable and the collaborative arrangements at the outset;
- b) sharing of background papers and submissions received once made publicly available;
- c) regular contact to discuss progress; and
- d) once our Report is published the Chairman conveying its conclusions and recommendations to the House Committee.

119. Beyond the basics, as we have carried out the inquiry it became clear to us that there was room to employ and, if necessary, develop House of Commons procedures to improve the collaborative process. First, one of the processes select committees can use is the witness who attends all public evidence sessions.^[189] Given the improvements we noted in video communications we see scope for such a witness being available via video link from the "collaborating" legislature. It would therefore be possible for a witness from the collaborating legislature to be available by video link throughout the oral evidence sessions with other witnesses. The nature and circumstances of the inquiry would determine whether such a person was an official, a member of the collaborating committee or a specialist adviser appointed for the length of the inquiry. While we were able to draw on the papers available to the House Committee, it would have given an increased US perspective to our work if such an arrangement had been in place. Such a person would have been treated as witness to our inquiry with their contributions on the published record. We would be content to put in place a reciprocal arrangement, if the committee with which we were collaborating wanted it. **We conclude that in future collaborative working between legislatures House of Commons committees should request the committee with which collaboration is taking place**

to provide a "permanent" witness—either an official or member of the committee—to provide oral evidence via video link at all oral evidence sessions.

120. Second, we received enquiries about the possibility of joint submissions to both committees. We are keen to encourage such submissions: they reinforce the collaborative nature of the committees' work and encourage members of both committees to focus on the same issues. **We consider that in future when House of Commons committees participate in collaborative work they should include a statement in the call for submissions that, subject to the appropriate considerations of privilege, memoranda received may be passed to the committee in the other legislature. Reciprocal arrangements should be sought from the other committee. It should also be agreed that the committee receiving the memorandum will arrange and lead on publication.**

121. The third area raises more significant procedural issues. When considering our Report, the collaborative nature of the inquiry highlighted the need for an American perspective. As we have said, the papers supplied by the House Committee went some way to filling this gap but we would have found it beneficial to have included a member of the House Committee or a special adviser based in the USA. This was highlighted when it came to framing our recommendations to the UK Government to initiate international action in that we refrained from suggesting similar action to the US Federal Government. **We consider that the House of Commons should consider procedural changes to the effect that, where a select committee resolves to carry out collaborative working with a committee in another national legislature, a member of that committee attend—or communicate via video link—private sessions of the House of Commons committee.** Although extending the power for joint working to the legislatures of foreign states would be a straightforward step, in many ways the issue of principle involved has already been taken by the House's decision to allow joint working of this kind between the Welsh Affairs Committee and the relevant committees of the National Assembly for Wales.

Conclusion on collaborative working

122. **Science, technology and engineering are key to solving global challenges. Only through international collaboration will these challenges be met with success. We suggest that the next Science and Technology Committee should re-establish the working relationship with the US House of Representatives Science and Technology Committee. It should also consider making working connections with other international committees.**

189 Used predominately by select committees carrying out pre-legislative scrutiny where the witness is a Government official who can assist the committee when requested. [Back](#)

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