

Calendar No. 515

106TH CONGRESS
2D SESSION

S. 1946

[Report No. 106-272]

A BILL

To amend the National Environmental Education Act to redesignate that Act as the “John H. Chafee Environmental Education Act”, to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under that Act, and for other purposes.

APRIL 13, 2000

Reported with amendments

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 1999

Mr. INHOFE (for himself, Ms. SNOWE, Mr. BAUCUS, Mr. WARNER, Mrs. FEINSTEIN, Mr. LIEBERMAN, Mr. WYDEN, Mr. DOMENICI, Mr. MOYNIHAN, Ms. COLLINS, Mr. LAUTENBERG, Mr. KERRY, Mr. BENNETT, Mr. REID, Mr. REED, Mr. L. CHAFEE, Mr. BREAUX, Mr. GRAHAM, Mr. ROBB, and Mr. CLELAND) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

APRIL 13, 2000

Reported by Mr. SMITH of New Hampshire, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the National Environmental Education Act to redesignate that Act as the “John H. Chafee Environmental Education Act”, to establish the John H. Chafee Memorial Fellowship Program, to extend the programs under that Act, 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 (a) THIS ACT.—This Act may be cited as the “John
 5 H. Chafee Environmental Education Act of 1999”.

6 (b) NATIONAL ENVIRONMENTAL EDUCATION ACT.—
 7 Section 1(a) of the National Environmental Education Act
 8 (20 U.S.C. 5501 note) is amended by striking “National
 9 Environmental Education Act” and inserting “John H.
 10 Chafee Environmental Education Act”.

11 **SEC. 2. OFFICE OF ENVIRONMENTAL EDUCATION.**

12 Section 4 of the John H. Chafee Environmental Edu-
 13 cation Act (20 U.S.C. 5503) is amended—

14 (1) in subsection (b)—

15 (A) in paragraph (1), by inserting “bal-
 16 anced and scientifically sound” after “support”;

17 (B) by striking paragraph (6);

18 (C) by redesignating paragraphs (7)
 19 through (13) as paragraphs (6) through (12),
 20 respectively; and

21 (D) in paragraph (12) (as so redesign-
 22 ated), by inserting before the period at the end
 23 the following: “through the headquarters and
 24 the regional offices of the Agency”; and

1 (2) by striking subsection (c) and inserting the
2 following:

3 “(c) STAFF.—The Office of Environmental Edu-
4 cation shall—

5 “(1) include a headquarters staff of not more
6 than 10 full-time equivalent employees; and

7 “(2) be supported by 1 full-time equivalent em-
8 ployee in each regional office of the Agency.

9 “(d) ACTIVITIES.—The Administrator may carry out
10 the activities described in subsection (b) directly or
11 through awards of grants, cooperative agreements, or con-
12 tracts.”.

13 **SEC. 3. ENVIRONMENTAL EDUCATION GRANTS.**

14 Section 6 of the John H. Chafee Environmental Edu-
15 cation Act (20 U.S.C. 5505) is amended—

16 (1) in the second sentence of subsection (i), by
17 striking “25 percent” and inserting “15 percent”;
18 and

19 (2) by adding at the end the following:

20 “(j) LOBBYING ACTIVITIES.—A grant under this sec-
21 tion may not be used to support a lobbying activity (as
22 described in the documents issued by the Office of Man-
23 agement and Budget and designated as OMB Circulars
24 No. A-21 and No. A-122).

1 “(k) GUIDANCE REVIEW.—Before the Administrator
 2 issues any guidance to grant applicants, the guidance shall
 3 be reviewed and approved by the Science Advisory Board
 4 of the Agency established by section 8 of the Environ-
 5 mental Research, Development, and Demonstration Au-
 6 thorization Act of 1978 (42 U.S.C. 4365).”.

7 **SEC. 4. JOHN H. CHAFEE MEMORIAL FELLOWSHIP PRO-**
 8 **GRAM.**

9 (a) IN GENERAL.—Section 7 of the John H. Chafee
 10 Environmental Education Act (20 U.S.C. 5506) is amend-
 11 ed to read as follows:

12 **“SEC. 7. JOHN H. CHAFEE MEMORIAL FELLOWSHIP PRO-**
 13 **GRAM.**

14 “(a) ESTABLISHMENT.—There is established the
 15 John H. Chafee Memorial Fellowship Program for the
 16 award and administration of 5 annual 1-year higher edu-
 17 cation fellowships in environmental sciences, to be known
 18 as ‘John H. Chafee Fellowships’.

19 “(b) PURPOSE.—The purpose of the John H. Chafee
 20 Memorial Fellowship Program is to stimulate innovative
 21 graduate level study and the development of expertise in
 22 complex, relevant, and important environmental issues
 23 and effective approaches to addressing those issues
 24 through organized programs of guided independent study
 25 and environmental research.

1 “(c) AWARD.—Each John H. Chafee Fellowship
2 shall—

3 “(1) be made available to individual candidates
4 through a sponsoring institution and in accordance
5 with an annual competitive selection process estab-
6 lished under subsection (f)(3); and

7 “(2) be in the amount of \$25,000.

8 “(d) FOCUS.—Each John H. Chafee Fellowship shall
9 focus on—

10 “(1) effective land and resource management;

11 “(2) innovative open space preservation;

12 “(3) science associated with such worldwide
13 issues as global climate change and sustainable ma-
14 rine resources; or

15 “(4) any other issue that a sponsoring institu-
16 tion determines to be appropriate.

17 “(e) SPONSORING INSTITUTIONS.—Each year—

18 “(1) 2 John H. Chafee Fellowships shall be
19 awarded by the University of Rhode Island; and

20 “(2) 3 John H. Chafee Fellowships may be ap-
21 plied for through any other sponsoring institution.

22 “(f) PANEL.—

23 “(1) IN GENERAL.—~~The Foundation~~ *The Na-*
24 *tional Environmental Education Advisory Council es-*

1 *tablished by section 9(a)* shall establish and admin-
 2 ister the John H. Chafee Fellowship Panel.

3 “(2) MEMBERSHIP.—The Panel shall consist of
 4 5 members, appointed by a majority vote of mem-
 5 bers of the National Environmental Education Advi-
 6 sory ~~Council established by section 9(a)~~, *Council*, of
 7 whom—

8 “(A) 2 members shall be professional edu-
 9 cators in higher education;

10 “(B) 2 members shall be environmental
 11 scientists; and

12 “(C) 1 member shall be a public environ-
 13 mental policy analyst.

14 “(3) DUTIES.—The Panel shall—

15 “(A) establish criteria for a competitive se-
 16 lection process for recipients of John H. Chafee
 17 Fellowships;

18 “(B) receive applications for John H.
 19 Chafee Fellowships; and

20 “(C) annually review applications and se-
 21 lect recipients of John H. Chafee Fellowships.

22 “(g) DISTRIBUTION OF FUNDS.—The amount of
 23 each John H. Chafee Fellowship shall be provided directly
 24 to each recipient selected by the Panel upon receipt of a

1 certification from the recipient that the recipient will ad-
 2 here to a specific and detailed plan of study and research.

3 “(h) FUNDING.—From amounts made available
 4 under ~~section 11(b)(1)(D)~~ *section 11(b)(1)(C)* for each fis-
 5 cal year, the ~~Foundation~~ *Office of Environmental Edu-*
 6 *cation* shall make available—

7 “(1) \$125,000 for John H. Chafee Memorial
 8 Fellowships; and

9 “(2) \$25,000 to pay administrative expenses in-
 10 curred in carrying out the John H. Chafee Memorial
 11 Fellowship Program.”.

12 (b) DEFINITIONS.—Section 3 of the John H. Chafee
 13 Environmental Education Act (20 U.S.C. 5502) is
 14 amended—

15 (1) in paragraph (12), by striking “and” at the
 16 end;

17 (2) in paragraph (13), by striking the period at
 18 the end and inserting a semicolon; and

19 (3) by adding at the end the following:

20 “(14) ‘Panel’ means the John H. Chafee Fel-
 21 lowship Panel established under section 7(f);

22 “(15) ‘sponsoring institution’ means an institu-
 23 tion of higher education (as defined in section 101
 24 of the Higher Education Act of 1965 (20 U.S.C.
 25 1001));”.

1 (c) CONFORMING AMENDMENT.—The table of con-
 2 tents in section 1(b) of the John H. Chafee Environmental
 3 Education Act (20 U.S.C. prec. 5501) is amended by
 4 striking the item relating to section 7 and inserting the
 5 following:

“Sec. 7. John H. Chafee Memorial Fellowship Program.”.

6 **SEC. 5. NATIONAL ENVIRONMENTAL EDUCATION AWARDS.**

7 (a) IN GENERAL.—Section 8 of the John H. Chafee
 8 Environmental Education Act (20 U.S.C. 5507) is amend-
 9 ed to read as follows:

10 **“SEC. 8. NATIONAL ENVIRONMENTAL EDUCATION AWARDS.**

11 “(a) PRESIDENT’S ENVIRONMENTAL YOUTH
 12 AWARDS.—The Administrator may establish a program
 13 for the granting and administration of awards, to be
 14 known as ‘President’s Environmental Youth Awards’, to
 15 young people in grades kindergarten through 12 to recog-
 16 nize outstanding projects to promote local environmental
 17 awareness.

18 “(b) TEACHERS’ AWARDS.—

19 “(1) IN GENERAL.—The Chairman of the
 20 Council on Environmental Quality, on behalf of the
 21 President, may establish a program for the granting
 22 and administration of awards to recognize—

23 “(A) teachers in elementary schools and
 24 secondary schools who demonstrate excellence

1 in advancing environmental education through
2 innovative approaches; and

3 “(B) the local educational agencies of the
4 recognized teachers.

5 “(2) ELIGIBILITY.—One teacher, and the local
6 education agency employing the teacher, from each
7 State, the District of Columbia, and the Common-
8 wealth of Puerto Rico, shall be eligible to be selected
9 for an award under this subsection.”.

10 (b) DEFINITIONS.—Section 3 of the John H. Chafee
11 Environmental Education Act (20 U.S.C. 5502) (as
12 amended by section 4(b)) is amended by adding at the
13 end the following:

14 “(16) ‘elementary school’ has the meaning
15 given the term in section 14101 of the Elementary
16 and Secondary Education Act of 1965 (20 U.S.C.
17 8801); and

18 “(17) ‘secondary school’ has the meaning given
19 the term in section 14101 of the Elementary and
20 Secondary Education Act of 1965 (20 U.S.C.
21 8801).”.

22 (c) CONFORMING AMENDMENT.—The table of con-
23 tents in section 1(b) of the John H. Chafee Environmental
24 Education Act (20 U.S.C. prec. 5501) is amended by

1 striking the item relating to section 8 and inserting the
2 following:

“Sec. 8. National environmental education awards.”.

3 **SEC. 6. ENVIRONMENTAL EDUCATION ADVISORY COUNCIL**
4 **AND TASK FORCE.**

5 Section 9 of the John H. Chafee Environmental Edu-
6 cation Act (20 U.S.C. 5508) is amended—

7 (1) in subsection (b)(2)—

8 (A) by striking “(2) The” and all that fol-
9 lows through the end of the second sentence
10 and inserting the following:

11 “(2) MEMBERSHIP.—

12 “(A) IN GENERAL.—The Advisory Council
13 shall consist of not more than 11 members ap-
14 pointed by the Administrator after consultation
15 with the Secretary.

16 “(B) REPRESENTATIVES OF SECTORS.—To
17 the maximum extent practicable, the Adminis-
18 trator shall appoint to the Advisory Council at
19 least 1 member to represent each of—

20 “(i) elementary schools and secondary
21 schools;

22 “(ii) colleges and universities;

23 “(iii) not-for-profit organizations in-
24 volved in environmental education;

1 “(iv) State departments of education
2 and natural resources;

3 “(v) business and industry; and

4 “(vi) senior Americans.”;

5 (B) in the third sentence, by striking “A
6 representative” and inserting the following:

7 “(C) REPRESENTATIVE OF THE SEC-
8 RETARY.—A representative”; and

9 (C) in the last sentence, by striking “The
10 conflict” and inserting the following:

11 “(D) CONFLICTS OF INTEREST.—The con-
12 flict”;

13 (2) in subsection (c), by striking paragraph (2)
14 and inserting the following:

15 “(2) MEMBERSHIP.—Membership on the Task
16 Force shall be open to representatives of any Fed-
17 eral agency actively engaged in environmental edu-
18 cation.”; and

19 (3) in subsection (d), by striking “(d)(1)” and
20 all that follows through “(2) The” and inserting the
21 following:

22 “(d) MEETINGS AND REPORTS.—

23 “(1) IN GENERAL.—The Advisory Council
24 shall—

1 “(A) hold biennial meetings on timely
2 issues regarding environmental education; and

3 “(B) issue a report describing the pro-
4 ceedings of each meeting and recommendations
5 resulting from the meeting.

6 “(2) REVIEW AND COMMENT ON DRAFT RE-
7 PORTS.—The”.

8 **SEC. 7. NATIONAL ENVIRONMENTAL LEARNING FOUNDA-**
9 **TION.**

10 (a) CHANGE IN NAME.—

11 (1) IN GENERAL.—Section 10 of the John H.
12 Chafee Environmental Education Act (20 U.S.C.
13 5509) is amended—

14 (A) by striking the section heading and in-
15 serting the following:

16 **“SEC. 10. NATIONAL ENVIRONMENTAL LEARNING FOUNDA-**
17 **TION.”;**

18 and

19 (B) in the first sentence of subsection
20 (a)(1)(A), by striking “National Environmental
21 Education and Training Foundation” and in-
22 serting “National Environmental Learning
23 Foundation”.

24 (2) CONFORMING AMENDMENTS.—

1 (A) The table of contents in section 1(b) of
 2 the John H. Chafee Environmental Education
 3 Act (20 U.S.C. prec. 5501) is amended by
 4 striking the item relating to section 10 and in-
 5 serting the following:

“Sec. 10. National Environmental Learning Foundation.”.

6 (B) Section 3 of the John H. Chafee Envi-
 7 ronmental Education Act (20 U.S.C. 5502) (as
 8 amended by section 4(b)) is amended—

9 (i) by striking paragraph (12) and in-
 10 serting the following:

11 “(12) ‘Foundation’ means the National Envi-
 12 ronmental Learning Foundation established by sec-
 13 tion 10;”; and

14 (ii) in paragraph (13), by striking
 15 “National Environmental Education and
 16 Training Foundation” and inserting
 17 “Foundation”.

18 (C) Section 11(c) of the John H. Chafee
 19 Environmental Education Act (20 U.S.C.
 20 5510(c)) is amended by striking “National En-
 21 vironmental Education and Training Founda-
 22 tion” and inserting “Foundation”.

23 (b) NUMBER OF DIRECTORS.—Section 10(b)(1)(A)
 24 of the John H. Chafee Environmental Education Act (20

1 U.S.C. 5509(b)(1)(A)) is amended in the first sentence by
2 striking “13” and inserting “19”.

3 (c) ACKNOWLEDGMENT OF DONORS.—Section 10(d)
4 of the John H. Chafee Environmental Education Act (20
5 U.S.C. 5509(d)) is amended by striking paragraph (3) and
6 inserting the following:

7 “(3) ACKNOWLEDGMENT OF DONORS.—The
8 Foundation may acknowledge receipt of donations by
9 means of a listing of the names of donors in mate-
10 rials distributed by the Foundation, except that any
11 such acknowledgment—

12 “(A) shall not appear in educational mate-
13 rial presented to students; and

14 “(B) shall not identify a donor by means
15 of a logo, letterhead, or other corporate com-
16 mercial symbol, slogan, or product.”.

17 (d) ADMINISTRATIVE SERVICES AND SUPPORT.—
18 Section 10(e) of the John H. Chafee Environmental Edu-
19 cation Act (20 U.S.C. 5509(e)) is amended in the first
20 sentence by striking “for a period of up to 4 years from
21 the date of enactment of this Act,”.

22 **SEC. 8. AUTHORIZATION OF APPROPRIATIONS.**

23 (a) IN GENERAL.—Section 11 of the John H. Chafee
24 Environmental Education Act (20 U.S.C. 5510) is
25 amended—

1 (1) by redesignating subsection (c) as sub-
2 section (d);

3 (2) by striking the section heading and sub-
4 sections (a) and (b) and inserting the following:

5 **“SEC. 11. AUTHORIZATION OF APPROPRIATIONS.**

6 “(a) IN GENERAL.—There is authorized to be appro-
7 priated to the Environmental Protection Agency to carry
8 out this Act \$10,000,000 for each of fiscal years 2000
9 through 2005.

10 “(b) LIMITATIONS.—

11 “(1) IN GENERAL.—Subject to paragraph (2),
12 of the amounts made available under subsection (a)
13 for each fiscal year—

14 “(A) not more than 25 percent may be
15 used for the activities of the Office of Environ-
16 mental Education established under section 4;

17 “(B) not more than 25 percent may be
18 used for the operation of the environmental
19 education and training program under section
20 5;

21 “(C) not less than 40 percent shall be used
22 for environmental education grants under sec-
23 tion 6 *and for the John H. Chafee Memorial Fel-*
24 *lowship Program under section 7; and*

1 “(D) 10 percent shall be used for the ac-
2 tivities of the Foundation under sections 7 and
3 10.

4 “(2) ADMINISTRATIVE EXPENSES.—Of the
5 amounts made available under paragraph (1)(A) for
6 each fiscal year, not more than 25 percent may be
7 used for administrative expenses of the Office of En-
8 vironmental Education.

9 “(c) EXPENSE REPORT.—As soon as practicable
10 after the end of each fiscal year, the Administrator shall
11 submit to Congress a report describing in detail the activi-
12 ties for which funds appropriated for the fiscal year were
13 expended.”; and

14 (3) in subsection (d)(2) (as so redesignated), by
15 striking “section 10(d) of this Act” and inserting
16 “section 10(e)”.

17 (b) CONFORMING AMENDMENT.—The table of con-
18 tents in section 1(b) of the John H. Chafee Environmental
19 Education Act (20 U.S.C. prec. 5501) is amended by
20 striking the item relating to section 11 and inserting the
21 following:

“Sec. 11. Authorization of appropriations.”.