

105TH CONGRESS
1ST SESSION

H. R. 2914

To improve governmental environmental research and information by organizing a National Institute for the Environment, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 7, 1997

Mr. SAXTON (for himself, Mr. ABERCROMBIE, Mr. LOBIONDO, Mr. EVANS, Mrs. LOWEY, Mr. HINCHEY, Mr. KENNEDY of Rhode Island, Mr. KILDEE, Mr. GOSS, Mr. FALCOMA, Mr. SANDERS, Mr. DELLUMS, Mr. SHAYS, Mrs. MORELLA, Mr. UNDERWOOD, Mr. SERRANO, Ms. WOOLSEY, Mr. EHLERS, Ms. PRYCE of Ohio, Mr. SMITH of New Jersey, Mr. ACKERMAN, Mr. DAVIS of Virginia, Ms. RIVERS, Mr. DEFazio, Mr. FRANKS of New Jersey, Mr. GILCHREST, Mr. YATES, Ms. ESHOO, Ms. PELOSI, Ms. MILLENDER-McDONALD, Mr. FAWELL, Mrs. MEEK of Florida, Mr. BARRETT of Wisconsin, Ms. NORTON, and Mr. MORAN of Virginia) introduced the following bill; which was referred to the Committee on Science

A BILL

To improve governmental environmental research and information by organizing a National Institute for the Environment, 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 “Sound Science for the
5 Environment Act”.

1 **SEC. 2. FINDINGS.**

2 The Congress finds the following:

3 (1) A healthy environment is essential to an en-
4 hanced quality of life, a competitive economy, and
5 national security.

6 (2) The United States lacks an effective mecha-
7 nism for providing and communicating a comprehen-
8 sive, objective, and credible scientific understanding
9 of environmental issues to policymakers and the
10 public in a timely manner.

11 (3) An appropriate understanding of the diverse
12 scientific issues that underlie the environmental
13 problems facing the United States is essential to
14 finding environmentally and economically sound so-
15 lutions to these problems.

16 (4) To be useful, this understanding requires
17 the integration of ongoing assessments of the state
18 of scientific knowledge with credible problem-focused
19 research, the communication of scientific informa-
20 tion, and the appropriate education and training of
21 environmental scientists, engineers, and other pro-
22 fessionals.

23 (5) These scientific activities are best carried
24 out through a neutral institution without regulatory
25 and management responsibilities where the public
26 and private organizations and individuals can estab-

1 lish a shared understanding of the state of scientific
2 knowledge on environmental issues, and support re-
3 search, education, and information exchange to ex-
4 pand and spread the state of knowledge.

5 (6) A National Institute for the Environment
6 will allow the Nation to more effectively use science
7 to improve environmental decisionmaking, thereby
8 reducing costs and saving lives.

9 **SEC. 3. PURPOSE.**

10 The purpose of this Act is to create an institute to—

11 (1) improve the scientific basis for decision-
12 making on environmental issues by integrating the
13 functions of knowledge assessment, research, infor-
14 mation services, and education and training;

15 (2) provide national leadership in environmental
16 science and research; and

17 (3) facilitate the sharing of public and private
18 resources to enhance understanding and communica-
19 tion of scientific knowledge about the environment.

20 **SEC. 4. ESTABLISHMENT OF THE NATIONAL INSTITUTE**
21 **FOR THE ENVIRONMENT.**

22 The National Science Foundation is hereby author-
23 ized and directed to establish a National Institute for the
24 Environment. The mission of the Institute shall be to im-
25 prove the scientific basis for decisionmaking on environ-

1 mental issues. Management of the Institute shall be
2 awarded through a competitive process of merit review.

3 **SEC. 5. DUTIES AND FUNCTIONS.**

4 The duties and functions of the Institute shall be—

5 (1) to initiate, facilitate, and where appropriate
6 perform comprehensive assessments of the current
7 state of knowledge of environmental issues and their
8 implications;

9 (2) to establish a Center for Environmental As-
10 sessment with duties to—

11 (A) identify emerging issues and problems
12 by evaluating conditions and trends of the state
13 of the environment;

14 (B) determine the state of environmental
15 knowledge by identifying what is known about
16 particular issues and the voids in the current
17 knowledge base;

18 (C) evaluate implications of that knowledge
19 and communicate scientific understanding of
20 environmental issues to decisionmakers and the
21 public;

22 (D) identify areas of research that would
23 provide the scientific information needed by
24 decisionmakers and the public on critical envi-
25 ronmental issues and evaluate constraints which

1 may affect the conduct of this research, includ-
2 ing the limitations in technological, human, and
3 economic resources;

4 (E) assist the Board and Director of the
5 Institute in setting goals and priorities for the
6 Institute; and

7 (F) cooperate with and utilize the National
8 Academy of Sciences and similar scientific orga-
9 nizations where appropriate;

10 (3) to award competitively peer-reviewed grants,
11 and where appropriate contracts, competitively for
12 extramural scientific research;

13 (4) to establish an Office of Research with du-
14 ties to—

15 (A) fund issue-oriented research on—

16 (i) environmental resources (including
17 inventories, monitoring, and characteriza-
18 tion);

19 (ii) environmental systems (including
20 mechanisms, processes, and effects); and

21 (iii) environmental sustainability (in-
22 cluding strategies, methods, and tech-
23 niques); and

24 (B) ensure that such research is discipli-
25 nary, multidisciplinary, and interdisciplinary,

1 and organized around priority environmental is-
2 sues, including the human dimensions associ-
3 ated with environmental problems;

4 (5) to establish a National Library for the En-
5 vironment as a universally accessible, easy to use,
6 electronic, state-of-the-art information system for
7 scientists, decisionmakers, and the public, which
8 shall—

9 (A) link existing information networks and
10 collections of environmental information, such
11 as libraries, specialized information centers,
12 data and statistical centers, government and
13 private sector repositories of information, and
14 individual experts;

15 (B) provide quality-assured data and infor-
16 mation by maintaining information about data
17 sets, including who generated the information,
18 by what methods they were collected, and
19 whether the methods and information were
20 peer-reviewed;

21 (C) conduct targeted information programs
22 by developing products and packaging informa-
23 tion, in various media that are most accessible
24 to specific groups or needs; and

1 (D) provide long-term maintenance and
2 management of the Nation's environmental in-
3 formation resources, through the promotion and
4 development of policies and standards for man-
5 aging and providing access to environmental
6 data and information; and

7 (6) to sponsor education and training of envi-
8 ronmental scientists and professionals and to im-
9 prove the public environmental literacy, including by
10 establishing an Office of Education and Training
11 with duties to—

12 (A) award competitive scholarships,
13 traineeships, fellowships, and other arrange-
14 ments at universities, colleges, and other insti-
15 tutions for study and research in disciplinary
16 and interdisciplinary environmental sciences,
17 and for improving environmental literacy;

18 (B) support curriculum and program devel-
19 opment, along with teacher training programs,
20 at colleges, universities, and public institutions;

21 (C) actively involve women, minorities,
22 members of other underrepresented groups, and
23 affected communities; and

24 (D) sponsor public environmental edu-
25 cation programs, including using the National

1 Library for the Environment and other means
2 to disseminate knowledge about the environ-
3 ment.

4 **SEC. 6. BOARD OF GOVERNORS.**

5 (a) ESTABLISHMENT.—There shall be a Board of
6 Governors for the Institute which shall establish goals, pri-
7 orities, and policies of the Institute and serve in the na-
8 tional interest.

9 (b) MEMBERSHIP.—

10 (1) APPOINTMENT.—The Board shall be com-
11 posed of 18 members who shall be appointed by the
12 President by and with the advice and consent of the
13 Senate.

14 (2) REPRESENTATION.—The members of the
15 Board shall be comprised of approximately equal
16 numbers of scientists and users of scientific informa-
17 tion on the environment. Scientists shall represent
18 the diversity of fields that study the environment.
19 The users of scientific information shall have experi-
20 ence in dealing with environmental science and pol-
21 icy issues and represent broad perspectives and view-
22 points. The membership of the Board shall reflect
23 the geographic diversity of the Nation and shall in-
24 clude individuals from diverse groups, including
25 State, tribal, and local governments, labor, business,

1 environmental and citizens groups, academia, other
2 organizations, and the public. All members of the
3 Board shall be individuals with an established record
4 of distinguished service and expertise in their fields.

5 (c) SPECIAL CONSIDERATIONS.—(1) In making ap-
6 pointments under this section, the President shall seek to
7 provide for representation on the Board of women, minor-
8 ity groups, and individuals recommended by the National
9 Science Board, the National Academy of Sciences, the Na-
10 tional Academy of Engineering, and associations of sci-
11 entists, State, local, and tribal governmental officials, en-
12 vironmental advocates, other citizens, and representatives
13 of business interests and labor.

14 (2) One member of the National Science Board shall
15 be designated to serve as a member of the Governing
16 Board and to be a liaison between the National Science
17 Board and the Board.

18 (d) TERMS.—Members of the Board shall serve the
19 following terms:

20 (1) IN GENERAL.—Except as provided in para-
21 graph (2), a member of the Board shall serve for a
22 6-year term.

23 (2) INITIAL TERMS.—Of the initial members of
24 the Board, as specified by the President at the time
25 of appointment—

1 (A) 6 members shall serve an initial term
2 of 2 years;

3 (B) 6 members shall serve an initial term
4 of 4 years; and

5 (C) 6 members shall serve an initial term
6 of 6 years.

7 (3) SUBSEQUENT TERMS.—An individual may
8 not serve as a member of the Board for more than
9 2 consecutive 6-year terms.

10 (e) MEETINGS.—Meetings of the Board may be called
11 by the Chair or a majority of its members at any time,
12 and should occur no less than 4 times a year.

13 (f) CHAIR.—The Chair of the Board shall be elected
14 by the Board from among its members.

15 (g) REPORTS.—On January 31 following completion
16 of appointment of the members of the Board, and every
17 2 years thereafter, the Board shall report on the work,
18 findings, and accomplishments of the Institute, including
19 an indication of likely priorities of the Institute for the
20 2-year period following. Reports of findings on specific en-
21 vironmental matters may be issued by the Board at any
22 time, including periodic evaluation of the conditions and
23 trends of the environment. Reports of the Board shall be
24 submitted to the National Science Board for transmittal
25 to the President, the Congress, the National Science

1 Foundation, and other Federal agencies in a timely fash-
2 ion and shall be available to the general public.

3 (h) ADVISORY COMMITTEES.—The Board may estab-
4 lish such advisory committees as the Board considers nec-
5 essary. The Board shall consult with the Interagency Advi-
6 sory Committee established by section 9 and advisory com-
7 mittees established under this subsection, to ensure co-
8 ordination and to avoid duplication.

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

16 (j) PROHIBITION OF COMPENSATION OF FEDERAL
17 EMPLOYEES.—Members of the Board who are full-time
18 officers or employees of the United States or Members of
19 Congress may not receive additional pay, allowances, or
20 benefits by reason of service on the Board.

21 **SEC. 7. MANAGEMENT AND STAFF.**

22 (a) DIRECTOR.—

23 (1) IN GENERAL.—The Institute shall be ad-
24 ministered by a Director, who shall be selected by
25 the Board, approved by the National Science Board,

1 and hired by the contracting organization that man-
2 ages the Institute. In appointing the Director, the
3 Board shall—

4 (A) solicit nominations from the National
5 Science Board and established scientific organi-
6 zations; and

7 (B) appoint an individual who has an es-
8 tablished record of distinguished service and ex-
9 pertise in the environmental sciences.

10 (2) **AUTHORITY.**—The Director shall exercise
11 all authority granted to the Institute in this Act, in-
12 cluding powers delegated by the Board, and all ac-
13 tions of the Director shall be final and binding on
14 the Institute.

15 (3) **DUTIES.**—The Director shall be responsible
16 for the integration of the duties and functions of the
17 Institute as described in section 5, and for ensuring
18 the full involvement of all relevant environmental
19 sciences and the full range of users in these duties.

20 (4) **EX-OFFICIO MEMBER OF BOARD.**—The Di-
21 rector shall be a nonvoting, ex-officio member of the
22 Board.

23 (b) **ASSISTANT DIRECTORS.**—The Director shall ap-
24 point, in consultation with the Board, Assistant Directors
25 for the Center for Environmental Assessment, the Office

1 of Research, the National Library for the Environment,
2 and the Office of Education and Training to carry out
3 the duties and functions of the Institute and to ensure
4 that all functions of the Institute are properly integrated.

5 (c) OTHER STAFF.—The Director shall have respon-
6 sibility for hiring and dismissal of additional staff in ac-
7 cord with the personnel policies of the contracting organi-
8 zation.

9 (d) CONTRACTING INSTITUTION.—The Institute shall
10 be operated by a nonprofit organization under contract
11 with the National Science Foundation. The contract shall
12 be awarded competitively, based on merit, for 5-year peri-
13 ods.

14 **SEC. 8. RELATION WITH NATIONAL SCIENCE BOARD.**

15 The National Science Board shall—

16 (1) recommend to the President names for the
17 Board including one member of the National Science
18 Board who will serve as a member of the Board; and

19 (2) approve the selection of the Director by the
20 Board.

21 **SEC. 9. COOPERATION WITH FEDERAL AGENCIES.**

22 (a) ACQUISITION OF INFORMATION FROM AGEN-
23 CIES.—The Institute may acquire from the head of any
24 Federal agency unclassified data and nonproprietary
25 knowledge and information obtained and possessed by

1 other Federal agencies which the Institute considers useful
2 in the discharge of its duties. The head of each Federal
3 agency shall cooperate with the Institute to furnish all in-
4 formation required by the Director that is requested by
5 the Institute.

6 (b) ACCESS TO INFORMATION AND PRODUCTS OF IN-
7 STITUTE.—The Institute shall cooperate with all Federal
8 agencies to ensure that the information and products of
9 the Institute are useful and accessible to all agencies.

10 **SEC. 10. INTERAGENCY ADVISORY COMMITTEE.**

11 (a) ESTABLISHMENT.—The Committee on Environ-
12 ment and Natural Resources (CENR) of the National
13 Science and Technology Council or an equivalent body is
14 directed to serve as an interagency advisory committee to
15 ensure that the scientific efforts of the Institute and Fed-
16 eral agencies are complementary.

17 (b) DUTIES.—The Interagency Advisory Committee
18 shall provide recommendations and advice to the Board
19 to help ensure that—

20 (1) the Institute's priorities incorporate the
21 needs and activities of agencies;

22 (2) the activities of the Institute support and
23 complement and do not duplicate the existing pro-
24 grams of the agencies; and

1 (3) Federal agencies are informed of the sci-
2 entific findings of the Institute.

3 (c) COMPOSITION.—The Interagency Advisory Com-
4 mittee shall consist of the members of the CENR and in
5 addition, if not represented on CENR, designees from
6 Federal organizations including the Environmental Pro-
7 tection Agency, the National Oceanic and Atmospheric
8 Administration, the National Institutes of Health, the Na-
9 tional Science Foundation, the Department of Defense,
10 the Department of Energy, the Department of the Inte-
11 rior, the Department of Agriculture, the Department of
12 Transportation, the National Aeronautics and Space Ad-
13 ministration, the National Science and Technology Coun-
14 cil, the Council on Environmental Quality, and the De-
15 partment of Housing and Urban Development.

16 (d) CHAIR.—The co-chairs of the CENR shall serve
17 as co-chairs of the committee.

18 **SEC. 11. GRANTS, CONTRACTS, AND OTHER AUTHORITIES.**

19 (a) AUTHORITY TO PROVIDE FINANCIAL ASSIST-
20 ANCE.—To carry out the duties of the Institute under this
21 Act, the Institute, subject to the availability of appropria-
22 tions, shall have the same authorities as the National
23 Science Foundation to enter into financial arrangements,
24 including competitively awarded grants, loans, cooperative

1 agreements, and contracts to institutions, teams, and cen-
2 ters, after rigorous peer review.

3 (b) PERSONS ELIGIBLE TO RECEIVE FUNDING.—

4 Scientists, engineers, and other researchers are eligible to
5 receive funding from the Institute under subsection (a),
6 except that—

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

10 (2) the receipt of funding from the Institute
11 shall be subject to any criteria and other require-
12 ments prescribed by the Institute and the National
13 Science Foundation.

14 (c) RECEIPT OF FUNDING FROM OTHER PERSONS.—

15 To carry out projects and activities under this Act, the
16 Institute may, subject to guidelines established by govern-
17 ing board—

18 (1) receive funds from Federal agencies, State,
19 local, and tribal governments, international organiza-
20 tions, and private organizations and persons; and

21 (2) accept, use, and dispose of gifts, bequests,
22 or devises of services or property, both real and per-
23 sonal.

1 Funds provided under this subsection shall not be used
2 to reduce amounts available to the Institute from appro-
3 priations.

4 **SEC. 12. AUTHORIZATION OF APPROPRIATIONS.**

5 There are authorized to be appropriated such sums
6 as may be necessary to the National Science Foundation
7 to be transferred to the National Institute for the Envi-
8 ronment to be used for purposes of this Act. No other
9 funds of the National Science Foundation may be trans-
10 ferred to the Institute.

11 **SEC. 13. DEFINITIONS.**

12 As used in this Act:

13 (1) BOARD.—The term “Board” means the
14 Board of Governors of the Institute, established by
15 section 6.

16 (2) DECISIONMAKERS.—The term “decision-
17 makers” means elected or appointed officials of Fed-
18 eral, State, tribal, and local governments, and simi-
19 lar individuals in the private sector.

20 (3) ENVIRONMENTAL SCIENCES.—The term
21 “environmental sciences” means the full range of
22 fields of study, including biological, physical, chemi-
23 cal, geological, and social sciences, engineering, and
24 humanities, relevant to the understanding of envi-
25 ronmental problems.

1 (4) INSTITUTE.—The term “Institute” means
2 the National Institute for the Environment estab-
3 lished by this Act.

4 (5) SCIENTIST.—The term “scientist” means a
5 practitioner of science relevant to the environment.

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