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H. R. 2918

To establish a National Institute for the Environment, to improve the scientific basis for decision-making on environmental issues, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. BROWN of California (for himself, Mr. SAXTON, Ms. ESHOO, Mr. PORTER, Mr. HUGHES, Mr. GOSS, Mr. HEFNER, Mr. DELLUMS, Mr. OLVER, Mr. RAVENEL, Ms. VELÁZQUEZ, Mr. SERRANO, Mr. GUTIERREZ, Mr. GILLMOR, Mr. PALLONE, Mr. NEAL of North Carolina, Mr. SANDERS, Mr. REYNOLDS, Mr. RUSH, Mr. LIPINSKI, Mr. PAYNE of New Jersey, Mr. ACKERMAN, Mr. VENTO, Mr. KLEIN, Mrs. MORELLA, Mr. BECERRA, Ms. NORTON, Mr. DEUTSCH, Mr. GALLO, Mr. THOMPSON of Mississippi, Mr. HASTINGS, Mr. WELDON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VISCLOSKY, Ms. WATERS, Mr. MARKEY, Mr. McDERMOTT, Mr. MACHTLEY, Mr. WASHINGTON, and Ms. MOLINARI) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To establish a National Institute for the Environment, to improve the scientific basis for decision-making on environmental issues, 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 Institute for
3 the Environment Act”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

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

6 (1) An appropriate scientific understanding of
7 the diverse physical, biological, engineering, social,
8 and economic issues that underlie the environmental
9 problems facing the United States is essential to
10 finding environmentally and economically sound so-
11 lutions to such problems.

12 (2) While more than a dozen Federal agencies
13 support environmental research and gather environ-
14 mental information, there is not a lead Federal
15 agency for environmental research and information.

16 (3) The current approach of the Federal Gov-
17 ernment to developing a scientific understanding of
18 environmental problems, and of applying that under-
19 standing to the problems, lacks coherence and often
20 fails to provide information vital to finding sound so-
21 lutions to such problems.

22 (4) The United States needs to improve the sci-
23 entific basis for decision-making by Federal, State,
24 and local governments, and private-sector entities,
25 on environmental issues.

1 (5) Many environmental issues that will seri-
2 ously affect the United States in the future are not
3 adequately studied in existing Federal environmental
4 research programs.

5 (6) Existing Federal environmental research
6 programs often do not provide adequate information
7 to enable Federal, State, and local governments, and
8 private-sector entities, to engage in well-informed de-
9 cision-making on environmental and related issues.

10 (7) Existing Federal environmental research
11 programs do not adequately address, link, and inte-
12 grate research in different disciplinary, interdiscipli-
13 nary, and multidisciplinary environmental sciences.

14 (8) Ongoing study and communication of the
15 existing knowledge about environmental issues, in-
16 cluding the assessment of the significance of such
17 knowledge, are needed to strengthen the weak link
18 between scientific knowledge and decision-making on
19 environmental issues.

20 (9) Easy and effective access, including access
21 by the scientific community, to the many rapidly
22 growing sources of environmental information would
23 improve the effectiveness of research on, and com-
24 munication about, environmental issues.

1 sions associated with environmental issues) by initi-
2 ating and supporting credible, extramural, problem-
3 focused, peer-reviewed basic and applied scientific
4 environmental research and other disciplinary, multi-
5 disciplinary, and interdisciplinary environmental pro-
6 grams. The support of research and programs under
7 this paragraph may include the provision of financial
8 assistance pursuant to section 8, including grants,
9 contracts, and cooperative agreements.

10 (2) To assist decision-making on environmental
11 issues by providing on-going, comprehensive assess-
12 ments of existing knowledge of environmental issues.
13 The performance of assessments under this para-
14 graph shall include the following:

15 (A) Summarizing the state of such knowl-
16 edge.

17 (B) Assessing the implications of such
18 knowledge.

19 (C) Identifying additional research that
20 will provide information needed for decision-
21 making by Federal, State, and local govern-
22 ments, and private-sector entities, on environ-
23 mental issues.

24 (D) Analyzing constraints which may af-
25 fect the conduct of research described in sub-

1 paragraph (C), including the existence of lim-
2 ited technological, human, and economic re-
3 sources.

4 (E) Communicating the results of assess-
5 ments under this paragraph to relevant Fed-
6 eral, State, and local government
7 decisionmakers and the public.

8 (3) To serve as the foremost provider and
9 facilitator in the United States of access to current
10 and easy-to-use scientific and technical information
11 about the environment. The provision and facilita-
12 tion of access to information under this paragraph
13 shall include the following:

14 (A) Providing and facilitating access to
15 credible environmental information (including
16 scientific and technological results of environ-
17 mental research) for relevant Federal, State,
18 and local government decisionmakers, policy an-
19 alysts, researchers, resource managers, edu-
20 cators, information professionals (including
21 computer and telecommunications specialists),
22 and the general public.

23 (B) Establishing an electronic network
24 that—

1 (i) uses existing telecommunications
2 infrastructures to provide single-point ac-
3 cess to environmental information; and

4 (ii) includes existing collections of en-
5 vironmental information, such as libraries,
6 specialized information centers, data and
7 statistical centers, and government and
8 private sector repositories of regional,
9 event-driven, or ecosystem information.

10 (C) Identifying and encouraging the effec-
11 tive application of state-of-the-art information
12 technologies to promote the availability and use
13 of, and access to, environmental knowledge.

14 (D) Providing long-term stewardship of the
15 environmental information resources of the
16 United States, including efforts to ensure the
17 continued usefulness of such resources, through
18 the promotion and development of policies and
19 standards for providing access to environmental
20 information, and through the support of rel-
21 evant research and development.

22 (4) To sponsor higher education and training in
23 environmental fields in order to contribute to a
24 greater public understanding of the environment and
25 to ensure that the United States has a core of sci-

1 entifically educated and trained personnel who pos-
2 sess skills to meet the environmental needs of the
3 United States. The sponsorship of education and
4 training under this paragraph shall include the
5 following:

6 (A) Awarding scholarships, traineeships,
7 and graduate fellowships at appropriate non-
8 profit institutions of the United States for
9 study and research in natural and social
10 sciences and engineering related to the environ-
11 ment.

12 (B) Supporting curriculum and program
13 development in fields related to the environ-
14 ment.

15 (C) Promoting the involvement of women,
16 minorities, and other underrepresented groups.

17 (5) To encourage and support the development
18 and use of methods and technologies that increase
19 scientific and general understanding of the environ-
20 ment and minimize adverse environmental impact.

21 (6) To evaluate the status and needs of the var-
22 ious environmental sciences and fields.

23 (7) To foster interchange of scientific informa-
24 tion about the environment between scientists, Fed-

1 eral, State, and local government decisionmakers,
2 and the public.

3 (8) To identify and seek to address emerging
4 environmental issues and all aspects of scientific,
5 technological, and societal aspects of environmental
6 problems.

7 (9) To establish research priorities for the In-
8 stitute for environmental issues of global, national,
9 and regional significance.

10 **SEC. 5. GOVERNING BOARD.**

11 (a) ESTABLISHMENT.—There shall be a Governing
12 Board for the Institute (in this Act referred to as the
13 “Board”) which shall establish policies and priorities of
14 the Institute.

15 (b) MEMBERSHIP.—

16 (1) APPOINTMENT.—The Board shall be com-
17 posed of 18 members who shall be appointed by the
18 President by and with the advice and consent of the
19 Senate.

20 (2) REPRESENTATION ON THE BOARD.—

21 (A) IN GENERAL.—The members of the
22 Board shall include individuals—

23 (i) who, as scientists and users of sci-
24 entific information, are representative of
25 diverse groups and entities, including

1 States, academic institutions, businesses,
2 environmental groups, citizens groups, and
3 other appropriate organizations;

4 (ii) who have a distinguished record of
5 service in their fields; and

6 (iii) who, among the scientific mem-
7 bers of the Board, represent the diversity
8 of scientific fields that study the environ-
9 ment.

10 (B) SELECTION OF CERTAIN GROUPS.—In
11 making appointments under this subsection, the
12 President shall seek to provide for representa-
13 tion on the Board of women, minority groups,
14 and individuals recommended by the National
15 Academy of Sciences, the National Academy of
16 Engineering, and other groups.

17 (c) TERMS.—

18 (1) INITIAL TERMS.—Members initially ap-
19 pointed to the Board shall serve for the following
20 terms:

21 (A) Six members shall serve for an initial
22 term of two years.

23 (B) Six members shall serve for an initial
24 term of four years.

1 (C) Six members shall serve for an initial
2 term of six years.

3 (2) SUBSEQUENT TERMS.—Upon completion of
4 a term referred to in paragraph (1), each member
5 of the Committee subsequently appointed or
6 reappointed shall serve for a term of six years, with
7 a maximum of two consecutive terms for any mem-
8 ber appointed under this section.

9 (d) ADMINISTRATION.—

10 (1) TRAVEL EXPENSES.—Each member of the
11 Board who is not an officer or employee of the Unit-
12 ed States may receive travel expenses, including per
13 diem in lieu of subsistence, in the same manner as
14 travel expenses are allowed under section 5703 of
15 title 5, United States Code, for persons serving
16 intermittently in the Government service.

17 (2) PROHIBITION OF COMPENSATION OF FED-
18 ERAL EMPLOYEES.—Members of the Board who are
19 full-time officers or employees of the United States
20 or Members of Congress may not receive additional
21 pay, allowances, or benefits by reason of their serv-
22 ice on the Board.

23 (e) CHAIRPERSON.—The Chairperson of the Board
24 shall be designated by the President at the time of the

1 appointment. The term of office of the Chairperson shall
2 be six years.

3 (f) MEETINGS.—The Board shall meet as needed at
4 the call of the Chairperson or a majority of its members,
5 but not less than four times a year.

6 (g) REPORTS.—The Board shall periodically submit
7 to the President reports on such specific environmental
8 policy matters as the Board, the President, or the Con-
9 gress determines to be necessary. After receipt of any such
10 report, the President shall transmit the report to the Con-
11 gress in a timely fashion, together with any comments that
12 the President considers to be appropriate.

13 (h) ADVISORY COMMITTEES.—The Board may estab-
14 lish such advisory committees as the Board considers nec-
15 essary for purposes of this Act.

16 **SEC. 6. STAFF.**

17 (a) DIRECTOR.—

18 (1) APPOINTMENT.—The Director of the Insti-
19 tute shall be appointed by the President by and with
20 the advice and consent of the Senate.

21 (2) AUTHORITY.—The Director shall exercise
22 all of the authority granted to the Institute by this
23 Act, including any powers and functions delegated to
24 the Director by the Board. All actions taken by the
25 Director pursuant to the provisions of this Act or

1 pursuant to the delegation from the Board shall be
2 final and binding upon the Institute. The Director
3 shall formulate programs consistent with the policies
4 of the Institute and in consultation with the Board
5 and any appropriate advisory committee established
6 pursuant to this Act.

7 (3) PAY; TERM OF OFFICE.—The Director shall
8 receive basic pay at the rate provided for level II of
9 the Executive Schedule under section 5313 of title
10 5, United States Code, and shall serve for a term of
11 six years.

12 (4) FCCSET MEMBERSHIP.—Section 401(b) of
13 the National Science and Technology Policy, Organi-
14 zation, and Priorities Act of 1976 (42 U.S.C.
15 6651(b)) is amended by inserting “, the Director of
16 the National Institute for the Environment,” after
17 “the Director of the Office of Science and Tech-
18 nology Policy”.

19 (b) ASSISTANT DIRECTORS.—The President may,
20 upon the recommendation of the Director, appoint such
21 assistant Directors as the President considers necessary
22 to carry out this Act.

23 **SEC. 7. INTERAGENCY ADVISORY COMMITTEE.**

24 (a) ESTABLISHMENT.—There is hereby established
25 an Interagency Advisory Committee to ensure that the en-

1 vironmental efforts of the Institute and other Federal
2 agencies are complementary.

3 (b) DUTIES.—It shall be the duty of the Interagency
4 Advisory Committee established under subsection (a) to
5 provide recommendations and advice to the Board to help
6 to ensure that—

7 (1) the research priorities and agenda of the In-
8 stitute support, rather than compete with, the re-
9 search agendas of existing Federal agencies;

10 (2) the knowledge assessment activities of the
11 Institute incorporate knowledge obtained and pos-
12 sessed by other Federal agencies, and are useful to
13 such agencies;

14 (3) information within the databases of other
15 Federal agencies is available for incorporation into
16 the information network of the Institute; and

17 (4) the educational programs of the Institute
18 serve the needs of the United States.

19 (c) COMPOSITION.—The Interagency Advisory Com-
20 mittee established under subsection (a) shall include direc-
21 tors of research (or individuals who hold a comparable po-
22 sition) from Federal agencies that conduct or use substan-
23 tial amounts of environmental research, including the En-
24 vironmental Protection Agency, the National Oceanic and
25 Atmospheric Administration, the National Science Foun-

1 dation, the Department of Energy, the Department of the
2 Interior, and the Department of Agriculture. The Director
3 of the Office of Science and Technology Policy, or such
4 individual's designee, and the Director of the Office of En-
5 vironmental Quality, or such individual's designee, shall
6 serve as ex officio members of the Interagency Advisory
7 Committee.

8 (d) DURATION.—Section 14(a)(2)(B) of the Federal
9 Advisory Committee Act (5 U.S.C. App.; relating to the
10 termination of advisory committees) shall not apply to the
11 Interagency Advisory Committee established under sub-
12 section (a).

13 **SEC. 8. FUNDING.**

14 (a) AUTHORITY TO PROVIDE FINANCIAL ASSIST-
15 ANCE.—The Institute may enter into contracts and coop-
16 erative agreements and provide financial assistance, in-
17 cluding grants, to carry out the duties of the Institution
18 under this Act.

19 (b) PERSONS ELIGIBLE TO RECEIVE FUNDING.—Sci-
20 entists, engineers, and other researchers are eligible to re-
21 ceive funding from the Institute under subsection (a), ex-
22 cept that—

23 (1) scientists from Federal agencies shall not be
24 given a preference for funding based on their em-
25 ployment with the Federal Government; and

1 (2) the receipt of funding from the Institute
2 shall be subject to any criteria and other require-
3 ments prescribed by the Institute.

4 (c) RECEIPT OF FUNDS FROM OTHER PERSONS.—
5 The Institute may, subject to the approval of the Board,
6 receive funds from other Federal agencies and private-sec-
7 tor persons to carry out particular projects and activities
8 under this Act. Funds received under this subsection shall
9 be deposited in the Treasury and shall be made available
10 to the Institute to the extent provided in appropriations
11 Acts.

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