

103<sup>D</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3870

To promote the research and development of environmental technologies.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 22, 1994

Mr. BROWN of California (for himself, Mr. VALENTINE, Mr. MINETA, Mrs. LLOYD, Mr. BOEHLERT, Mrs. MORELLA, Mr. SWETT, Mr. KLEIN, Mr. MCHALE, Ms. ESHOO, Mr. TRAFICANT, Mr. BACCHUS of Florida, Mr. BARCIA of Michigan, Mr. FINGERHUT, Ms. HARMAN, Mr. JOHNSON of Georgia, Mr. COPPERSMITH, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. MINGE, Mr. DEAL, Mr. SCOTT, Mr. BECERRA, Mr. BARCA of Wisconsin, Mr. RUSH, Mr. SANDERS, Mr. OLVER, and Ms. SLAUGHTER) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To promote the research and development of environmental technologies.

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

### 3 **TITLE I—GENERAL PROVISIONS**

#### 4 **SEC. 101. SHORT TITLE; TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the  
6 “Environmental Technologies Act of 1994”.

1 (b) TABLE OF CONTENTS.—The table of contents for  
 2 this Act is as follows:

TITLE I—GENERAL PROVISIONS

- Sec. 101. Short title; table of contents.
- Sec. 102. Findings.
- Sec. 103. Purposes.
- Sec. 104. Definitions.

TITLE II—POLICY COORDINATION AND TECHNOLOGY PROGRAMS

Subtitle A—Policy Coordination and Program Planning

- Sec. 201. Coordination of environmental technology research and development.
- Sec. 202. Life-cycle assessments.
- Sec. 203. Environmental technologies in ongoing programs.

Subtitle B—Environmental Technology Innovation Initiative

- Sec. 211. Establishment and administration of initiative.
- Sec. 212. Innovative environmental technology program.
- Sec. 213. President's total environmental quality award and the national environmentally sound technology award.
- Sec. 214. Incorporation of information on environmental technologies into existing networks.
- Sec. 215. Use of Federal facilities for environmental technology demonstration.
- Sec. 216. Study of factors affecting innovation in environmental technologies.

Subtitle C—Other Research Activities

- Sec. 221. Environmentally advanced engineering research.
- Sec. 222. Development plan for innovative environmental control and remediation technologies.

TITLE III—PERFORMANCE MEASUREMENTS

- Sec. 301. Performance measurements for environmental technology products.
- Sec. 302. Verification of environmental technologies.
- Sec. 303. Use of environmental technology products by the Federal government.

TITLE IV—AUTHORIZATION OF APPROPRIATIONS

- Sec. 401. Authorization of appropriations.

3 **SEC. 102. FINDINGS.**

4 The Congress finds the following:

- 5 (1) Promoting a sound economy and maintain-
- 6 ing a healthy environment are among the urgent
- 7 public policy challenges of the United States.

1           (2) The research, development, integration, and  
2 deployment of environmental technologies will en-  
3 hance the economic standing of the United States  
4 and global environmental security.

5           (3) Although better designs for products and  
6 processes offer new opportunities for substantially  
7 improved environmental performance in growing do-  
8 mestic and international markets, current govern-  
9 ment regulations and market barriers do not allow  
10 these opportunities to be fully exploited.

11           (4) Although the Federal Government, research  
12 institutes, universities, and industries are conducting  
13 substantial basic environmental research and devel-  
14 opment, environmental concerns must become a  
15 more pervasive and central dimension of technology  
16 research and development.

17           (5) The coordination of Federal, State, and  
18 local activities for the research, development, inte-  
19 gration, and deployment of environmental tech-  
20 nologies will greatly enhance the effectiveness of en-  
21 vironmental policies of the United States.

22 **SEC. 103. PURPOSES.**

23           It is the purpose of this Act—

1           (1) to improve coordination and integration of  
2 environmental technology research and development  
3 performed by and across Federal agencies;

4           (2) to assist and catalyze efforts of private in-  
5 dustry, universities, nonprofit research centers, and  
6 Federal laboratories in the research, development,  
7 integration, and deployment of environmental tech-  
8 nologies and, in the process, to promote the competi-  
9 tiveness of United States companies;

10          (3) to facilitate the dissemination of informa-  
11 tion regarding innovations in environmental tech-  
12 nologies;

13          (4) to promote the development of technical  
14 standards for substitution of an environmentally  
15 sound product or technology for a traditional one,  
16 and for environmental performance and efficacy of  
17 new technologies and products; and

18          (5) to direct the study of policy changes that  
19 will provide for the more efficient research, develop-  
20 ment, integration, and deployment of environmental  
21 technologies.

22 **SEC. 104. DEFINITIONS.**

23 For the purposes of this Act:

24           (1) The term “Administrator” means the Ad-  
25 ministrator of the Environmental Protection Agency.

1           (2) The term “environmental technology”  
2 means a technology that is primarily intended to im-  
3 prove the quality of the environment through pollu-  
4 tion prevention, pollution monitoring, pollution con-  
5 trol, pollution remediation, or recycling, or that is  
6 capable of cost-effectively offering significant envi-  
7 ronmental benefits when compared with a technology  
8 it replaces.

9           (3) The term “Federal laboratory” has the  
10 meaning given the term “laboratory” in section  
11 12(d)(2) of the Stevenson-Wydler Technology Inno-  
12 vation Act of 1980 (15 U.S.C. 3710a(d)(2)).

13           (4) The term “life-cycle assessment” means the  
14 assessment of the complete systems involved in con-  
15 verting resources to products, including materials ex-  
16 traction, materials conversion, transportation, energy  
17 use, end use, recycling, and disposal, and their asso-  
18 ciated costs and environmental impacts.

19           (5) The term “small business concern” means  
20 a United States company that is a small business  
21 concern within the meaning given such term in the  
22 Small Business Act (15 U.S.C 631 et seq.).

23           (6) The term “sustainable economic develop-  
24 ment” means the integration of environmental and  
25 economic development concerns leading to continu-

1       ous and long-term economic development with re-  
2       duced pollution and the more efficient use of energy  
3       and materials.

4               (7) The term “technology” means a product, a  
5       manufacturing process, a system, a service, or any  
6       other method by which individual or societal needs  
7       are met through technical activities.

8               (8) The term “United States company” means  
9       a company described in section 28(d)(9)(B) of the  
10      National Institute of Standards and Technology Act  
11      (15 U.S.C. 278n(d)(9)(B)).

12   **TITLE II—POLICY COORDINA-**  
13    **TION AND TECHNOLOGY PRO-**  
14    **GRAMS**

15    **Subtitle A—Policy Coordination**  
16    **and Program Planning**

17   **SEC. 201. COORDINATION OF ENVIRONMENTAL TECH-**  
18    **NOLOGY RESEARCH AND DEVELOPMENT.**

19       (a) INTERAGENCY COORDINATION.—The Director of  
20      the Office of Science and Technology Policy shall, in co-  
21      ordination with the heads of other Federal agencies that  
22      have substantial capabilities in the research, development,  
23      integration, and deployment of environmental tech-  
24      nologies, take any action necessary—

1           (1) to ensure, to the maximum extent prac-  
2           ticable, the coordinated, interagency promotion of  
3           the research, development, integration, and deploy-  
4           ment of environmental technologies; and

5           (2) to develop priorities for Federal environ-  
6           mental technology research, development, integra-  
7           tion, and deployment efforts.

8           (b) IMPLEMENTATION.—In carrying out this section,  
9           the Director of the Office of Science and Technology  
10          Policy shall—

11           (1) review current Federally funded programs,  
12           including Federal budget outlays for these programs,  
13           to determine their role in the research, development,  
14           integration, and deployment of environmental tech-  
15           nologies;

16           (2) recommend the specific responsibilities of  
17           each appropriate Federal agency to achieve the pri-  
18           orities developed under this section;

19           (3) describe the recommended levels of Federal  
20           funding required for each Federal agency to carry  
21           out the specific responsibilities recommended in  
22           paragraph (2);

23           (4) develop a means for ensuring, to the maxi-  
24           mum extent practicable, that the principles of sus-  
25           tainable economic development are integrated into

1 the research, development, and technology programs  
2 of all Federal agencies;

3 (5) ensure that the efforts of the Federal Gov-  
4 ernment are coordinated with the efforts of State  
5 and local governments and private and nonprofit or-  
6 ganizations promoting the research, development, in-  
7 tegration, and deployment of environmental tech-  
8 nologies; and

9 (6) submit to the Congress any recommenda-  
10 tions regarding legislative or administrative action,  
11 including recommendations on the roles of Federal  
12 agencies, which may be required to carry out this  
13 section.

14 (c) BUDGET COORDINATION.—The Director of the  
15 Office of Science and Technology Policy shall annually as-  
16 sess, before the President submits to the Congress the  
17 budget for a fiscal year, the budget estimate of each rel-  
18 evant Federal agency for consistency with the plans, re-  
19 views, and priorities developed under this section. The Di-  
20 rector shall make the results of the annual assessment  
21 available to the appropriate elements of the Executive Of-  
22 fice of the President, particularly the Office of Manage-  
23 ment and Budget, for use in the preparation of such  
24 budget.



1 (d) ANNUAL REVIEW AND PLAN.—The Director of  
2 the Office of Science and Technology Policy shall annually  
3 submit to the Congress a report containing an evaluation  
4 and plan that assesses the progress of Federal efforts in  
5 advancing the research, development, integration, and de-  
6 ployment of environmental technologies.

7 (e) NON-FEDERAL PARTICIPATION.—The Director of  
8 the Office of Science and Technology Policy shall establish  
9 mechanisms to ensure the participation of non-Federal en-  
10 tities, including State and local governments, United  
11 States companies, United States industrial associations  
12 and consortia, United States institutions of higher edu-  
13 cation, United States worker organizations, United States  
14 professional associations, and United States nonprofit or-  
15 ganizations, in carrying out this section, including the de-  
16 velopment of the plans, reviews, and recommendations de-  
17 veloped under this section.

18 **SEC. 202. LIFE-CYCLE ASSESSMENTS.**

19 (a) FINDINGS.—The Congress finds the following:

20 (1) Life-cycle assessments have the potential to  
21 greatly assist in achieving more environmentally  
22 sound products, processes, and services and en-  
23 hanced industrial efficiency by clarifying materials  
24 flows and energy flows and by enhancing capabilities

1 to assess these flows in the design of such products,  
2 processes, and services.

3 (2) Methods of life-cycle assessment are  
4 underused in both the public and private sectors,  
5 particularly as applied to sustainable economic devel-  
6 opment.

7 (3) The data necessary for meaningful life-cycle  
8 assessment are often difficult to acquire, and no sys-  
9 tem exists to make such data readily available to  
10 public and private groups.

11 (b) LIFE-CYCLE ASSESSMENT COORDINATION.—

12 (1) IN GENERAL.—As part of activities to co-  
13 ordinate environmental technology research, develop-  
14 ment, integration, and deployment described in sec-  
15 tion 201, the Director of the Office of Science and  
16 Technology Policy shall coordinate Federal activities  
17 and resources that are applied to life-cycle assess-  
18 ment in order to maximize the contribution of life-  
19 cycle assessments to the efficient design, develop-  
20 ment, and use of technologies, and to sustainable  
21 economic development.

22 (2) IMPLEMENTATION.—In carrying out this  
23 subsection, the Director of the Office of Science and  
24 Technology Policy shall—

1 (A) ensure that the life-cycle assessment  
2 resources of each Federal agency are developed  
3 and disseminated in a coordinated fashion, par-  
4 titioning agency responsibilities where appro-  
5 priate;

6 (B) coordinate with State and local govern-  
7 ments developing life-cycle assessment re-  
8 sources; and

9 (C) consult with appropriate private-sector  
10 organizations to take into account the life-cycle  
11 assessment capabilities of the private sector in  
12 carrying out this section.

13 (3) OTHER ACTIVITIES.—In carrying out this  
14 subsection, the Director of the Office of Science and  
15 Technology Policy shall also encourage appropriate  
16 Federal agencies—

17 (A) to collect and disseminate information  
18 regarding analytic methods (and, as required,  
19 to develop such methods) that will significantly  
20 enhance the ability of United States companies  
21 and other organizations to evaluate materials  
22 extraction, materials conversion, transportation,  
23 energy use, end use, recycling, and disposal,  
24 and their associated costs and environmental  
25 impacts;

1 (B) to utilize, to the fullest extent prac-  
2 ticable, existing networks and supporting  
3 databases which provide access to publicly avail-  
4 able information that will facilitate the use of  
5 life-cycle assessments;

6 (C) to sponsor demonstrations for public  
7 policy and business decisionmakers of the effec-  
8 tive use of life-cycle assessment data and meth-  
9 ods described in this section; and

10 (D) to ensure that private-sector life-cycle  
11 assessment capabilities are, and continue to be,  
12 fully integrated into activities under this sec-  
13 tion.

14 (3) LIMITATION.—Nothing in this section shall be  
15 considered to require the use of life-cycle assessment data  
16 or methods by any Federal agency.

17 (d) ANNUAL REVIEW.—The Director of the Office of  
18 Science and Technology Policy shall annually submit to  
19 the Congress a report containing an evaluation of the life-  
20 cycle assessment activities of the Federal Government.

21 **SEC. 203. ENVIRONMENTAL TECHNOLOGIES IN ONGOING**  
22 **PROGRAMS.**

23 (a) STEVENSON-WYDLER AMENDMENTS.—The Ste-  
24 venson-Wydler Technology Innovation Act of 1980 (15  
25 U.S.C. 3701) is amended—

1           (1) in section 2(2), by inserting “greater envi-  
2           ronmental sustainability,” after “employment oppor-  
3           tunities,”;

4           (2) in section 3(1), by inserting “for sustainable  
5           economic development” after “stimulate technology”;

6           (3) in section 4, by adding at the end the fol-  
7           lowing new paragraph:

8           “(14) ‘Sustainable economic development’  
9           means the integration of environmental and eco-  
10          nomic development concerns leading to continuous  
11          and long-term economic development with reduced  
12          pollution and the more efficient use of energy and  
13          materials;”;

14          (4) in section 6(a), by inserting “and sustain-  
15          able economic development in their regions” after  
16          “enhance the competitiveness of American busi-  
17          ness”;

18          (5) in section 6(d), by inserting “and sustain-  
19          able economic development of their regions” after  
20          “enhance the competitiveness of American busi-  
21          nesses”;

22          (6) in section 7(a), by inserting “and sustain-  
23          able economic development” after “enhance techno-  
24          logical innovation”;

1 (7) in section 7(c)(1), by striking “economic  
2 competitiveness” and inserting “sustainable eco-  
3 nomic development”;

4 (8) in section 9(a), by inserting “and sustain-  
5 able economic development” after “enhance techno-  
6 logical innovation”; and

7 (9) in section 11(c)(1) by inserting “and would  
8 enhance sustainable economic development” after  
9 “commercial applications”.

10 (b) NIST AMENDMENTS.—The National Institute of  
11 Standards and Technology Act (15 U.S.C. 271) is amend-  
12 ed—

13 (1) in section 1(b)(1), by inserting “sustainable  
14 economic development,” after “improved product re-  
15 liability and manufacturing processes,”;

16 (2) in section 1, by adding after subsection (b)  
17 the following new subsection:

18 “(c) For purposes of this section, the term ‘sustain-  
19 able economic development’ means the integration of envi-  
20 ronmental and economic development concerns leading to  
21 continuous and long-term economic development with re-  
22 duced pollution and the more efficient use of energy and  
23 materials;” and

1           (3) in section 2(b)(1), by inserting “to enhance  
2           sustainable economic development (as that term is  
3           defined in section 1(c))” after “to improve quality,”.

4           (c) NASA AMENDMENTS.—The National Aero-  
5           nautics and Space Act of 1958 (42 U.S.C. 2451 note) is  
6           amended—

7           (1) in section 102(d)—

8                   (A) by redesignating paragraphs (6), (7),  
9                   (8), and (9) as paragraphs (7), (8), (9), and  
10                  (10), respectively; and

11                  (B) by inserting after paragraph (5) the  
12                  following new paragraph:

13                  “(6) The making available to Federal and non-  
14                  Federal entities of the United States, technologies  
15                  that will enhance the sustainable economic develop-  
16                  ment of the Nation.”; and

17           (2) in section 103—

18                   (A) by striking “; and” in paragraph (1)  
19                   and inserting a semicolon;

20                   (B) by striking the period at the end of  
21                   paragraph (2) and inserting “; and”; and

22                   (C) by adding at the end the following new  
23                   paragraph:

24                  “(3) the term ‘sustainable economic develop-  
25                  ment’ means the integration of environmental and

1 economic development concerns leading to continu-  
2 ous and long-term economic development with re-  
3 duced pollution and the more efficient use of energy  
4 and materials.”.

5 (d) NSF AMENDMENTS.—

6 (1) FUNCTIONS.—Section 3(a) of the National  
7 Science Foundation Act of 1950 (42 U.S.C. 1861 et  
8 seq.) is amended—

9 (A) in paragraph (6), by striking “; and”  
10 and inserting a semicolon;

11 (B) in paragraph (7), by striking the pe-  
12 riod and inserting “; and”; and

13 (C) by adding at the end the following new  
14 paragraph:

15 “(8) to foster education and research that  
16 would promote sustainable economic development  
17 nationally and internationally.”.

18 (2) DEFINITION.—Subsection (g) of section 14  
19 of such Act is amended as follows:

20 (A) By striking “(g) For purposes of this  
21 Act, the term” and inserting the following:

22 “(g) For purposes of this Act:

23 “(1) The term”.



1 (B) By adding after paragraph (1), as des-  
2 ignated by subparagraph (A) of this paragraph,  
3 the following new paragraph:

4 “(2) The term ‘sustainable economic develop-  
5 ment’ means the integration of environmental and  
6 economic development concerns leading to continu-  
7 ous and long-term economic development with re-  
8 duced pollution and the more efficient use of energy  
9 and materials.”.

10 **Subtitle B—Environmental**  
11 **Technology Innovation Initiative**

12 **SEC. 211. ESTABLISHMENT AND ADMINISTRATION OF INI-**  
13 **TIATIVE.**

14 (a) ESTABLISHMENT.—There is established an inter-  
15 agency Environmental Technologies Innovation Initiative  
16 to promote the research, development, integration, and de-  
17 ployment of technologies that will contribute significantly  
18 to sustainable economic development. The Administrator  
19 shall administer the initiative in cooperation with the  
20 heads of other Federal agencies, including the Secretary  
21 of Commerce, the Secretary of Energy, and the Director  
22 of the National Science Foundation, that have substantial  
23 capabilities in advanced technology research and develop-  
24 ment.

1 (b) CONDUCT OF INITIATIVE PROGRAMS AND ACTIVI-  
2 TIES.—The initiative referred to in subsection (a) shall in-  
3 clude—

4 (1) the administration and award of the Presi-  
5 dent's Total Environmental Quality Award estab-  
6 lished under section 24 of the Stevenson-Wydler  
7 Technology Innovation Act of 1980 (15 U.S.C. 3701  
8 et seq.), as added by section 213, and of the Na-  
9 tional Environmentally Sound Technology Award es-  
10 tablished under section 25 of such Act, as added by  
11 section 213;

12 (2) the conduct of the Innovative Environ-  
13 mental Technology Program described in section  
14 212, the information activities described in section  
15 214, and the environmental technology demonstra-  
16 tion program described in section 215; and

17 (3) the study provided for in section 216.

18 (c) AGREEMENTS WITH OTHER AGENCIES; ASSIST-  
19 ANCE.—

20 (1) IN GENERAL.—To carry out a section re-  
21 ferred to in subsection (b)(2), the Administrator  
22 may enter into an agreement with the head of an-  
23 other Federal agency, and enter into contracts and  
24 cooperative agreements with, and award grants to,

1 entities eligible for financial assistance under that  
2 section.

3 (2) COMPETITIVE PROCESS.—The Adminis-  
4 trator (or the head of a Federal agency under an  
5 agreement under paragraph (1)) shall select propos-  
6 als for financial assistance under a section referred  
7 to in subsection (b)(2) solely through a competitive,  
8 merit-based evaluation process.

9 (3) INTEGRATION OF INDUSTRY AND OTHER  
10 VIEWS.—The Administrator (or the head of a Fed-  
11 eral agency under an agreement under paragraph  
12 (1)) shall develop mechanisms for integrating the  
13 views of representatives of industry and nonprofit  
14 and other appropriate organizations into the process  
15 by which proposals for financial assistance under a  
16 section referred to in subsection (b)(2) are evaluated  
17 and selected.

18 (d) OTHER ASSISTANCE AUTHORIZED.—The Admin-  
19 istrator, in cooperation with the heads of other appro-  
20 priate Federal agencies that have substantial capabilities  
21 in advanced technology research and development and as  
22 appropriate, may provide an entity receiving financial as-  
23 sistance under a section referred to in subsection (b)(2)  
24 with any technical and other assistance, including any  
25 equipment and facilities of Federal laboratories (including

1 the scientists and engineers at those laboratories), nec-  
2 essary to carry out such section.

3 (e) ANNUAL INTERAGENCY PLAN AND REVIEW.—

4 The Administrator, in cooperation with the heads of other  
5 appropriate Federal agencies (including the Secretary of  
6 Commerce and the Secretary of Energy), shall annually  
7 submit to the Congress a report that contains a strategic,  
8 interagency plan for the programs and activities referred  
9 to in subsection (b)(2) and an evaluation of such programs  
10 and activities, including an evaluation of the success of  
11 innovations resulting from such programs and activities.

12 (f) ADMINISTRATION.—

13 (1) IN GENERAL.—In administering the pro-  
14 grams and activities referred to in subsection (b)(2),  
15 the Administrator shall—

16 (A) monitor the manner in which any tech-  
17 nologies developed as a result of the programs  
18 and activities are used, and report periodically  
19 to the Congress on the extent of any inter-  
20 national transfer of these technologies;

21 (B) provide for appropriate dissemination  
22 of the results of any research conducted under  
23 such program and activities; and

24 (C) take any other action the Adminis-  
25 trator considers necessary to carry out the pro-

1           grams and activities and to avoid unnecessary  
2           duplication of effort by Federal agencies.

3           (2) APPLICABILITY OF OTHER LAW.—Para-  
4           graphs (5), (6), (7), (8), and (11) of section 28(d)  
5           of the National Institute of Standards and Tech-  
6           nology Act (15 U.S.C. 278n(d)) shall apply to the  
7           administration of the programs and activities re-  
8           ferred to in subsection (b)(2).

9           (3) PARTICIPATION OF SOCIALLY AND ECO-  
10          NOMICALLY DISADVANTAGED INDIVIDUALS.—In car-  
11          rying out the sections referred to in subsection  
12          (b)(2), the Administrator shall encourage the par-  
13          ticipation of socially disadvantaged individuals and  
14          economically disadvantaged individuals, as such  
15          terms are defined in paragraphs (6)(A) and (5) of  
16          section 8(a) of the Small Business Act (15 U.S.C.  
17          637(a)(6)(A),(5)), respectively, including women.

18          (g) ECONOMICALLY DEPRESSED AREAS.—The Ad-  
19          ministrators, in cooperation with the heads of other appro-  
20          priate Federal agencies, shall seek to ensure that entities  
21          eligible for assistance under a section referred to in sub-  
22          section (b)(2) and located in areas determined by the Ad-  
23          ministrators to have a depressed economy, or a significant  
24          concentration of defense-related industries, or chronically  
25          high unemployment, are notified of the assistance made

1 available under that section and, to the extent practicable,  
2 to encourage and facilitate the participation of such enti-  
3 ties in activities for which assistance is provided under  
4 that section.

5 (h) LIMITATION ON CONSTRUCTION OF FACILI-  
6 TIES.—The Administrator may not provide financial as-  
7 sistance to an entity under a section referred to in sub-  
8 section (b)(2) for the construction of facilities.

9 (i) MANAGEMENT.—The Administrator shall pre-  
10 scribe any regulations necessary to carry out each section  
11 referred to in subsection (b)(2), including regulations—

12 (1) prescribing the form, time, and manner in  
13 which proposals for financial assistance under such  
14 section shall submitted; and

15 (2) providing consideration of in-kind contribu-  
16 tions by a non-Federal Government entity participat-  
17 ing in a program or activity conducted under such  
18 section for the purpose of determining the share of  
19 the costs of participating in the program or activity  
20 that have been or are being undertaken by that  
21 entity.

22 **SEC. 212. INNOVATIVE ENVIRONMENTAL TECHNOLOGY**  
23 **PROGRAM.**

24 (a) ESTABLISHMENT.—The Administrator, in co-  
25 operation with the heads of other appropriate Federal

1 agencies (including the Secretary of Commerce and the  
2 Secretary of Energy), shall conduct an interagency innova-  
3 tive environmental technology program to develop or dem-  
4 onstrate advanced precommercial environmental tech-  
5 nologies.

6 (b) ELIGIBILITY FOR FINANCIAL ASSISTANCE.—An  
7 entity shall be eligible for financial assistance to conduct  
8 a demonstration or development project under the pro-  
9 gram established under subsection (a) only if the entity  
10 is either a single United States company or a partnership  
11 which—

12 (1) includes two or more United States compa-  
13 nies; and

14 (2) may include, as determined appropriate by  
15 the Administrator, a Federal laboratory or labora-  
16 tories, United States nonprofit organizations, United  
17 States institutions of higher education, agencies of  
18 States governments, and other entities that partici-  
19 pate in the partnership by supporting the activities  
20 conducted by such companies or corporations under  
21 this section.

22 (c) CRITERIA FOR SELECTION OF PROPOSALS.—The  
23 Administrator shall give priority consideration to the fol-  
24 lowing criteria in evaluating proposals for financial assist-  
25 ance under this section:

1           (1) Contribution to the priorities established  
2 pursuant to section 201(a)(2).

3           (2) Significant improvement in environmental  
4 soundness of the production process.

5           (3) Contribution to industrial competitiveness,  
6 including new markets, reduced production costs,  
7 and enhanced export potential.

8           (4) Improvement in the environment of the  
9 workplace.

10          (5) Applicability to other industrial processes.

11          (6) Improvement in technological capability to  
12 recycle complex combinations of materials.

13          (7) Innovative application of post-consumer ma-  
14 terials.

15          (d) AWARD CONDITIONS.—Financial assistance pro-  
16 vided under this section shall be subject to the following  
17 conditions:

18           (1) Such assistance may be made for not more  
19 than three years for single United States companies  
20 and not more than five years for partnerships.

21           (2) Except as provided in paragraph (3), the  
22 Federal Government may provide financial assist-  
23 ance to a partnership under this section in an  
24 amount that is not more than a minority share of  
25 the cost of the project conducted by the partnership.



1           (3) The Federal share of the cost of a project  
2 conducted by a partnership under this section may  
3 exceed the limitation described in paragraph (2) if—

4           (A) the partnership is composed entirely of  
5 small business concerns; or

6           (B) the Administrator determines that it  
7 would be appropriate under the circumstances  
8 and would serve the purpose of the program to  
9 provide more than a minority cost-share of the  
10 project conducted by the partnership.

11 **SEC. 213. PRESIDENT'S TOTAL ENVIRONMENTAL QUALITY**  
12 **AWARD AND THE NATIONAL ENVIRON-**  
13 **MENTALLY SOUND TECHNOLOGY AWARD.**

14 (a) FINDINGS.—The Congress finds the following:

15           (1) Award programs such as the Malcolm  
16 Baldrige National Quality Award Program have  
17 made substantial contributions to private enterprise  
18 by providing a framework upon which organizations  
19 can improve their operations and by focusing on is-  
20 sues important to their competitiveness.

21           (2) A President's Total Environmental Quality  
22 Award Program modeled on the Malcolm Baldrige  
23 National Quality Award Program would contribute  
24 to environmental quality and sustainable economic  
25 development by—

1 (A) helping to stimulate United States  
2 companies to research, develop, integrate, and  
3 deploy environmental technologies;

4 (B) recognizing the achievements of such  
5 companies which successfully research, develop,  
6 integrate, and deploy environmental tech-  
7 nologies; and

8 (C) establishing guidelines and criteria  
9 that can be used by business, industrial, gov-  
10 ernmental, and other organizations in evaluat-  
11 ing their own research, development, integra-  
12 tion, and deployment of environmental tech-  
13 nologies.

14 (b) PURPOSE.—It is the purpose of this section to  
15 provide for the establishment and conduct of a President’s  
16 Total Environmental Quality Award Program and a Na-  
17 tional Environmentally Sound Technology Award Pro-  
18 gram under which awards are given to recognize the suc-  
19 cessful research, development, integration, and deploy-  
20 ment of environmental technologies, and information is  
21 disseminated about such success.

22 (c) ESTABLISHMENT OF AWARDS.—The Stevenson-  
23 Wydler Technology Innovation Act of 1980 (15 U.S.C.  
24 3701 et seq.) is amended by inserting after section 23 the  
25 following new sections:

1 **“SEC. 24. PRESIDENT’S TOTAL ENVIRONMENTAL QUALITY**  
2 **AWARD.**

3 “(a) ESTABLISHMENT.—There is hereby established  
4 the President’s Total Environmental Quality Award (in  
5 this section referred to as the ‘Award’).

6 “(b) DESIGN.—The Award shall be evidenced by a  
7 medal bearing the inscription ‘President’s Total Environ-  
8 mental Quality Award’.

9 “(c) AWARD SELECTION PROCESS.—The Secretary,  
10 in cooperation with the Secretary of Energy and the Ad-  
11 ministrator of the Environmental Protection Agency, shall  
12 establish a process for the acceptance and evaluation of  
13 Award applicants. The Secretary shall, to the extent prac-  
14 ticable, refer to the procedures used in the administration  
15 of the Malcolm Baldrige National Quality Award, includ-  
16 ing the definition of award categories, the delegation of  
17 responsibilities, and provisions for publicity, evaluation  
18 feed-back, and information transfer, as a model for the  
19 President’s Total Environmental Quality Award.

20 “(d) PRESENTATION OF AWARD.—

21 “(1) RECOMMENDATIONS BY SECRETARY.—The  
22 Secretary shall submit to the President the rec-  
23 ommendations of the Secretary for the selection of  
24 Award applicants.

25 “(2) SELECTION BY THE PRESIDENT.—On the  
26 basis of recommendations received under paragraph

1 (1), the President shall periodically select for receipt  
2 of the Award United States companies and other or-  
3 ganizations which in the judgment of the President  
4 have substantially benefited the environmental, eco-  
5 nomic, and social well-being of the United States  
6 through the research, development, integration, and  
7 deployment of environmental technologies and the  
8 effective integration of environmental concerns into  
9 its operations and management, and which as a con-  
10 sequence are deserving of special recognition.

11 “(3) PRESENTATION CEREMONY.—The Presi-  
12 dent or the Vice President shall present the Award  
13 to recipients selected under paragraph (2) with such  
14 ceremony as the President or the Vice President  
15 considers to be appropriate.

16 “(e) LIMITATION.—The information gathered in eval-  
17 uating Award applications may be used only for the eval-  
18 uation of such applications and for publicity by winners  
19 of the Award. Such information may not be used for regu-  
20 latory or compliance purposes.

21 “(f) EVALUATION CRITERIA.—Criteria for evaluating  
22 Award applications shall include the following:

23 “(1) The effectiveness of the organization’s de-  
24 velopment and deployment of environmental tech-

1 nologies, as well as the organization's provision for  
2 environmental technologies in its future plans.

3 “(2) The effectiveness of the integration of en-  
4 vironmental concerns into the operations and man-  
5 agement of the organization;

6 “(3) The effectiveness of energy and materials  
7 use from the perspective of the life-cycle of the pro-  
8 duction, use, recycle, and disposal of a product.

9 “(4) The effective use of an integrated ap-  
10 proach to pollution prevention and control that con-  
11 sideres all environmental media (liquid, solid, gase-  
12 ous).

13 “(g) FUNDING.—The Secretary may seek and accept  
14 gifts from public and private sources to carry out this sec-  
15 tion. The Secretary may provide for the imposition of a  
16 fee upon the organizations applying for the Award.

17 “(h) REPORT.—Not later than 3 years after the date  
18 of the enactment of this Act, the Secretary shall submit  
19 to the President and the Congress a report on the progress  
20 made in carrying out this section. The report shall include  
21 any recommendations of the Secretary for any modifica-  
22 tions of the Award the Secretary considers necessary.

1 **“SEC. 25. NATIONAL ENVIRONMENTALLY SOUND TECH-**  
2 **NOLOGY AWARD.**

3 “(a) ESTABLISHMENT.—There is established a Na-  
4 tional Environmentally Sound Technology Award for the  
5 purpose of awarding individuals who have pioneered the  
6 development and use of highly innovative environmental  
7 technologies within the meaning of section 104(2) of the  
8 Environmental Technologies Act of 1994.

9 “(b) ADMINISTRATION.—Using the authority and  
10 procedures established in section 24 and subject to the  
11 conditions described in this section, the Secretary, in co-  
12 operation with the Administrator of the Environmental  
13 Protection Agency and the Secretary of Energy, shall re-  
14 ceive and evaluate applications for the National Environ-  
15 mentally Sound Technology Award and provide for presen-  
16 tation of such Award.

17 “(c) QUALIFIED TECHNOLOGIES.—Technologies that  
18 qualify for such Award may include the following:

19 “(1) Manufacturing technologies.

20 “(2) Industrial or consumer products.

21 “(3) Consumer services.

22 “(4) Recycling technologies.

23 “(5) Pollution monitoring and control tech-  
24 nologies.

25 “(d) QUALIFIED APPLICANTS.—Any citizen or per-  
26 manent resident of the United States may qualify for such

1 Award. Any such individual who is employed by or other-  
2 wise works for a business, Federal laboratory, or other or-  
3 ganization may qualify for such Award only if the individ-  
4 ual was substantially involved in the invention or innova-  
5 tion for which such Award is presented.

6 “(e) LIMITATION.—Not more than five such Awards  
7 may be presented annually.”.

8 **SEC. 214. INCORPORATION OF INFORMATION ON ENVIRON-**  
9 **MENTAL TECHNOLOGIES INTO EXISTING**  
10 **NETWORKS.**

11 (a) IN GENERAL.—Not later than one year after the  
12 date of the enactment of this Act, the Administrator,  
13 through the Office of Research and Development of the  
14 Environmental Protection Agency and in cooperation with  
15 the Under Secretary for Technology of the Department  
16 of Commerce and the heads of any other appropriate Fed-  
17 eral agencies, shall, to the maximum extent practicable,  
18 use existing information network capabilities of the Fed-  
19 eral Government to provide coordinated access to data on  
20 environmental technologies developed, tested, or verified  
21 under programs established by this Act, and by other ap-  
22 propriate Federal and non-Federal sources. Such data  
23 shall include—

24 (1) information on—

1 (A) activities carried out under this Act  
2 and the amendments made by this Act;

3 (B) performance standards regarding envi-  
4 ronmental technologies; and

5 (C) significant international developments  
6 in environmental technologies, fully coordinat-  
7 ing with other international technology informa-  
8 tion programs of the Federal Government; and  
9 (2) other information determined by the Admin-  
10 istrator to be of substantial value in promoting the  
11 research, development, integration, and deployment  
12 of environmental technologies.

13 (b) USE OF EXISTING RESOURCES.—In carrying out  
14 this section, the Administrator shall, to the maximum ex-  
15 tent practicable—

16 (1) use existing public and private sector infor-  
17 mation providers and carriers; and

18 (2) coordinate with the heads of other appro-  
19 priate Federal agencies to make data described in  
20 subsection (a) accessible through appropriate  
21 database systems of those Federal agencies.

22 (c) OUTREACH.—The Administrator shall conduct  
23 outreach efforts to advertise, deliver, and disseminate the  
24 information made available pursuant to subsection (a). As  
25 part of such efforts, the Administrator shall consult with



1 United States industrial associations and take appropriate  
2 action to ensure access to such information by industrial  
3 assistance organizations and programs supported by a  
4 State or local government, a non-profit organization in  
5 which a State or local government is a member, an institu-  
6 tion of higher education designated by a State or local gov-  
7 ernment, a manufacturing extension and outreach service  
8 or regional technical assistance service approved by the  
9 Federal Government, or a Federal laboratory.

10 **SEC. 215. USE OF FEDERAL FACILITIES FOR ENVIRON-**  
11 **MENTAL TECHNOLOGY DEMONSTRATION.**

12 (a) ESTABLISHMENT.—The Administrator shall es-  
13 tablish a program, in cooperation with the heads of appro-  
14 priate Federal agencies (including the Secretary of En-  
15 ergy, the Secretary of Commerce, and the Secretary of De-  
16 fense), to demonstrate the performance of environmental  
17 technologies at Federal laboratories and other Federal  
18 facilities.

19 (b) QUALIFYING TECHNOLOGY DEMONSTRATION  
20 PROJECTS.—Technologies that qualify for demonstration  
21 under such program include—

22 (1) environmental technologies that can be ap-  
23 plied to a major pollution control or remediation  
24 need, as determined by the Administrator, at a Fed-  
25 eral laboratory or other Federal facility;

1           (2) environmental technologies the development  
2 of which would be significantly advanced by unique  
3 facilities or capabilities of a Federal laboratory or  
4 other Federal facility; and

5           (3) other environmental technologies that the  
6 Administration considers to have significant poten-  
7 tial as an environmental technology that will contrib-  
8 ute to sustainable economic growth.

9           (c) ADMINISTRATION.—As part of the program estab-  
10 lished under this section, the Administrator—

11           (1) may enter into a cooperative agreement  
12 with any other Federal agency to make available, as  
13 appropriate, any expertise, site, or facility under the  
14 jurisdiction of such agency to an eligible entity  
15 under subsection (d) for the purpose of demonstrat-  
16 ing the performance of an environmental technology;

17           (2) shall establish application procedures for an  
18 eligible entity under subsection (d) to apply to dem-  
19 onstrate an environmental technology at an available  
20 site or facility, including—

21           (A) provisions for sharing the cost of dem-  
22 onstrating the technology with an applicant  
23 that limit the Federal share of the cost to not  
24 more than 50 percent of the total cost of dem-  
25 onstrating the technology; and

1 (B) provisions that provide special consid-  
2 eration of the needs of small business concerns;

3 (3) shall establish criteria for verification of the  
4 efficacy of demonstrated environmental technologies;

5 (4) shall establish specific procedures for the  
6 management and oversight of demonstration activi-  
7 ties conducted under this section;

8 (5) shall, pursuant to section 214 and in con-  
9 sultation and cooperation with other Federal agen-  
10 cies, make available for entities eligible under sub-  
11 section (d) information regarding—

12 (A) the facilities and expertise available at  
13 Federal laboratories that would be valuable to  
14 the demonstration of environmental tech-  
15 nologies; and

16 (B) sites at Federal laboratories or other  
17 Federal facilities potentially available for dem-  
18 onstrating environmental technologies, charac-  
19 terized by specific site characteristics, including  
20 site geology and site contaminants where appro-  
21 priate;

22 (6) shall document the performance and cost  
23 characteristics of each environmental technology  
24 demonstrated pursuant to this section; and

1           (7) shall list and disseminate, pursuant to sec-  
2           tion 214, nonproprietary information regarding the  
3           performance and cost characteristics of the environ-  
4           mental technologies demonstrated pursuant to this  
5           section.

6           (d) ENTITIES ELIGIBLE FOR PARTICIPATION.—Enti-  
7           ties eligible to carry out a demonstration project as part  
8           of the program established under subsection (a) are Unit-  
9           ed States companies (including small business concerns),  
10          United States nonprofit organizations, United States in-  
11          stitutions of higher education, and other entities that the  
12          Administrator considers appropriate.

13          (e) PROGRAM EVALUATION AND REPORTING.—In the  
14          report required by section 211(e), the Administrator shall,  
15          in cooperation with other Federal agencies and in con-  
16          sultation with United States companies and United States  
17          nonprofit organizations, evaluate the performance of the  
18          program established under this section, including an eval-  
19          uation and statement of—

20                  (1) the number of environmental technologies  
21                  demonstrated and the type of problems addressed;  
22                  and

23                  (2) the Federal and non-Federal financial re-  
24                  sources committed to the program.

1 **SEC. 216. STUDY OF FACTORS AFFECTING INNOVATION IN**  
2 **ENVIRONMENTAL TECHNOLOGIES.**

3 (a) STUDY.—The Administrator shall enter into an  
4 agreement with the National Research Council to conduct  
5 a study of the influences on technological innovation in  
6 environmental technologies of economic, governmental,  
7 and other incentives and barriers.

8 (b) REPORT.—The Administrator shall include in the  
9 agreement referred to in subsection (a) a requirement that  
10 the National Research Council complete a report describ-  
11 ing the results of the study referred to in such subsection  
12 not later than two years after the date of the enactment  
13 of this Act. The Administrator shall submit the report to  
14 the Committee on Science, Space, and Technology of the  
15 House of Representatives and the Committee on Environ-  
16 ment and Public Works of the Senate within 30 days after  
17 receiving the report from the National Research Council.

18 **Subtitle C—Other Research**  
19 **Activities**

20 **SEC. 221. ENVIRONMENTALLY ADVANCED ENGINEERING**  
21 **RESEARCH.**

22 (a) IN GENERAL.—The Director of the National  
23 Science Foundation shall take appropriate actions to sup-  
24 port research activities that will advance the integration  
25 of engineering practices and environmental protection in  
26 the development of advanced technologies.

1 (b) INTERAGENCY COOPERATION.—The Director of  
2 the National Science Foundation shall cooperate with the  
3 heads of other appropriate Federal agencies, including the  
4 Administrator, in carrying out this section.

5 (c) INTEGRATION OF INFORMATION.—The Director  
6 of the National Science Foundation shall, to the maximum  
7 extent practicable, provide for the dissemination through  
8 education activities of the Foundation and other appro-  
9 priate Federal agencies of information developed as a re-  
10 sult of the research activities referred to in subsection (a).

11 **SEC. 222. DEVELOPMENT PLAN FOR INNOVATIVE ENVIRON-**  
12 **MENTAL CONTROL AND REMEDIATION TECH-**  
13 **NOLOGIES.**

14 Not later than one year after the date of the enact-  
15 ment of this Act, the Administrator, in cooperation with  
16 the heads of other appropriate Federal agencies (including  
17 the Secretary of Energy), shall submit to the Congress a  
18 strategic plan for interagency coordination of Federal pro-  
19 grams for the timely research, development, integration,  
20 and deployment of innovative environmental control and  
21 remediation technologies.

1           **TITLE III—PERFORMANCE**  
2                           **MEASUREMENTS**

3   **SEC. 301. PERFORMANCE MEASUREMENTS FOR ENVIRON-**  
4                           **MENTAL TECHNOLOGY PRODUCTS.**

5           (a) AUTHORIZATION.—The Secretary of Commerce,  
6 through the Director of the National Institute of Stand-  
7 ards and Technology, in cooperation with the Adminis-  
8 trator and the heads of other appropriate Federal agen-  
9 cies, and in consultation with non-Federal standards orga-  
10 nizations, shall establish a program to support the clari-  
11 fication of measurements of performance—

12                   (1) for environmental technology products to  
13 clarify quality, performance, and substitutability for  
14 conventional products and for the fair evaluation of  
15 performance claims regarding environmental tech-  
16 nologies; and

17                   (2) for appropriate standard reference mate-  
18 rials.

19           (b) EXISTING NON-FEDERAL PROGRAMS.—In devel-  
20 oping the program established in subsection (a), the Direc-  
21 tor of the National Institute of Standards and Technology  
22 shall, to the maximum extent practicable, coordinate ef-  
23 forts under such program with existing non-Federal stand-  
24 ards activities that affect environmental technology prod-  
25 ucts.

1 (c) COORDINATION WITH OTHER FEDERAL AGEN-  
2 CIES.—The Secretary of Commerce, through the Director  
3 of the National Institute of Standards and Technology,  
4 shall coordinate with the heads of other appropriate Fed-  
5 eral agencies to ensure, to the maximum extent prac-  
6 ticable, the use of the best available scientific and tech-  
7 nical information in the evaluation of environmental per-  
8 formance claims by such agencies.

9 (d) GLOSSARY OF TERMS.—The Secretary of Com-  
10 merce, through the Director of the National Institute of  
11 Standards and Technology, shall work with the heads of  
12 appropriate Federal agencies and private-sector standards  
13 organizations to facilitate the development and mainte-  
14 nance of a glossary of standard definitions of terms used  
15 in the evaluation of environmental performance claims.

16 (e) INTERNATIONAL HARMONIZATION.—The Sec-  
17 retary of Commerce, through the Director of the National  
18 Institute of Standards and Technology, shall work with  
19 domestic and international standards organizations to en-  
20 sure harmonization of domestic performance measure-  
21 ments with international performance measurements.

22 **SEC. 302. VERIFICATION OF ENVIRONMENTAL TECH-**  
23 **NOLOGIES.**

24 (a) DESIGNATION OF ENTITIES TO PERFORM ENVI-  
25 RONMENTAL TECHNOLOGY VERIFICATION.—The Admin-



1 istrator may, in accordance with this section, designate en-  
2 tities to perform the functions described in subsection (b).  
3 The Administrator may enter into joint agreements with  
4 Federal agencies, State and local governments, and non-  
5 profit, private-sector representatives to support entities  
6 designated by the Administrator under this section.

7 (b) FUNCTIONS.—Each entity designated under sub-  
8 section (a) shall—

9 (1) verify and evaluate the performance and  
10 cost characteristics of environmental technologies;

11 (2) disseminate information on the characteris-  
12 tics referred to in paragraph (1), including informa-  
13 tion that describes whether each environmental tech-  
14 nology evaluated and verified—

15 (A) meets the performance criteria of ap-  
16 plicable law (including regulations issued by the  
17 Administrator) under tested conditions at com-  
18 parable or lower costs than other existing envi-  
19 ronmental technologies; and

20 (B) constitutes a significant advance in the  
21 development of environmental technologies with  
22 broad applicability; and

23 (3) submit to the Administrator data and other  
24 information compiled by the entity with respect to

1 each environmental technology verified and evaluated  
2 by the entity under this section.

3 (c) REVIEW BY ADMINISTRATOR.—After receiving  
4 data and other information from an entity designated  
5 under subsection (a) with respect to an environmental  
6 technology under subsection (b)(4), the Administrator  
7 shall conduct appropriate review of the data, other infor-  
8 mation, and protocols developed by such entity with re-  
9 spect to such technology.

10 (d) ADMINISTRATION.—In carrying out this section,  
11 the Administrator shall—

12 (1) establish procedures for soliciting applica-  
13 tions for and selecting, pursuant to criteria referred  
14 to in subsection (e), entities to perform functions de-  
15 scribed in subsection (b) and, as appropriate, des-  
16 ignate model entities;

17 (2) establish eligibility criteria for entities to be  
18 designated under this section;

19 (3) in cooperation with the heads of other ap-  
20 propriate Federal agencies, including the Director of  
21 the National Institute of Standards and Technology,  
22 certify, and as appropriate develop, common proto-  
23 cols to evaluate the cost and performance of environ-  
24 mental technologies;

1           (4) ensure that information regarding environ-  
2           mental technologies verified and evaluated under this  
3           program is disseminated pursuant to section 214;

4           (5) develop mechanisms to facilitate the ver-  
5           ification of—

6                   (A) environmental technologies developed  
7                   or demonstrated by small business concerns,  
8                   nonprofit organizations, and United States in-  
9                   stitutions of higher education; and

10                   (B) environmental technologies that pro-  
11                   vide source reduction; and

12           (6) consult with the heads of other Federal  
13           agencies to make available, through cooperative  
14           agreements with the entities designated under this  
15           section, sources and expertise of Federal laboratories  
16           for use by such entities in performing the functions  
17           described in subsection (b).

18           (e) SELECTION CRITERIA.—The Administrator, in  
19           consultation with the heads of other Federal agencies,  
20           State and local governments, and private sector organiza-  
21           tions, shall select entities under this section based on the  
22           following criteria:

23                   (1) The capabilities of the applicant to provide  
24                   a thorough and credible technical and financial eval-  
25                   uation of environmental technologies.

1           (2) The clarity and efficiency of the proposed  
2           procedures for the receipt and review of applications  
3           for technology verification.

4           (3) The likelihood of the continued viability of  
5           the entity.

6           (4) The existence of a plan for disseminating  
7           nonproprietary information regarding technologies  
8           verified by the entity.

9           (5) Other criteria that the Administrator con-  
10          siders appropriate.

11          (f) MERIT-BASED SELECTION PROCESS.—Entities  
12          supported under this section shall be selected only through  
13          a merit-based selection process, established by the Admin-  
14          istrator, pursuant to the criteria described in subsection  
15          (e).

16          (g) AUTHORITY OF ADMINISTRATOR.—The Adminis-  
17          trator may enter into cooperative agreements and con-  
18          tracts to carry out this section.

19          (h) DIRECT VERIFICATION.—If the Administrator  
20          determines that entities designated under this section can-  
21          not adequately verify the performance of environmental  
22          technologies because of scale or complexity, the Adminis-  
23          trator may enter into direct agreements to verify the per-  
24          formance of such technologies.

25          (i) REVIEW.—

1           (1) IN GENERAL.—Any action by the Adminis-  
2           trator to verify or evaluate a technology (or to re-  
3           view a verification or evaluation) under this section  
4           shall not constitute a final action by the Adminis-  
5           trator and shall not be subject to judicial review.

6           (2) FAILURE TO COMPLY.—If a technology veri-  
7           fied, evaluated, or reviewed pursuant to this section  
8           fails to comply with any applicable law (including  
9           regulations issued by the Administrator), the ver-  
10          ification, evaluation, or confirmation shall not con-  
11          stitute a defense in an enforcement action or suit  
12          and shall not create a cause of action against the  
13          Environmental Protection Agency.

14 **SEC. 303. USE OF ENVIRONMENTAL TECHNOLOGY PROD-**  
15 **UCTS BY THE FEDERAL GOVERNMENT.**

16          (a) ESTABLISHMENT.—The President shall establish  
17          a program for evaluating and approving the purchase by  
18          the Federal Government of environmental technology  
19          products. The President shall consider performance stand-  
20          ards that clarify the substitutability of environmental  
21          technology products for conventional products to establish  
22          a priority list of environmental technology products for ap-  
23          proval for purchase under the program and implement a  
24          plan for the procurement of such products.

1 (b) REPORT.—Within one year after the date of the  
2 enactment of this Act and annually thereafter, the Presi-  
3 dent shall submit to the Congress a report describing the  
4 progress made in carrying out this section and plans for  
5 carrying out this section for the three years immediately  
6 following the year in which the report is submitted.

7 **TITLE IV—AUTHORIZATION OF**  
8 **APPROPRIATIONS**

9 **SEC. 401. AUTHORIZATION OF APPROPRIATIONS.**

10 (a) IN GENERAL.—Except as provided in subsection  
11 (b), there is hereby authorized to be appropriated for fiscal  
12 years 1995 and 1996 such sums as may be necessary to  
13 carry out this Act and the amendments made by this Act.

14 (b) ENVIRONMENTAL TECHNOLOGIES INNOVATION  
15 INITIATIVE.—There is hereby authorized to be appro-  
16 priated to carry out the Environmental Technologies Inno-  
17 vation Initiative established in subtitle B of title II the  
18 following:

19 (1) For fiscal year 1995, \$80,000,000, of which  
20 \$500,000 is authorized to be appropriated for the  
21 President's Total Environmental Quality Award es-  
22 tablished in section 213 for fiscal year 1995 and  
23 \$700,000 is authorized to be appropriated for the  
24 study referred to in section 216.

1           (2) For fiscal year 1996, \$120,000,000, of  
2           which \$1,500,000 is authorized to be appropriated  
3           for the President's Total Environmental Quality  
4           Award established in section 213.

○

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