

105TH CONGRESS
1ST SESSION

H.R. 1276

To authorize appropriations for fiscal years 1998 and 1999 for the research, development, and demonstration activities of the Environmental Protection Agency, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. CALVERT introduced the following bill; which was referred to the Committee on Science

A BILL

To authorize appropriations for fiscal years 1998 and 1999 for the research, development, and demonstration activities of the Environmental Protection Agency, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Environmental Re-
5 search, Development, and Demonstration Authorization
6 Act of 1997”.

7 **SEC. 2. DEFINITIONS.**

8 For the purposes of this Act, the term—

1 (1) “Administrator” means the Administrator
2 of the Environmental Protection Agency;

3 (2) “Agency” means the Environmental Protec-
4 tion Agency; and

5 (3) “Assistant Administrator” means the As-
6 sistant Administrator for Research and Development
7 of the Agency.

8 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

9 (a) IN GENERAL.—There are authorized to be appro-
10 priated to the Administrator \$595,695,500 for fiscal year
11 1998 and \$612,876,100 for fiscal year 1999 for Science
12 and Technology activities, including program management
13 and support, in the areas specified in subsection (b).

14 (b) SPECIFIC PROGRAMS AND ACTIVITIES.—Of the
15 amounts authorized in subsection (a), there are authorized
16 to be appropriated the following:

17 (1) For administration and resource manage-
18 ment, \$227,700 for fiscal year 1998 and \$234,500
19 for fiscal year 1999.

20 (2) For research in the Office of Air and Radi-
21 ation, \$65,490,700 for fiscal year 1998 and
22 \$67,455,400 for fiscal year 1999, of which—

23 (A) \$43,183,300 for fiscal year 1998 and
24 \$44,478,800 for fiscal year 1999 shall be avail-

1 able for ozone, carbon monoxide, and nitrogen
2 oxides research;

3 (B) \$6,741,200 for fiscal year 1998 and
4 \$6,943,400 for fiscal year 1999 shall be avail-
5 able for particulate matter, visibility, and haze
6 research;

7 (C) \$4,249,200 for fiscal year 1998 and
8 \$4,376,700 for fiscal year 1999 shall be avail-
9 able for air toxics research;

10 (D) \$4,000,000 for fiscal year 1998 and
11 \$4,120,000 for fiscal year 1999 shall be avail-
12 able for acid rain research;

13 (E) \$2,389,900 for fiscal year 1998 and
14 \$2,461,600 for fiscal year 1999 shall be avail-
15 able for indoor environment research;

16 (F) \$4,147,100 for fiscal year 1998 and
17 \$4,271,500 for fiscal year 1999 shall be avail-
18 able for radiation research; and

19 (G) \$780,000 for fiscal year 1998 and
20 \$803,400 for fiscal year 1999 shall be available
21 for the working capital fund to support the Na-
22 tional Vehicle and Fuel Emissions Laboratory
23 in Ann Arbor, Michigan, the National Air and
24 Radiation Environmental Laboratory in Mont-
25 gomery, Alabama, and the Radiation and In-

1 door Environments National Laboratory in Las
2 Vegas, Nevada.

3 (3) For enforcement and compliance assurance
4 at the National Enforcement Investigation Center,
5 \$8,893,100 for fiscal year 1998 and \$9,159,900 for
6 fiscal year 1999.

7 (4) For prevention, pesticides, and toxic sub-
8 stances, \$3,436,000 for fiscal year 1998 and
9 \$3,539,100 for fiscal year 1999, of which—

10 (A) \$1,546,200 for fiscal year 1998 and
11 \$1,592,600 for fiscal year 1999 shall be avail-
12 able for registration activities; and

13 (B) \$1,889,800 for fiscal year 1998 and
14 \$1,946,500 for fiscal year 1999 shall be avail-
15 able for reregistration activities.

16 (5) For the Office of Research and Develop-
17 ment, \$515,902,200 for fiscal year 1998 and
18 \$530,696,200 for fiscal year 1999, of which—

19 (A) \$105,457,900 for fiscal year 1998 and
20 \$108,621,600 for fiscal year 1999 shall be
21 available for ecosystem protection research;

22 (B) \$14,138,600 for fiscal year 1998 and
23 \$14,562,800 for fiscal year 1999 shall be avail-
24 able for global change research;

1 (C) \$19,871,100 for fiscal year 1998 and
2 \$20,467,200 for fiscal year 1999 shall be avail-
3 able for air toxics research;

4 (D) \$75,163,100 for fiscal year 1998 and
5 \$77,418,000 for fiscal year 1999 shall be avail-
6 able for criteria air pollutants research, includ-
7 ing—

8 (i) \$50,000,000 for fiscal year 1998
9 and \$51,500,000 for fiscal year 1999 for
10 particulate matter research; and

11 (ii) \$18,700,000 for fiscal year 1998
12 and \$19,260,000 for fiscal year 1999 for
13 ozone research, including study of the
14 transportation of ozone and ozone precur-
15 sors on a national scale;

16 (E) \$39,467,600 for fiscal year 1998 and
17 \$40,651,600 for fiscal year 1999 shall be avail-
18 able for drinking water research;

19 (F) \$3,344,800 for fiscal year 1998 and
20 \$3,445,100 for fiscal year 1999 shall be avail-
21 able for waste, site, and risk characterization
22 research;

23 (G) \$5,448,900 for fiscal year 1998 and
24 \$5,612,400 for fiscal year 1999 shall be avail-

1 able for waste management and site remedi-
2 ation research;

3 (H) \$53,626,000 for fiscal year 1998 and
4 \$55,234,800 for fiscal year 1999 shall be avail-
5 able for human health protection research;

6 (I) \$15,872,900 for fiscal year 1998 and
7 \$16,349,100 for fiscal year 1999 shall be avail-
8 able for special environmental hazards research;

9 (J) \$42,036,000 for fiscal year 1998 and
10 \$43,297,100 for fiscal year 1999 shall be avail-
11 able for new technology and pollution preven-
12 tion research; and

13 (K) \$141,482,300 for fiscal year 1998 and
14 \$145,036,500 for fiscal year 1999 shall be
15 available for science quality and infrastructure
16 research.

17 (6) For the Drinking Water Technical Support
18 Center, \$1,738,800 for fiscal year 1998 and
19 \$1,791,000 for fiscal year 1999.

20 (c) ADDITIONAL AUTHORIZATIONS.—There are au-
21 thorized to be appropriated to the Administrator—

22 (1) for oil pollution related research,
23 \$1,017,200 for fiscal year 1998 and \$1,047,700 for
24 fiscal year 1999;

1 (2) for research related to leaking underground
2 storage tanks, \$693,600 for fiscal year 1998 and
3 \$714,400 for fiscal year 1999; and

4 (3) for research related to the Comprehensive
5 Environmental Response, Compensation, and Liabil-
6 ity Act of 1980, \$39,755,900 for fiscal year 1998
7 and \$40,948,600 for fiscal year 1999.

8 (d) LIMITATIONS.—(1) No funds are authorized to
9 be appropriated by this Act for—

10 (A) the Environmental Technology Initiative;

11 (B) the Climate Change Action Plan; or

12 (C) Indoor Air Research.

13 (2) Other than amounts awarded through a competi-
14 tive process, no funds are authorized to be appropriated
15 by this Act for—

16 (A) the North Dakota Center for Air Toxic
17 Metals Research;

18 (B) the American Water Works Association Re-
19 search Foundation;

20 (C) the Association of California Water Agen-
21 cies;

22 (D) the Water Environmental Research Foun-
23 dation;

24 (E) the Experimental Program to Stimulate
25 Cooperative Research (EPSCoR);

- 1 (F) Oil Spill Restoration at the Louisiana Envi-
2 ronmental Research Center;
- 3 (G) the Mine Waste Technology Program;
- 4 (H) Livestock and Agriculture Pollution Abate-
5 ment;
- 6 (I) Resource and Agriculture Policy Develop-
7 ment;
- 8 (J) San Joaquin Valley PM-10 Study;
- 9 (K) the Mickey Leland National Urban Air
10 Toxics Research Center;
- 11 (L) the Gulf Coast Hazardous Substances Re-
12 search Center;
- 13 (M) the Salinity of the Salton Sea Study at the
14 University of Redlands;
- 15 (N) the Clean Air Status and Trends Network
16 (CASNET) monitoring station in New England;
- 17 (O) the National Decentralized Water Re-
18 sources Capacity Project;
- 19 (P) the Lung Disease Study by the National
20 Jewish Center;
- 21 (Q) the Lower Mississippi River Cancer Study;
- 22 or
- 23 (R) the Northern Iowa Small Business Pollu-
24 tion Prevention Center.

1 **SEC. 4. SCIENTIFIC RESEARCH REVIEW.**

2 (a) IN GENERAL.—The Administrator shall assign to
3 the Assistant Administrator the duties of—

4 (1) developing a strategic plan for scientific and
5 technical research activities throughout the Agency;

6 (2) integrating that strategic plan into ongoing
7 Agency planning activities; and

8 (3) reviewing all Agency research to ensure the
9 research—

10 (A) is of high quality; and

11 (B) does not duplicate any other research
12 being conducted by the Agency.

13 (b) REPORT.—The Assistant Administrator shall
14 transmit annually to the Administrator and to the Com-
15 mittee on Science of the House of Representatives and the
16 Committee on Environment and Public Works of the Sen-
17 ate a report detailing—

18 (1) all Agency research the Assistant Adminis-
19 trator finds is not of sufficiently high quality; and

20 (2) all Agency research the Assistant Adminis-
21 trator finds duplicates other Agency research.

22 **SEC. 5. GRADUATE STUDENT FELLOWSHIPS.**

23 In carrying out the graduate student fellowship pro-
24 gram for which funds are authorized to be appropriated
25 by this Act, the Administrator shall ensure that any fel-
26 lowship award to a student selected after the date of the

1 enactment of this Act is used only to support scientific
2 research that would further missions of the Office of Re-
3 search and Development in fields in which there exists or
4 is projected to exist a shortage in the number of scientists.

5 **SEC. 6. SCIENCE ADVISORY BOARD.**

6 (a) ANNUAL REPORT.—The Science Advisory Board
7 shall submit to Congress and to the Administrator an an-
8 nual report that contains the views of the Science Advisory
9 Board on proposed research programs as described in the
10 President’s budget for research, development, and dem-
11 onstration activities at the Environmental Protection
12 Agency. Such report shall be submitted to Congress as
13 soon as practicable after the submission of the President’s
14 budget to Congress. The Administrator shall cooperate
15 with the Director of the Science Advisory Board, particu-
16 larly with respect to the timely provision of budget infor-
17 mation to the Science Advisory Board, to allow the Science
18 Advisory Board to carry out its duties under this sub-
19 section.

20 (b) EVALUATION.—The Science Advisory Board shall
21 conduct periodic evaluations of selected areas of the cur-
22 rent and planned research, development, and demonstra-
23 tion activities of the Environmental Protection Agency.
24 The areas of evaluation shall be selected by the Science
25 Advisory Board in consultation with the Administrator,

1 the Office of Research and Development, other Agency
2 programs, and appropriate committees of the Congress.
3 Reports containing the Science Advisory Board's evalua-
4 tions and recommendations shall be filed with such com-
5 mittees and the Administrator. The Administrator shall
6 provide to such committees a written response to the
7 Science Advisory Board's evaluation and recommendations
8 within 60 days after the Science Advisory Board's report
9 has been submitted.

10 (c) REVIEW OF CERTAIN RESEARCH ACTIVITIES.—

11 The Science Advisory Board shall annually review the re-
12 search activities of the Environmental Protection Agency
13 and shall include the results of such review in the annual
14 report required by subsection (a).

15 (d) SUBMISSION TO CONGRESS.—The Administrator

16 shall submit to the Congress any report required by law
17 to be submitted to the Administrator by the Science Advi-
18 sory Board. The Administrator shall make any such sub-
19 mission not later than 60 days after the Administrator
20 receives the report from the Science Advisory Board.

21 (e) AUTHORIZATION.—There are authorized to be ap-

22 propriated to the Administrator \$2,418,300 for fiscal year
23 1998 and \$2,490,800 for fiscal year 1999 for activities
24 of the Science Advisory Board.

1 **SEC. 7. LIMITATIONS.**

2 (a) PROHIBITION OF LOBBYING ACTIVITIES.—None
3 of the funds authorized by this Act shall be available for
4 any activity whose purpose is to influence legislation pend-
5 ing before the Congress, except that this subsection shall
6 not prevent officers or employees of the United States or
7 of its departments or agencies from communicating to
8 Members of Congress on the request of any Member or
9 to Congress, through the proper channels, requests for leg-
10 islation or appropriations which they deem necessary for
11 the efficient conduct of the public business.

12 (b) LIMITATION ON APPROPRIATIONS.—Notwith-
13 standing any other provision of law, no sums are author-
14 ized to be appropriated for fiscal years 1998 and 1999
15 for the activities for which sums are authorized by this
16 Act, unless such sums are specifically authorized to be ap-
17 propriated by this Act.

18 (c) ELIGIBILITY FOR AWARDS.—

19 (1) IN GENERAL.—The Administrator shall ex-
20 clude from consideration for grant agreements made
21 by the Agency after fiscal year 1997 any person who
22 received funds, other than those described in para-
23 graph (2), appropriated for a fiscal year after fiscal
24 year 1997, under a grant agreement from any Fed-
25 eral funding source for a project that was not sub-
26 jected to a competitive, merit-based award process.

1 Any exclusion from consideration pursuant to this
2 subsection shall be effective for a period of 5 years
3 after the person receives such Federal funds.

4 (2) EXCEPTION.—Paragraph (1) shall not
5 apply to the receipt of Federal funds by a person
6 due to the membership of that person in a class
7 specified by law for which assistance is awarded to
8 members of the class according to a formula pro-
9 vided by law.

10 (3) DEFINITION.—For purposes of this sub-
11 section, the term “grant agreement” means a legal
12 instrument whose principal purpose is to transfer a
13 thing of value to the recipient to carry out a public
14 purpose of support or stimulation authorized by a
15 law of the United States, and does not include the
16 acquisition (by purchase, lease, or barter) of prop-
17 erty or services for the direct benefit or use of the
18 United States Government.

19 **SEC. 8. NOTICE.**

20 (a) NOTICE OF REPROGRAMMING.—If any funds au-
21 thorized by this Act are subject to a reprogramming action
22 that requires notice to be provided to the Appropriations
23 Committees of the House of Representatives and the Sen-
24 ate, notice of such action shall concurrently be provided
25 to the Committees on Science, Commerce, and Transpor-

1 tation and Infrastructure of the House of Representatives
2 and the Committee on Environment and Public Works of
3 the Senate.

4 (b) NOTICE OF REORGANIZATION.—The Adminis-
5 trator shall provide notice to the Committees on Science,
6 Commerce, Transportation and Infrastructure, and Ap-
7 propriations of the House of Representatives, and the
8 Committees on Environment and Public Works and Ap-
9 propriations of the Senate, not later than 15 days before
10 any major reorganization of any program, project, or ac-
11 tivity of the Agency.

12 **SEC. 9. SENSE OF CONGRESS ON THE YEAR 2000 PROBLEM.**

13 With the year 2000 fast approaching, it is the sense
14 of Congress that the Environmental Protection Agency
15 should—

16 (1) give high priority to correcting all 2-digit
17 date-related problems in its computer systems to en-
18 sure that those systems continue to operate effec-
19 tively in the year 2000 and beyond;

20 (2) assess immediately the extent of the risk to
21 the operations of the Environmental Protection
22 Agency posed by the problems referred to in para-
23 graph (1), and plan and budget for achieving Year
24 2000 compliance for all of its mission-critical sys-
25 tems; and

- 1 (3) develop contingency plans for those systems
- 2 that the Environmental Protection Agency is unable
- 3 to correct in time.

○