

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1830

To encourage foreign governments to adopt and enforce –environmental pollution control standards to safeguard local environments from damaging industrial practices.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 22, 1993

Mr. MICA introduced the following bill; which was referred jointly to the Committees on Foreign Affairs and Banking, Finance and Urban Affairs

---

## A BILL

To encourage foreign governments to adopt and enforce –environmental pollution control standards to safeguard local environments from damaging industrial practices.

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 “Global Environmental  
5 Cleanup Act”.

6       **SEC. 2. FINDINGS.**

7       The Congress finds that—

8               (1) the lack of environmental pollution controls  
9       in foreign countries provides a huge cost savings for

1 foreign manufacturers and agricultural producers,  
2 which provide them with an unfair competitive ad-  
3 vantage in the global marketplace;

4 (2) air and water pollution, including pollution  
5 of the oceans, by foreign countries is a direct threat  
6 to United States citizens and undermines United  
7 States environmental efforts;

8 (3) the United States is the largest export mar-  
9 ket for the worst international polluters; and

10 (4) a Global Cleanup Fund that takes a portion  
11 of the foreign assistance funds allocated to each for-  
12 eign country with pollution control standards less  
13 stringent than those of the United States and uses  
14 those funds to make loans to that country in order  
15 to finance the purchase of pollution control equip-  
16 ment and services from the United States—

17 (A) would not impose additional costs on  
18 United States taxpayers,

19 (B) would result in increased employment  
20 in the United States, and

21 (C) would promote international environ-  
22 mental efforts by establishing environmental re-  
23 sponsibility as a clear United States foreign pol-  
24 icy priority.

1 **SEC. 3. ANNUAL COUNTRY REPORTS ON POLLUTION PRE-**  
2 **VENTION PRACTICES.**

3 (a) REQUIREMENT FOR REPORTS.—The Secretary of  
4 State shall prepare a detailed annual report regarding the  
5 environmental protection requirements of each foreign  
6 country with respect to air quality, water quality, and dis-  
7 posal of hazardous and solid wastes. For each foreign  
8 country, each such report shall—

9 (1) describe the air quality, water quality, and  
10 hazardous and solid waste disposal conditions in  
11 that country;

12 (2) describe the laws, policies, and practices of  
13 the government of that country with respect to air  
14 quality, water quality, and hazardous and solid  
15 waste disposal; and

16 (3) include a determination by the Secretary of  
17 State, made after consultation with Administrator of  
18 the Environmental Protection Agency, of whether  
19 those laws, policies, and practices are adequately en-  
20 forced to protect the local environment from damag-  
21 ing industrial practices.

22 (b) USE OF REPORTS.—Not later than January 31  
23 each year, the Secretary of State shall submit a copy of  
24 the report required by subsection (a) to—

25 (1) the Congress;

1           (2) the United States Trade Representative,  
2           who shall consider the information and determina-  
3           tions contained in such report in carrying out trade  
4           negotiations; and

5           (3) the head of each agency of the United  
6           States Government that is involved in foreign assist-  
7           ance programs, who shall consider the information  
8           and determinations contained in such report in  
9           determining which countries will receive foreign  
10          assistance.

11 **SEC. 4. GLOBAL CLEANUP FUND.**

12          (a) COUNTRIES TO WHICH SECTION APPLIES.—This  
13          section applies with respect to any country for which Unit-  
14          ed States foreign assistance funds are allocated for a fiscal  
15          year unless the Secretary of State, after consultation with  
16          Administrator of the Environmental Protection Agency,  
17          determines that that country, through its laws, policies,  
18          and practices, assures compliance with pollution control  
19          standards with respect to air quality, water quality, and  
20          disposal of hazardous and solid wastes and promotes the  
21          protection of the local environment from damaging indus-  
22          trial practices.

23          (b) USE OF FOREIGN ASSISTANCE FUNDS TO FI-  
24          NANCE THE ACQUISITION OF UNITED STATES ENVIRON-  
25          MENTAL PROTECTION GOODS AND SERVICES.—Notwith-

1 standing any other provision of law, the President shall  
2 use 20 percent of the aggregate amount of foreign assist-  
3 ance funds allocated each fiscal year for a country de-  
4 scribed in subsection (a)—

5           (1) to make loans to the government of that  
6 country, on such terms and conditions as the Presi-  
7 dent determines, to enable it to purchase United  
8 States pollution control products and services; and

9           (2) for administrative expenses in carrying out  
10 this section.

11       (c) ANNUAL REPORT TO CONGRESS.—Each year, the  
12 President shall submit to the Committee on Government  
13 Operations of the House of Representatives and the Com-  
14 mittee on Governmental Affairs of the Senate a report  
15 with respect to implementation of this section during the  
16 preceding fiscal year. Each such report—

17           (1) shall set forth the amount made available  
18 for loans to each country under this section;

19           (2) shall describe the loans made;

20           (3) shall describe the use of United States pol-  
21 lution control products and services purchased by  
22 each such country as a result of loans; and

23           (4) shall describe the status of pollution control  
24 efforts in each such country.

1 **SEC. 5. INTERNATIONAL FINANCIAL INSTITUTION LOANS**  
2 **TO COUNTRIES THAT DO NOT ENFORCE ENVI-**  
3 **RONMENTAL STANDARDS TO PROTECT**  
4 **LOCAL ENVIRONMENTS FROM DAMAGING IN-**  
5 **DUSTRIAL PRACTICES.**

6 (a) The Secretary of the Treasury shall instruct the  
7 United States Executive Director of each international fi-  
8 nancial institution to use the voice and vote of the United  
9 States to oppose any proposed lending by that institution  
10 unless the Secretary of State, after consultation with the  
11 Administrator of the Environmental Protection Agency,  
12 determines that—

13 (1) the borrowing country, through its laws,  
14 policies, and practices, adequately and constructively  
15 assures compliance with pollution control standards  
16 with respect to air quality, water quality, and dis-  
17 posal of hazardous and solid wastes that will protect  
18 local environments from damaging industrial prac-  
19 tices; or

20 (2) the lending will support an industrial  
21 project or program that—

22 (A) has the potential to adversely affect air  
23 quality or water quality or will involve hazard-  
24 ous or solid wastes, but

25 (B) is designed to protect the local envi-  
26 ronment from damaging industrial practices.

1 **SEC. 6. DEFINITIONS.**

2 As used in this Act—

3 (1) the term “foreign assistance” means assist-  
4 ance under the Foreign Assistance Act of 1961 or  
5 section 23 of the Arms Export Control Act; and

6 (2) the term “international financial institu-  
7 tion” includes the International Monetary Fund, the  
8 International Bank for Reconstruction and Develop-  
9 ment, the International Development Association,  
10 the International Finance Corporation, and each re-  
11 gional multilateral development bank in which the  
12 United States participates.

○