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H. R. 2112

To provide for the development and implementation of a national strategy to encourage and promote opportunities for the United States private sector to provide environmentally sound technology (including marine biotechnology), goods, and services to the global market, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 1993

Mr. STUDDS (for himself, Ms. FURSE, Mr. OLVER, Mr. KENNEDY, Mr. LAUGHLIN, Mrs. UNSOELD, Mr. MANTON, Mr. HUGHES, Mr. LANCASTER, Ms. ESHOO, and Mr. THOMPSON of Mississippi) introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and Merchant Marine and Fisheries

A BILL

To provide for the development and implementation of a national strategy to encourage and promote opportunities for the United States private sector to provide environmentally sound technology (including marine biotechnology), goods, and services to the global market, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Environ-
3 mental Trade Development Act of 1993”.

4 **SEC. 2. FINDINGS.**

5 The Congress makes the following findings:

6 (1) The global market for environmental tech-
7 nology (including marine biotechnology), goods, and
8 services, is now \$270,000,000,000, and is estimated
9 to grow to \$500,000,000,000 by the year 2000.

10 (2) The global environmental market has been
11 stimulated by the increased environmental awareness
12 of developing nations, the emergence of new repub-
13 lics in the former Soviet Union and Eastern Europe,
14 increased public awareness of the importance of en-
15 vironmental protection, and the actions taken by na-
16 tions at the United Nations Conference on Environ-
17 ment and Development, which was held at Rio de
18 Janeiro on June 3–15, 1992.

19 (3) The United Nations Conference on Environ-
20 ment and Development adopted “Agenda 21”, which
21 calls on all nations to develop and implement na-
22 tional strategies for sustainable development of their
23 natural resources, including the wise use of their
24 ocean and coastal resources, and urges developed
25 countries to enter into technology cooperation ar-

1 rangements with developing countries for the provi-
2 sion of environmentally sound technologies.

3 (4) The United States private sector has devel-
4 oped regional clusters of environmental businesses,
5 nonprofit organizations, and educational institutions
6 in response to United States environmental laws and
7 regulations.

8 (5) The United States historically has domi-
9 nated in the development of environmentally sound
10 technology (including marine biotechnology), goods,
11 and services, but has never gained a corresponding
12 share of the market outside of the United States, in
13 part because other countries have more extensive
14 programs to assist the private sector in environ-
15 mental export promotion.

16 (6) Experts estimate that the United States
17 private sector could create over 300,000 new jobs by
18 the year 2000 based on an increased share of the
19 global market for environmental technology.

20 (7) At least 12 Federal agencies have some type
21 of export promotion program, but no single agency
22 has overall responsibility for export promotion and
23 no agency is clearly responsible for the promotion of
24 environmental technology exports.

1 (8) Promoting United States environmental ex-
2 ports to the global market will create jobs, assist na-
3 tions to implement sustainable development pro-
4 grams, including the wise use of ocean and coastal
5 resources, and enhance the role of the United States
6 as a leader in global environmental policy.

7 **SEC. 3. POLICY AND PURPOSE.**

8 (a) **POLICY.**—The Congress declares that it is the
9 policy of the United States to maintain and enhance the
10 role of the United States as a leader in exporting environ-
11 mental technology (including marine biotechnology),
12 goods, and services to the global market for the benefit
13 of the global environment and to increase private sector
14 jobs in the field of environmental technology (including
15 marine biotechnology).

16 (b) **PURPOSE.**—It is the purpose of this Act—

17 (1) to encourage the United States private sec-
18 tor to export, and assist the United States private
19 sector in exporting, environmental technology (in-
20 cluding marine biotechnology), goods, and services
21 in order to carry out the policy set forth in sub-
22 section (a);

23 (2) to authorize the President, acting through
24 the Office of Environmental Policy and the National
25 Economic Council, to coordinate the relevant policies

1 and programs of Federal agencies to carry out the
2 policy set forth in subsection (a);

3 (3) to direct the Secretary of Commerce to en-
4 sure that the policies and programs of the Depart-
5 ment of Commerce, including those of the National
6 Oceanic and Atmospheric Administration, are con-
7 sistent with and will help carry out the policy set
8 forth in subsection (a);

9 (4) to establish the Environmental Trade Pro-
10 motion Council of the United States, a public-private
11 partnership, and require the Council to develop a
12 national strategy to promote environmental exports;

13 (5) to authorize matching funds to qualified re-
14 gional environmental business and technology co-
15 operation centers to provide export assistance, edu-
16 cation, and training to small- and medium-sized
17 United States businesses entering the global environ-
18 mental market and to provide appropriate training
19 to foreign nationals;

20 (6) to establish a senior-level environmental
21 service corps within the Peace Corps through which
22 experienced environmental professionals would assist
23 developing countries and emerging democracies to
24 develop and implement their sustainable development

1 programs, including programs to promote the wise
2 use of ocean and coastal resources; and

3 (7) to authorize the Secretary of Commerce to
4 establish American Business Centers, including En-
5 vironmental Business Centers, in nations that offer
6 promising new markets for United States environ-
7 mental technologies.

8 **SEC. 4. UNITED STATES ENVIRONMENTAL TRADE PRO-**
9 **MOTION STRATEGY.**

10 The President, acting through the Office of Environ-
11 mental Policy and the National Economic Council, shall
12 coordinate the export promotion programs of Federal
13 agencies to ensure that these programs are consistent with
14 and implement the national strategy to increase environ-
15 mental exports that is developed by the Environmental
16 Trade Promotion Council under section 6.

17 **SEC. 5. COMMERCE DEPARTMENT PARTICIPATION IN ENVI-**
18 **RONMENTAL TRADE PROMOTION STRATEGY.**

19 (a) REVIEW.—The Secretary shall review the applica-
20 ble policies and programs of the Department of Com-
21 merce, including those of the United States and Foreign
22 Commercial Service and other components of the Inter-
23 national Trade Administration, and those of the National
24 Oceanic and Atmospheric Administration, to ensure that
25 these policies and programs are consistent with and imple-

1 ment the national strategy to increase environmental ex-
2 ports that is developed by the Environmental Trade
3 Promotion Council under section 6.

4 (b) REPORT TO CONGRESS.—The Secretary shall re-
5 port to the Congress any policies and programs that are
6 found in the review conducted under subsection (a) to be
7 inconsistent with the national strategy developed under
8 section 6 and make recommendations for any legislative
9 changes needed in the authorities of those programs to
10 remove the inconsistency.

11 (c) 1-STOP SHOPS.—

12 (1) AT THE DEPARTMENT OF COMMERCE.—The
13 Secretary shall establish at the Department of Com-
14 merce a 1-stop shop to provide information to Unit-
15 ed States businesses selling environmental tech-
16 nology (including marine biotechnology), goods, and
17 services on applicable technical and financial assist-
18 ance programs of the Department, potential global
19 market opportunities, including trade fairs, for those
20 businesses, and on international environmental regu-
21 lations.

22 (2) AT UNITED STATES AND FOREIGN COMMERCIAL
23 SERVICE OFFICES.—The Secretary shall estab-
24 lish at appropriate offices of the United States and
25 Foreign Commercial Service 1-stop shops to provide

1 information described in paragraph (1) to United
2 States businesses selling environmental technology
3 (including marine biotechnology), goods, and services
4 in the district or area served by each such office. In
5 operating such shops outside the United States, the
6 Secretary shall cooperate with the Regional Environ-
7 mental Business and Technology Cooperation Cen-
8 ters described in section 7.

9 **SEC. 6. ENVIRONMENTAL TRADE PROMOTION COUNCIL.**

10 (a) ESTABLISHMENT.—The President shall establish
11 an Environmental Trade Promotion Council (hereafter in
12 this Act referred to as the “Council”).

13 (b) MEMBERSHIP.—The Council shall be composed of
14 the following members:

15 (1) The Secretary of Commerce.

16 (2) The Secretary of Energy.

17 (3) The Administrator of the Environmental
18 Protection Agency.

19 (4) The Administrator of the Agency for Inter-
20 national Development.

21 (5) The Director of the Trade and Development
22 Agency.

23 (6) The President of the Export-Import Bank
24 of the United States.

1 (7) The President of the Overseas Private In-
2 vestment Corporation.

3 (8) 6 individuals appointed by the President
4 from among representatives of the United States en-
5 vironmental technology industry, including one rep-
6 resentative of the marine biotechnology industry.

7 (9) 3 individuals appointed by the President
8 from among representatives of labor, consumer pro-
9 tection, and environmental conservation organiza-
10 tions.

11 (10) 3 individuals appointed by the President
12 from among representatives of the States and asso-
13 ciations representing the States.

14 (c) CHAIRPERSON.—The Secretary shall serve as the
15 chairperson of the Council.

16 (d) FUNCTIONS OF THE COUNCIL.—The Council
17 shall—

18 (1) develop a national strategy to increase ex-
19 ports of United States environmental technology (in-
20 cluding marine biotechnology), goods, and services;

21 (2) work with the Environmental Trade Pro-
22 motion Working Group of the Trade Promotion Co-
23 ordinating Committee in developing the national
24 strategy referred to in paragraph (1);

1 (3) prepare an action plan to implement the na-
2 tional strategy, including recommended guidelines
3 for agencies represented on the Council and the En-
4 vironmental Trade Promotion Working Group re-
5 ferred to in paragraph (2) to take action within their
6 respective agencies to promote exports of environ-
7 mental technologies;

8 (3) submit the national strategy and action
9 plan simultaneously to the President and the Con-
10 gress by April 30, 1994; and

11 (4) make periodic reports to the President and
12 the Congress on the achievement of the goals of the
13 national strategy and the action plan.

14 (e) STAFF AND ADMINISTRATION.—

15 (1) SUPPORT SERVICES.—The Secretary shall
16 provide to the Council such administrative and tech-
17 nical support services as are necessary for the effec-
18 tive functioning of the Council.

19 (2) OTHER SUPPORT.—The Administrator of
20 General Services shall furnish the Council with such
21 offices, equipment, supplies, and services as the Ad-
22 ministrator is authorized to furnish to any other
23 agency or instrumentality of the United States.

24 (3) COMPENSATION AND EXPENSES.—

1 (A) Except as provided in subparagraph
2 (B), members of the Council shall each be paid
3 the daily equivalent of the minimum rate of
4 basic pay payable for grade GS-15 of the Gen-
5 eral Schedule for each day during which they
6 are engaged in the actual performance of duties
7 vested in the Council.

8 (B) Members of the Council who are offi-
9 cers and employees of the United States may
10 not receive additional pay, allowances, or bene-
11 fits by reason of their service on the Council.

12 (C) Each member of the Council shall re-
13 ceive travel expenses, including per diem in lieu
14 of subsistence, in accordance with sections 5702
15 and 5703 of title 5, United States Code.

16 (f) DISCLOSURE OF FINANCIAL INTEREST.—Each
17 member of the Council appointed under paragraph (8) or
18 (9) of subsection (b) shall file with the Secretary, before
19 serving on the Council, a statement of financial interest
20 that that individual, or the spouse, minor child, or partner
21 of that individual may have in an activity that may be
22 addressed by the national strategy or action plan devel-
23 oped under subsection (d).

24 (g) PROCEDURAL MATTERS.—

1 (1) FEDERAL ADVISORY COMMITTEE ACT.—The
2 Council is not an advisory committee for purposes of
3 the Federal Advisory Committee Act (5 U.S.C.
4 App. 1.).

5 (2) OPEN MEETINGS.—The meetings of the
6 Council shall be open to the public and timely public
7 notice shall be provided in advance of each regular
8 meeting of the Council.

9 (h) SUNSET.—The Council shall cease to exist on
10 September 30, 1998.

11 **SEC. 7. REGIONAL ENVIRONMENTAL BUSINESS AND TECH-**
12 **NOLOGY COOPERATION CENTERS.**

13 (a) PURPOSE.—It is the purpose of this section to
14 provide matching funds for the establishment of regional
15 environmental business and technology cooperation cen-
16 ters that will draw upon their own expertise to provide
17 assistance, education, and training for United States and
18 foreign companies and organizations engaged in providing
19 and acquiring United States environmental technology
20 (including marine biotechnology), goods, and services.

21 (b) REGIONAL ENVIRONMENTAL BUSINESS AND
22 TECHNOLOGY COOPERATION CENTERS.—Eligible govern-
23 ment and private sector organizations that are actively en-
24 gaged in providing export assistance to small- and me-
25 dium-sized environmental businesses and environmental

1 training to foreign nationals may apply to the Secretary,
2 in such form and manner as the Secretary may prescribe,
3 for designation as a Regional Environmental Business and
4 Technology Cooperation Center. Eligible organizations in-
5 clude State and local government agencies, small- and me-
6 dium-sized businesses, and appropriate programs imple-
7 mented by professional societies, worker organizations, in-
8 dustrial organizations, for-profit and nonprofit organiza-
9 tions, and institutions of higher education, including those
10 designated as sea grant colleges under the National Sea
11 Grant College Program Act (33 U.S.C. 1121 and follow-
12 ing).

13 (c) STANDARDS FOR DESIGNATION OF CENTERS.—
14 The Secretary shall establish standards for designating or-
15 ganizations or programs described in subsection (b) as Re-
16 gional Environmental Business and Technology Coopera-
17 tion Centers. In establishing such standards, the Secretary
18 shall give priority to—

19 (1) already existing centers and organizations
20 which have demonstrated competence in the areas of
21 environmental education and training and provision
22 of export assistance to small- and medium-sized
23 businesses; and

24 (2) any group of eligible organizations that
25 would be designated as a single Regional Environ-

1 mental Business and Technology Cooperation Cen-
2 ter.

3 (d) GRANTS.—

4 (1) IN GENERAL.—The Secretary may, subject
5 to the availability of appropriations, make grants to
6 Regional Environmental Business and Technology
7 Cooperation Centers designated under subsection
8 (b).

9 (2) USE OF GRANTS.—Grants awarded under
10 paragraph (1) may be used by a Regional Environ-
11 mental Business and Technology Cooperation Cen-
12 ter—

13 (A) to identify the needs of specified for-
14 eign countries and areas for United States envi-
15 ronmental technology (including marine bio-
16 technology), goods, and services;

17 (B) to provide technical assistance on ex-
18 port development programs to small- and me-
19 dium-sized businesses, in the region served by
20 the Center, that have an interest in exporting
21 such environmental technology, goods, and serv-
22 ices;

23 (C) to conduct programs in the United
24 States of training and education of foreign na-
25 tionals in environmental management, coastal

1 zone management, sustainable development,
2 marine pollution prevention and response, ma-
3 rine biotechnology, and environmental business
4 management; and

5 (D) to perform other services to promote
6 the export of United States environmental tech-
7 nology (including marine biotechnology), goods,
8 and services.

9 (3) TERMS OF GRANTS.—Each grant under this
10 subsection may be awarded for an initial period of
11 not more than 3 years and may be renewed for one
12 additional period of not more than 2 years. Each
13 such grant may not at any time exceed 50 percent
14 of the operating costs of the recipient Regional Envi-
15 ronmental Business and Technology Cooperation
16 Center and shall be matched by financial and
17 in-kind contributions of the Center.

18 (4) LIMITATION IN NUMBER OF GRANTS.—The
19 Secretary is authorized to make grants under this
20 section to not more than 6 Regional Environmental
21 Business and Technology Cooperation Centers.

22 **SEC. 8. SENIOR ENVIRONMENTAL SERVICE CORPS.**

23 The Peace Corps Act (22 U.S.C. 2501–2523) is
24 amended by adding at the end the following:

1 **“SEC. 29. SENIOR ENVIRONMENTAL SERVICE CORPS.**

2 “(a) ESTABLISHMENT OF SENIOR ENVIRONMENTAL
3 SERVICE CORPS.—There is established within the Peace
4 Corps a division known as the ‘Senior Environmental
5 Service Corps’.

6 “(b) PURPOSE.—The purpose of the Senior Environ-
7 mental Service Corps is to provide volunteers with experi-
8 ence in environmental management, environmental tech-
9 nology (including marine biotechnology), sustainable de-
10 velopment, coastal zone management, or marine pollution
11 and prevention, to countries requesting volunteers with
12 these skills.

13 “(c) DUTIES AND RESPONSIBILITIES.—Volunteers in
14 the Senior Environmental Service Corps shall provide ad-
15 vice to foreign governments, ministries, for-profit and non-
16 profit organizations, and others in environmental manage-
17 ment, strategies, and practices.

18 “(d) TERMS AND CONDITIONS OF SERVICE.—The
19 President shall enroll volunteers in the Senior Environ-
20 mental Service Corps in the same manner and under the
21 same terms and conditions of service as other volunteers
22 are enrolled under section 5 of this Act, except that volun-
23 teers in the Senior Environmental Service Corps may be
24 provided with stipends sufficient to enable them to fulfill
25 the functions described in subsection (c) of this section.”.

1 **SEC. 9. AMERICAN BUSINESS CENTERS.**

2 (a) ESTABLISHMENT.—The Secretary is authorized
3 and encouraged to establish American Business Centers,
4 including Environmental Business Centers, in such coun-
5 tries that the Secretary determines offer promising new
6 market possibilities for the export of United States envi-
7 ronmental technology (including marine biotechnology),
8 goods and services. To the maximum extent practicable,
9 the Secretary shall use the private sector to establish such
10 Centers.

11 (b) POLICY GUIDANCE.—To the extent consistent
12 with the policy and purposes of this Act, the Secretary
13 shall comply with the directives set forth in paragraphs
14 (1), (2), (3), (4), and (6) of section 301(c) of the Freedom
15 Support Act of 1992 (22 U.S.C. 5821) in establishing
16 American Business Centers and Environmental Business
17 Centers under this section.

18 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

19 There are authorized to be appropriated—

20 (1) to the Secretary of Commerce—

21 (A) \$4,000,000 for each of fiscal years
22 1994, 1995, 1996, 1997, and 1998, to carry
23 out sections 5, 6, and 9; and

24 (B) \$6,000,000 for each of fiscal years
25 1994, 1995, 1996, 1997, and 1998, to carry
26 out section 7; and

1 (2) to the Director of the Peace Corps
2 \$1,500,000 for each of fiscal years 1994, 1995,
3 1996, 1997, and 1998 to carry out section 8.

4 Sums appropriated pursuant to paragraph (2) shall re-
5 main available for 2 fiscal years.

6 **SEC. 11. DEFINITIONS.**

7 As used in this Act—

8 (1) the term “export promotion program”
9 means any activity of the Federal Government de-
10 signed to stimulate or assist United States busi-
11 nesses in marketing their goods and services, includ-
12 ing environmental technology, abroad;

13 (2) the term “Secretary” means the Secretary
14 of Commerce, and

15 (3) the term “State” means each of the several
16 States, the District of Columbia, and any common-
17 wealth, territory, or possession of the United States.

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HR 2112 IH—2