

104TH CONGRESS
1ST SESSION

H. R. 2827

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 1995

Mr. SAXTON (for himself, Mr. BOEHLERT, Mr. WELDON of Pennsylvania, Mr. BARTON of Texas, Mr. GOSS, Mr. SMITH of New Jersey, Mr. KLUG, Mr. EHLERS, Mr. BLUTE, Mr. DELLUMS, Mr. KENNEDY of Rhode Island, Mr. SABO, Mr. OLVER, Mr. YATES, Mr. WARD, Mr. TORKILDSEN, Mr. DAVIS, Mr. GILCHREST, Mr. SHAYS, Mrs. MORELLA, and Mrs. ROUKEMA) introduced the following bill; which was referred to the Committee on Science

A BILL

To consolidate and improve governmental environmental research 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”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds the following:

1 (1) The United States lacks an effective mecha-
2 nism for providing and communicating a comprehen-
3 sive, objective, and credible scientific understanding
4 of environmental issues in a timely manner to policy-
5 makers and the public.

6 (2) An appropriate understanding of the diverse
7 scientific issues that underlie the environmental
8 problems facing the United States is essential to
9 finding environmentally and economically sound so-
10 lutions to these problems.

11 (3) To be useful, this understanding requires
12 the integration of ongoing assessments of the state
13 of scientific knowledge with credible problem-focused
14 research, the communication of scientific informa-
15 tion, and the appropriate education and training of
16 environmental scientists, engineers, and other profes-
17 sionals.

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

21 (5) It is imperative that our Nation wisely ex-
22 pend its fiscal resources by eliminating duplication
23 of certain Federal environmental research, and by
24 consolidating Federal environmental science pro-
25 grams resulting in a more cost-effective and efficient

1 use of resources, to achieve a better integration of
2 an overall national environmental research strategy.

3 **SEC. 3. PURPOSE.**

4 The purpose of this Act is to consolidate certain gov-
5 ernmental environmental science functions and create an
6 independent institute to—

7 (1) improve the scientific basis for decision-
8 making on environmental issues by integrating the
9 functions of knowledge assessment, research, infor-
10 mation services, and education and training; and

11 (2) provide national leadership in environmental
12 science and research.

13 **SEC. 4. ESTABLISHMENT OF THE NATIONAL INSTITUTE**
14 **FOR THE ENVIRONMENT.**

15 There is hereby established as an independent agency
16 the National Institute for the Environment. The mission
17 of the Institute shall be to improve the scientific basis for
18 decisionmaking on environment issues.

19 **SEC. 5. DUTIES AND FUNCTIONS.**

20 The duties and functions of the Institute shall be—

21 (1) to initiate, facilitate, and where appropriate
22 perform comprehensive assessments of the current
23 state of knowledge of environmental issues and their
24 implications;

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

3 (A) identify emerging issues and problems
4 by evaluating conditions and trends of the state
5 of the environment;

6 (B) determine the state of environmental
7 knowledge by identifying what is known about
8 particular issues and the voids in the current
9 knowledge base;

10 (C) evaluate implications of that knowledge
11 and communicate scientific understanding of
12 environmental issues to decisionmakers and the
13 public;

14 (D) identify areas of research that would
15 provide the scientific information needed by
16 decisionmakers and the public on critical envi-
17 ronmental issues and evaluate constraints which
18 may affect the conduct of this research, includ-
19 ing the limitations in technological, human, and
20 economic resources;

21 (E) assist the Board and Director of the
22 Institute in setting goals and priorities for the
23 Institute; and

1 (F) cooperate with and utilize the National
2 Academy of Sciences and similar scientific orga-
3 nizations where appropriate;

4 (3) to award competitively peer-reviewed grants,
5 and where appropriate contracts, competitively for
6 extramural scientific research;

7 (4) to establish a Directorate of Research with
8 duties to—

9 (A) fund issue-oriented research on—

10 (i) environmental resources (including
11 inventories, monitoring, and characteriza-
12 tion);

13 (ii) environmental systems (including
14 mechanisms, processes, and effects); and

15 (iii) environmental sustainability (in-
16 cluding strategies, methods, and tech-
17 niques);

18 (B) ensure that such research is discipli-
19 nary, multidisciplinary, and interdisciplinary,
20 and organized around priority environmental is-
21 sues, including the human dimensions associ-
22 ated with environmental problems;

23 (5) to establish a National Library for the En-
24 vironment as a universally accessible, easy to use,
25 electronic, state-of-the-art information system for

1 scientists, decisionmakers, and the public, which
2 shall—

3 (A) link existing information networks and
4 collections of environmental information, such
5 as libraries, specialized information centers,
6 data and statistical centers, government and
7 private sector repositories of information, and
8 individual experts;

9 (B) provide quality-assured data and infor-
10 mation by maintaining information about data
11 sets, including who generated the information,
12 by what methods they were collected, and
13 whether the methods and information were
14 peer-reviewed;

15 (C) conduct targeted information programs
16 by developing products and packaging informa-
17 tion, in various media that are most accessible
18 to specific groups or needs; and

19 (D) provide long-term maintenance and
20 management of the Nation's environmental in-
21 formation resources, through the promotion and
22 development of policies and standards for man-
23 aging and providing access to environmental
24 data and information; and

1 (6) to sponsor education and training of envi-
2 ronmental scientists and professionals and to im-
3 prove the public environmental literacy, including by
4 establishing a Directorate of Education and Train-
5 ing with duties to—

6 (A) award competitive scholarships,
7 traineeships, fellowships, and other arrange-
8 ments at universities, colleges, and other insti-
9 tutions for study and research in disciplinary
10 and interdisciplinary environmental sciences,
11 and for improving environmental literacy;

12 (B) support curriculum and program devel-
13 opment, along with teacher training programs,
14 at colleges, universities, and public institutions;

15 (C) actively involve women, minorities,
16 members of other underrepresented groups, and
17 affected communities; and

18 (D) sponsor public environmental edu-
19 cation programs, including using the National
20 Library for the Environment and other means
21 to disseminate knowledge about the environ-
22 ment.

23 **SEC. 6. BOARD OF GOVERNORS.**

24 (a) ESTABLISHMENT.—There shall be a Board of
25 Governors for the Institute which shall establish goals, pri-

1 orities, and policies of the Institute and serve in the na-
2 tional interest.

3 (b) MEMBERSHIP.—

4 (1) APPOINTMENT.—The Board shall be com-
5 posed of 18 members who shall be appointed by the
6 President by and with the advice and consent of the
7 Senate.

8 (2) REPRESENTATION.—The members of the
9 Board shall be comprised of approximately equal
10 numbers of non-Federal scientists and users of sci-
11 entific information on the environment, and shall in-
12 clude individuals—

13 (A) who as scientists, users of scientific in-
14 formation, or those who are affected by environ-
15 mental issues, are individuals from diverse
16 groups, including State, tribal, and local gov-
17 ernments, business, environmental and citizens
18 groups, academia, other organizations, and the
19 public;

20 (B) have an established record of distin-
21 guished service and expertise in their fields; and

22 (C) who among the scientists represent the
23 diversity of fields that study the environmental.

24 (c) SPECIAL CONSIDERATIONS.—In making appoint-
25 ments under this section, the President shall seek to pro-

1 vide for representation on the Board of women, minority
2 groups, and individuals recommended by the National
3 Academy of Sciences, the National Academy of Engineer-
4 ing, and other groups.

5 (d) TERMS.—Members of the Board shall serve the
6 following terms:

7 (1) IN GENERAL.—Except as provided in para-
8 graph (2), a member of the Board shall serve for a
9 6-year term.

10 (2) INITIAL TERMS.—Of the initial members of
11 the Board, as specified by the President at the time
12 of appointment—

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

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

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

19 (3) SUBSEQUENT TERMS.—An individual may
20 not serve as a member of the Board for more than
21 2 consecutive 6-year terms.

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

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

3 (g) REPORTS.—On January 31 following completion
4 of appointment of the members of the Board, and every
5 2 years thereafter, the Board shall report on the work,
6 findings, and accomplishments of the Institute, including
7 an indication of likely priorities of the Institute for the
8 2-year period following. Reports of findings on specific en-
9 vironmental matters may be issued by the Board at any
10 time, including periodic evaluation of the conditions and
11 trends of the environment. Reports of the Board shall be
12 transmitted to the President, the Congress, and Federal
13 agencies in a timely fashion and shall be available to the
14 general public.

15 (h) ADVISORY COMMITTEES.—The Board may estab-
16 lish such advisory committees as the Board considers nec-
17 essary. The Board shall consult with the Interagency Advi-
18 sory Committee established by section 9 and advisory com-
19 mittees established under this subsection, to ensure co-
20 ordination and to avoid duplication.

21 (i) TRAVEL EXPENSES.—Each member of the Board
22 who is not an officer or employee of the United States
23 may receive travel expenses, including per diem in lieu of
24 subsistence, in the same manner as travel expenses are
25 allowed under section 5703 of title 5, United States Code,

1 for persons serving intermittently in the Government serv-
2 ice.

3 (j) PROHIBITION OF COMPENSATION OF FEDERAL
4 EMPLOYEES.—Members of the Board who are full-time
5 officers or employees of the United States or Members of
6 Congress may not receive additional pay, allowances, or
7 benefits by reason of service on the Board.

8 **SEC. 7. STAFF.**

9 (a) DIRECTOR.—

10 (1) IN GENERAL.—The Institute shall be ad-
11 ministered by a Director, who shall be appointed by
12 the President by and with the advice and consent of
13 the Senate. In appointing the Director, the Presi-
14 dent—

15 (A) shall solicit nominations from the
16 Board and established scientific organizations;
17 and

18 (B) shall appoint an individual who has an
19 established record of distinguished service and
20 expertise in the environmental sciences.

21 (2) AUTHORITY.—The Director shall exercise
22 all authority granted to the Institute in this Act, in-
23 cluding powers delegated by the Board, and all ac-
24 tions of the Director shall be final and binding on
25 the Institute.

1 (3) DUTIES.—The Director shall be responsible
2 for the integration of the duties and functions of the
3 Institute as described in section 5, and for ensuring
4 the full involvement of all relevant environmental
5 sciences and the full range of users in these duties.

6 (4) PAY; TERM OF OFFICE.—The Director shall
7 receive basic pay at a rate not to exceed the rate
8 provided for level II of the Executive Schedule under
9 section 5313 of title 5, United States Code, and
10 shall serve for a term of 6 years.

11 (5) MEMBER OF COUNCIL.—The Director shall
12 be a member on the National Science and Tech-
13 nology Council.

14 (6) EX-OFFICIO MEMBER OF BOARD.—The Di-
15 rector shall be a nonvoting, ex-officio member of the
16 Board.

17 (b) ASSISTANT DIRECTORS.—The Director shall ap-
18 point, in consultation with the Board, Assistant Directors
19 for the Center for Environmental Assessment, the Direc-
20 torate of Research, the National Library for the Environ-
21 ment, and the Directorate of Education and Training to
22 carry out the duties and functions of the Institute and
23 to ensure that all functions of the Institute are properly
24 integrated.

1 **SEC. 8. INTERAGENCY COOPERATION.**

2 (a) ACQUISITION OF INFORMATION FROM OTHER
3 AGENCIES.—The Institute may acquire from the head of
4 any Federal agency unclassified data and nonproprietary
5 knowledge and information obtained and possessed by
6 other Federal agencies which the Institute considers useful
7 in the discharge of its duties. The head of each Federal
8 agency shall cooperate with the Institute to furnish all in-
9 formation required by the Director that is requested by
10 the Institute.

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

15 **SEC. 9. INTERAGENCY ADVISORY COMMITTEE.**

16 (a) ESTABLISHMENT.—There is hereby established
17 an Interagency Advisory Committee to ensure that the en-
18 vironmental efforts of the Institute and other Federal
19 agencies are complementary.

20 (b) DUTIES.—The Interagency Advisory Committee
21 shall provide recommendations and advice to the Board
22 to help ensure that—

23 (1) the Institute's priorities incorporate the
24 needs and activities of other agencies;

1 (2) the activities of the Institute support and
2 complement and do not duplicate the existing pro-
3 grams of the agencies; and

4 (3) other Federal agencies are informed of the
5 scientific findings of the Institute.

6 (c) COMPOSITION.—The Interagency Advisory Com-
7 mittee shall consist of the heads (or their designees of
8 other Federal agencies, including the Environmental Pro-
9 tection Agency, the National Oceanic and Atmospheric
10 Administration, the National Institutes of Health, the Na-
11 tional Science Foundation, the Department of Defense,
12 the Department of Energy, the Department of the Inte-
13 rior, the Department of Agriculture, the Department of
14 Transportation, the National Aeronautics and Space Ad-
15 ministration, the National Science and Technology Coun-
16 cil, the Council on Environmental Quality, and the De-
17 partment of Housing and Urban Development.

18 (d) CHAIR.—The Interagency Advisory Committee
19 shall elect a Chair, who shall be a nonvoting, ex officio
20 member of the Board.

21 **SEC. 10. GRANTS, CONTRACTS, AND OTHER AUTHORITIES.**

22 (a) AUTHORITY TO PROVIDE FINANCIAL ASSIST-
23 ANCE.—To carry out the duties of the Institute under this
24 Act, the Institute, subject to the availability of appropria-
25 tions, may enter into various financial arrangements, in-

1 cluding competitively awarded grants, loans, cooperative
2 agreements, and contracts to institutions, teams, and cen-
3 ters, after rigorous peer review.

4 (b) PERSONS ELIGIBLE TO RECEIVE FUNDING.—

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

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

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

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

15 (1) RECEIPT.—To carry out particular projects
16 and activities under this Act the Institute may, sub-
17 ject to the approval of the Board—

18 (A) receive funds from other Federal agen-
19 cies; and

20 (B) accept, use, and dispose of gifts, be-
21 quests, or devises of services or property, both
22 real and personal.

23 (2) USE.—Funds received under this subsection
24 shall be deposited in the Treasury and shall be made

1 available to the Institute to the extent provided in
2 appropriations Acts.

3 **SEC. 11. RECOMMENDATIONS FOR TRANSFERS OF FUNC-**
4 **TIONS TO INSTITUTE.**

5 (a) IN GENERAL.—Not later than 12 months after
6 the date of the enactment of this Act, the President, in
7 consultation with the heads of other Federal departments
8 and independent agencies in the executive branch, shall—

9 (1) submit to the Congress recommendations
10 regarding existing Federal programs that are appro-
11 priate for transfer to the Institute; and

12 (2) include with those recommendations any
13 draft legislation the enactment of which is necessary
14 to accomplish those transfers.

15 (b) IDENTIFICATION OF APPROPRIATE PROGRAMS.—
16 In implementing subsection (a), the President shall con-
17 sider a program to be appropriate for transfer to the Insti-
18 tute if the program—

19 (1) is consistent with the mission of the Insti-
20 tute under section 4;

21 (2) is non-regulatory;

22 (3) supports achievement of comprehensive,
23 problem-focused, anticipatory, multidisciplinary, and
24 interdisciplinary science programs; and

1 (4) supports achievement of extramural pro-
2 grams.

3 **SEC. 12. DEFINITIONS.**

4 As used in this Act:

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

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

12 (3) ENVIRONMENTAL SCIENCES.—The term
13 “environmental sciences” means the full range of
14 fields of study, including biological, physical, chemi-
15 cal, geological, and social sciences, engineering, and
16 humanities, relevant to the understanding of envi-
17 ronmental problems.

18 (4) INSTITUTE.—The term “Institute” means
19 the National Institute for the Environment estab-
20 lished by this Act.

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

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