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REPORT
110–754

# NO CHILD LEFT INSIDE ACT OF 2008

JULY 10, 2008.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. GEORGE MILLER of California, from the Committee on Education and Labor, submitted the following

# R E P O R T

together with

## MINORITY AND ADDITIONAL VIEWS

[To accompany H.R. 3036]

[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 3036) to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and for other purposes, having considered the same, report favorably thereon with amendments and recommend that the bill as amended do pass.

The amendments are as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "No Child Left Inside Act of 2008".

**SEC. 2. NATIONAL ENVIRONMENTAL EDUCATION ACT AMENDMENTS.**

(a) DEFINITIONS.—Section 3 of the National Environmental Education Act (20 U.S.C. 5502) is amended—

(1) in paragraph (12), by striking "and" at the end;

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

(3) by adding at the end the following:

"(14) 'principles of scientific research' means principles of research that—

"(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;

"(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and

"(C) include, appropriate to the research being conducted—

"(i) use of systematic, empirical methods that draw on observation or experiment;

"(ii) use of data analyses that are adequate to support the general findings;

"(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;

"(iv) strong claims of causal relationships, only with research designs that eliminate plausible completing explanations for observed results, such as, but not limited to, random-assignment experiments;

"(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;

"(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and

"(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions;

"(15) 'scientifically valid research' includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research;

"(16) 'State' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965; and

"(17) 'State educational agency' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.".

(b) ENVIRONMENTAL EDUCATION AND TRAINING PROGRAM.—Section 5 of the National Environmental Education Act (20 U.S.C. 5504) is amended—

(1) in subsection (b)—

(A) in paragraph (1)—

(i) by inserting "creating opportunities for enhanced and ongoing professional development and" before "classroom"; and

(ii) by inserting "(including integrating scientifically valid research teaching methods and technology-based teaching methods into the curriculum)" after "practices";

(B) in paragraph (3)—

(i) by striking "curriculum, including" and inserting "curriculum (including";

(ii) by striking "groups;" and inserting "groups) which—"; and

(iii) by adding at the end the following:

"(A) are aligned with challenging State and local academic content standards to the extent such standards exist; and

"(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components;";

(C) in paragraph (7), by striking "and forums;" and inserting "forums, and bringing teachers into contact with working professionals in environmental fields to expand such teachers' subject matter knowledge of, and research in, environmental issues;";

(D) in paragraph (8), by striking "; and" and inserting ", including environmental education distance learning programs for teachers using curricula that are innovative, content-based, and based on scientifically valid research that is current as of the date of the program involved;";

(E) by redesignating paragraph (9) as paragraph (13);

(F) by redesignating paragraphs (4) through (8) as paragraphs (5) through (9), respectively;

(G) by inserting after paragraph (3) the following:

"(4) encouraging individuals traditionally under-represented in environmental careers to pursue postsecondary degrees in majors leading to such careers;"; and

(H) by inserting after paragraph (9) (as so redesignated) the following:

"(10) establishment of programs to prepare teachers at a school to provide environmental education professional development to other teachers at the school and programs to promote outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowledge and development of teachers and students;

"(11) summer workshops or institutes, including follow-up training, for elementary and secondary school environmental education teachers;

"(12) encouraging mid-career environmental professionals to pursue careers in environmental education; and"; and

(2) in subsection (c)(1), by inserting ", in consultation with the Secretary," after "Administrator".

(c) AUTHORIZATION.—Section 11(a) of the National Environmental Education Act (20 U.S.C. 5510(a)) is amended by striking "Act" and all that follows through the period at the end and inserting "Act, except for section 11, $14,000,000 for fiscal year 2009.".

(d) NATIONAL CAPACITY ENVIRONMENTAL EDUCATION GRANT PROGRAM; ACCOUNTABILITY.—The National Environmental Education Act (20 U.S.C. 5501 et seq.) is amended—

(1) by redesignating section 11 as section 13; and

(2) by inserting after section 10 the following:

**"SEC. 11. NATIONAL CAPACITY ENVIRONMENTAL EDUCATION GRANT PROGRAM.**

"(a) GRANTS AUTHORIZED.—

"(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to nonprofit organizations, State educational agencies, local educational agencies, or institutions of higher education that have demonstrated expertise and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced. Notwithstanding any other provision of this section, a State educational agency, a local educational agency, an institution of higher education, or a not-for-profit organization may use funds provided under this section to coordinate with any program or unit operated by a Federal Natural Resource Management Agency to carry out environmental education programs based on the full range of the resources and mission of the Agency.

"(2) DURATION.—The Secretary shall award each grant under this section for a period of not less than 1 year and not more than 3 years.

"(b) USE OF FUNDS.—Grant funds made available under this section shall be used for 1 or more of the following:

"(1) Developing and implementing challenging State academic content standards, student academic achievement standards, and State curriculum frameworks in environmental education, including the need to balance conservation of the environment with the development of the Nation's energy resources.

"(2) Replicating or disseminating information about proven and tested model environmental education programs that—

"(A) use the environment as an integrating theme or content throughout the curriculum;

"(B) provide integrated, interdisciplinary instruction about natural, social, and economic systems along with field experience that provides students with opportunities to directly experience nature in ways designed to improve overall academic performance, self-esteem, personal responsibility, community involvement, personal health (including addressing child obesity issues), or their understanding of nature;

"(C) provide integrated instruction on waste reduction, reuse, recycling, and composting programs and, when possible, promote such activities within the school; or

"(D) address issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations with respect to minority and low-income communities, with particular attention to the development of environmental justice curriculum at the middle and high school level.

"(3) Developing and implementing new policy approaches to advancing environmental education at the State and national level.

"(4) Conducting studies of national significance that—

"(A) evaluate the effectiveness of teaching environmental education as a separate subject, and as an integrating concept or theme;

"(B) evaluate the effectiveness of using environmental education in helping students improve their assessment scores in mathematics, reading or language arts, science, and the other core academic subjects; or

"(C) evaluate ways to coordinate activities under this Act with existing Federal science teacher in-service training or professional development programs.

"(5) Executing projects that advance widespread State and local educational agency adoption and use of environmental education content standards, including adoption and use of such standards in textbook selection criteria.

"(6) Developing a State environmental literacy plan that includes the following:

"(A) A description of how the State educational agency will measure the environmental literacy of students, including—

"(i) relevant State academic content standards and content areas regarding environmental education, and courses or subjects where environmental education instruction will take place; and

"(ii) a description of the relationship of the plan to the secondary school graduation requirements of the State.

"(B) A description of programs for professional development for teachers to improve the teachers'—

"(i) environmental content knowledge;

"(ii) skill in teaching about environmental issues; and

"(iii) field-based pedagogical skills.

"(C) A description of how the State educational agency will implement the plan, including securing funding and other necessary support.

"(7) Developing evidence-based approaches to build capacity to increase the number of elementary and secondary environmental educators.

"(c) APPLICATIONS.—Each nonprofit organization, State educational agency, local educational agency, or institution of higher education desiring a grant under this section shall submit to the Secretary an application that contains a plan to initiate, expand, or improve environmental education programs in order to make progress toward meeting State standards for environmental learning (to the extent such standards exist) and environmental literacy and contains an evaluation and accountability plan for activities assisted under this section that includes rigorous objectives that measure the impact of activities funded under this section.

"(d) REQUIREMENTS.—

"(1) ANNUAL REPORT.—In order to continue receiving grant funds under this section after the first year of a multi-year grant under this section, the grantee shall submit to the Secretary an annual report that—

"(A) describes the activities assisted under this section that were conducted during the preceding year;

"(B) describes the results of the grantee's evaluation and accountability plan; and

"(C) demonstrates that the grantee has undertaken activities to accomplish at least one of the following:

"(i) Responsibly preparing children to understand and address major challenges facing the United States, such as increasing the supply of clean energy, climate change, environmental health risks, and environmental disaster and emergency preparedness.

"(ii) Supporting systemic education reform by strengthening environmental education as an integral part of the elementary school and secondary school curriculum.

"(iii) Helping ensure that all students meet challenging State academic content and student academic achievement standards in environmental learning.

"(iv) Supporting efforts to enable students to engage in environmental education.

"(v) Leveraging and expanding private and public support for environmental education partnerships at national, State, and local levels.

"(vi) Awarding grants to initiate, expand, or improve environmental education programs for elementary and secondary students.

"(vii) Restoring and increasing field experiences as part of the regular school curriculum and schedule in order to improve students' overall academic performance, self-esteem, personal responsibility, community involvement, personal health (including addressing child obesity issues), and understanding of nature.

"(2) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the grant funds made available to a nonprofit organization, State educational agency, local educational agency, or institution of higher education under this section for any fiscal year may be used for administrative expenses.

"(3) STATE ENVIRONMENTAL LITERACY PLANS.—

"(A) IN GENERAL.—A State educational agency receiving a grant under this section shall—

"(i) have a State environmental literacy plan that is consistent with the requirements of subsection (b)(6) and that is peer reviewed within the State by a panel composed of experts in environmental education and representatives from other related State agencies; or

"(ii) develop a State environmental literacy plan described in subsection (b)(6) with funds made available under this section prior to using the grant funds for any other purpose.

"(B) PEER REVIEW.—If an environmental literacy plan described in subparagraph (A)(i) has not been peer reviewed within the State, the State

educational agency, notwithstanding subsection (b), shall use funds made available under this section to complete such review, as described in such subparagraph, prior to using the grant funds for any other purpose.

"(C) OTHER GRANTEES.—An applicant for a grant under this section that is not a State educational agency and applies for funding to be used for the purpose described in subsection (b)(6) shall demonstrate in the application that the applicant has consulted with the State educational agency about such use of funds.

"(e) ADMINISTRATIVE PROVISIONS.—

"(1) FEDERAL SHARE.—The Federal share under this section shall not exceed—

"(A) 90 percent of the total cost of a program assisted under this section for the first year for which the program receives assistance under this section;

"(B) 75 percent of such cost for the second; and

"(C) 50 percent of such cost for each subsequent such year.

"(2) REPORT TO CONGRESS.—Not later than one year after enactment of this bill, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—

"(A) describes the programs assisted under this section;

"(B) documents the success of such programs in improving national and State environmental education capacity; and

"(C) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this section.

"(3) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this section shall remain available until expended.

"(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, any other Federal, State, or local funds available for environmental education activities.

"(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2009.

**"SEC. 12. ACCOUNTABILITY.**

"(a) QUALITY INDICATORS.—The Administrator, the Secretary, and the Foundation each shall establish indicators of program quality for the programs and activities funded under this Act (other than fellowship awards funded under section 7) that such official or entity administers.

"(b) MINIMUM INDICATORS.—Such indicators of program quality, at a minimum, shall—

"(1) enhance understanding of the natural and built environment;

"(2) foster a better appreciation of the interdisciplinary nature of environmental issues and conditions;

"(3) increase achievement in related areas of national interest, such as mathematics and science;

"(4) increase understanding of the benefits of exposure to the natural environment;

"(5) improve understanding of how human and natural systems interact together;

"(6) broaden awareness of environmental issues; and

"(7) include such other indicators as the Administrator, Secretary, or Foundation may develop.

"(c) REPORT.—Each recipient receiving funds under this Act, other than fellowship recipients under section 7, shall report annually to the Administrator, the Secretary, or the Foundation regarding progress made in meeting the minimum indicators of program quality established under subsection (b). The Administrator, the Secretary, and the Foundation shall disseminate such information widely to the public through electronic and other means.".

(e) RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.—The National Environmental Education Act (20 U.S.C. 5501 et seq.), as amended by subsection (d), is further amended by adding at the end the following:

**"SEC. 14. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.**

"(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.

"(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—No funds provided to the Administrator or Secretary under this Act may be used by the Agency or Department of Education to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.

"(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—No State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.

"(d) RESTRICTIONS ON PARTISAN POLITICAL INFLUENCE.—

"(1) IN GENERAL.—In carrying out the activities described in this Act, the Administrator and Secretary shall ensure that such activities—

"(A) conform to high standards of quality, integrity, and accuracy;

"(B) are objective, neutral, and nonideological and are free of partisan political influence; and

"(C) do not advocate a particular political viewpoint.

"(2) ACTIONS TO IMPLEMENT AND ENFORCE.—The Administrator and Secretary shall take such actions as are necessary to ensure that the provisions of this section are vigorously implemented and enforced.".

(f) CONFORMING AMENDMENT.—The table of contents in section 1(b) of the National Environmental Education Act (20 U.S.C. 5501 note) is amended by striking the item relating to section 11 and inserting the following:

"Sec. 11. National capacity environmental education grant program.
"Sec. 12. Accountability.
"Sec. 13. Authorization.
"Sec. 14. Restrictions on Federal Government and use of Federal funds.".

Amend the title so as to read:

A bill to reauthorize and enhance the National Environmental Education Act, and for other purposes.

## I. PURPOSE

The purpose of H. R. 3036, the No Child Left Inside (NCLI) Act of 2008, is to support local and statewide efforts to expand and enhance environmental education and to provide enhanced professional developmental opportunities in environmental education.

## II. COMMITTEE ACTION

### 110TH CONGRESS

*Early Childhood, Elementary, and Secondary Education Subcommittee Field Hearing: "Environmental Education: Teaching Our Children To Preserve Our Future"*

On Tuesday, April 22, 2008, the Subcommittee on Early Childhood, Elementary, and Secondary Education held a field hearing at the National Wildlife Visitor Center of the Patuxent Wildlife Research Refuge in Laurel, Maryland, on "Environmental Education: Teaching Our Children To Preserve Our Future." The purpose of the field hearing was to highlight the value of integrating environmental education into the classroom and to emphasize its benefits in helping students achieve academic success and become better stewards of the environment. Testifying before the Subcommittee were, on the first panel, Governor Martin O'Malley, State of Maryland, and on the second panel, Dr. Nancy S. Grasmick, Superintendent, Maryland State Department of Education; Karen Harris, Principal, Pot Spring Elementary School, Timonium, Maryland; Dr. Oliver Pergams, Conservation Biologist, Department of Biological Sciences, University of Illinois at Chicago; Dr. Robert Lawrence, Director, Center for a Livable Future, Johns Hopkins Bloomberg School of Public Health, Baltimore, Maryland; and Sean Davidson, Co-founder, Greenlight Biofuels, Columbia, Maryland.

*Introduction of the "No Child Left Inside Act of 2007"*

On July 12, 2007, Representative John P. Sarbanes introduced H.R. 3036, the No Child Left Inside Act of 2007, a bill to amend the Elementary and Secondary Education Act of 1965 regarding environmental education, and other purposes.

*Full Committee Markup of H.R. 3036*

On Wednesday, June 18, 2008, the Committee on Education and Labor considered H.R. 3036, in legislative session, and reported the bill favorably, as amended, to the House of Representatives by a vote of 37–8. The Committee adopted the following amendments:

Representative Miller offered an amendment in the nature of a substitute. The substitute amendment makes the following changes to H.R. 3036:

- Extends the National Environmental Education Act authorization through fiscal year 2009, at $14,000,000;
- Amends the National Environmental Education Act by requiring the Administrator of the Environmental Protection Agency (EPA) to consult with the Secretary of Education in making grants for professional development under the Environmental Education Training Program;

Amends the National Environmental Education Act to (1) create opportunities for enhanced and ongoing professional development in environmental education; (2) encourage individuals traditionally underrepresented in environmental careers to pursue post secondary degrees in majors leading to environmental careers; (3) bring teachers into contact with working professionals in environmental fields; (4) support environmental education distance learning programs for teachers; (5) promote outdoor environmental education activities as part of the regular school curriculum and schedule; (6) establish environmental education summer workshops or institutes for teachers; and (7) encourage mid-career environmental professionals to pursue careers in environmental education;

- Establishes the National Capacity Environmental Education Grant Program (NCEEG), with a separate authorization of such sums for fiscal year 2009. NCEEG authorizes the Secretary of Education to award one to three year competitive grants to nonprofit organizations, state educational agencies, local educational agencies, or institutions of higher education to expand environmental education, develop standards and disseminate information on proven environmental education programs.
- Authorizes additional uses of funds under the NCEEG including (1) developing and implementing new policy approaches to advance environmental education at the state and national level; (2) conducting studies that evaluate the effectiveness of teaching environmental education as a separate subject, as an integrating concept, or as a tool to help students improve their assessment scores; (3) increasing adoption of environmental content standards by states and school districts, including in textbook election; (4) developing evidence-based approaches to build capacity to increase the number of K–12 environmental educators; (5) developing a state environmental literacy plan that includes a description of how the state edu-

cational agency will measure students' environmental literacy, including by assessing state academic content standards, subjects in which environmental education will take place, the plan's relationship to the state's secondary school graduation requirements, and programs for teacher professional development.

• Requires a state educational agency receiving an NCEEG grant either to have a state environmental literacy plan in place or to use funds received under the grant program to develop a plan before using funds for any other purpose. Requires a nonprofit, local educational agency or institution of higher education seeking to use funds to develop a state environmental literacy plan to show on their application that they have consulted with the state educational agency in their state.

The amendment was adopted by voice vote.

Representative Castle (R–DE) offered an amendment to require the Administrator of the EPA, the Secretary of Education, and the National Environmental Education Foundation to establish indicators of program quality for the programs under the National Environmental Education Act. The amendment was adopted by voice vote.

Representative Sarbanes (D–MD) offered an amendment to make technical edits to the amendment in the nature of a substitute and to include definitions for scientifically valid research and principles of scientific research. The amendment was adopted by voice vote.

Representatve Ehlers (R–MI) offered two amendments en bloc that expand the list of subjects studied to determine whether environmental education helps improve student assessments scores to include science and, also to allow grantees to conduct studies of national significance that evaluate ways to coordinate activities under the National Environmental Education Act with existing federal science teacher in-service training or professional development programs. The amendment was adopted by voice vote.

Representatve Holt (D–NJ) and Representative Souder (R–IN) offered an amendment to allow grantees of the NCEEG program to coordinate with any program or unit operated by a federal natural resource management agency. The amendment was adopted by voice vote.

Representative Bishop (D–NY) offered an amendment to allow grantees of the NCEEG program to replicate or disseminate information about proven and tested environmental education programs that provide integrated instruction on waste reduction, reuse, recycling, and composting programs and when possible, to promote these activities within the school. The amendment was adopted by voice vote.

Representative Souder (R–IN) offered an amendment to allow grantees of the NCEEG program to develop environmental education standards that include information on the need to balance conservation of the environment with the development of the nation's energy resources. The amendment was adopted by voice vote.

Representatve Clarke (D–NY) offered an amendment to allow grantees of the NCEEG program to address issues of environmental justice, including developing an environmental justice curriculum for middle and high school students. The amendment was adopted by a vote of 27–18.

Representative Price (R–GA) offered an amendment to clarify that federal funds may not be used to mandate, direct, or control a state or local educational agency, a school's curriculum or program of instruction, or a state's allocation of funds. It further prohibits the use of funds to endorse, approve or sanction any curriculum. In addition, the federal government may not require states to have specified standards approved by the federal government as a condition of receiving grants. Finally, the Secretary shall ensure that all activities under this Act be free of partisan political influences. The amendment was adopted by voice vote.

## III. SUMMARY OF THE BILL

*Purpose*

The purpose of H.R. 3036, the No Child Left Inside (NCLI) Act, is to support local and statewide efforts to expand and enhance environmental education. The NCLI Act amends the National Environmental Education Act of 1990 (NEEA) to enhance the teacher professional development opportunities provided by the Environmental Education and Training program and creates a new grant program focused on expanding the capacity of environmental education at the state and national level. H.R. 3036 also strengthens the NEEA by establishing standards for program accountability and enumerating prohibited use of funds.

*Funding*

H.R. 3036 maintains the current authorization level of the NEEA at $14 million and extends the authorization through fiscal year 2009 to support environmental education opportunities in all sections except section 11. Section 11, the National Capacity Environmental Education Grant (NCEEG) program, is authorized at the level of such sums as are necessary through fiscal year 2009.

*Definitions*

H.R. 3036 amends the NEEA to define the terms "principles of scientific research", "scientifically valid research", "State", and "State educational agency".

*Environmental Education and Training Program (ETP)*

H.R. 3036 enhances and expands the functions of the Environmental Education and Training Program. The purpose of the program is to train education professionals in the development and delivery of environmental education and training programs and studies. H.R. 3036 requires the Administrator of the Environmental Protection Agency (EPA) to consult with the Secretary of Education when making grants under this program.

The bill creates opportunities for enhanced and ongoing professional development in environmental education. The bill also requires that training under the EETP include scientifically valid research and technology-based teaching methods. The NCLI Act clarifies that curriculum developed under this section be aligned with challenging state standards where applicable, and that such curriculum advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and include strong field components.

Under current law, a required activity of the EETP is to bring the environmental education community together for conferences, seminars, and related forums for the advancement and development of education and training curricula. H.R. 3036 strengthens this requirement by emphasizing bringing teachers into contact with working professionals in environmental fields in order to expand the teachers' subject matter knowledge in environmental issues. H.R. 3036 also enhances the distance learning function of the EETP to include teachers distance learning programs that are innovative, content-based, and based on current scientifically valid research.

The NCLI Act requires the EETP to encourage individuals traditionally underrepresented in environmental careers to pursue baccalaureate and post baccalaureate studies that lead to such careers. Additionally, H.R. 3036 expands the EETP to include activities aimed at training teachers to participate in peer-to-peer professional development in environmental education. The required activities also include programs to promote outdoor environmental education activities as part of the regular school curriculum and schedule. Furthermore, the bill requires summer workshops or institutes, including follow-up training for elementary and secondary school environmental educators. Under H.R. 3036, the EETP must encourage mid-career environmental professionals to pursue careers in environmental education.

*National Capacity Environmental Education Grant Program*

H.R. 3036 establishes a new grant program in section 11 titled the "National Capacity Environmental Education Grant Program". These competitive grants are administrated by the Department of Education and may be awarded to state educational agencies, nonprofit organizations, local educational agencies, or institutions of higher education. The purposes of the grants is to assist in making the field of environmental education more effective and more widely practices. Funds awarded under this section may be used to coordinate with any program or unit operated by a federal natural resource management agency (as defined in NEEA) to carry out environmental education programs based on the full range of the resources and mission of the agency.

Grants under this section may be awarded for a period of one year to three years and may be used to (1) develop and implement challenging state academic content standards, student academic achievement standards and state curriculum frameworks in environmental education; (2) replicate or disseminate information about proven and tested model environmental education programs that meet specified criteria; (3) provide integrated instruction on waste reduction, reuse, recycling, and compost programs; (4) address issues of environmental justice with particular attention to the development of environmental justice curriculum at the middle and high school levels; (5) develop and implement new policy approaches that advance environmental education at the state and national level; (6) conduct studies of national significance that evaluate the effectiveness of teaching environmental education as a separate subject, the effectiveness of using environmental education to improve assessment scores in mathematics, reading, language arts, or science, or ways to coordinate authorized activities

with existing federal science teacher in-service training or professional development programs; (7) execute projects that advance the use of environmental education content standards; (8) develop state environmental literacy plans; and (9) develop evidence-based approaches to build capacity to increase the number of elementary and secondary environmental educators.

H.R. 3036 requires that a state educational agency receiving funds under the NCEEG program have a peer-reviewed state environmental literacy plan. If a state has a state environmental literacy plan that has not been peer-reviewed, grant funds must first be used to implement a peer review of that plan. If a state does not have a plan at all, grant funds must first be used to develop and peer review a state environmental literacy plan. Other applicants (that are not a state educational agency) must demonstrate in their application that the state education agency was consulted about such use of funds.

The bill specifies the content to be included in applications and annual reports required from each grantee. No more than five percent of the grant funds may be used for administrative expenses. Grants under this section have a graduated state matching obligation of ten percent in the first year of the grant, and twenty-five percent in the second year of the grant, and fifty percent in the subsequent years of the grant. Funds shall be used to supplement, not supplant, other federal, state, or local funds made available for environmental education activities.

The Secretary is required to submit a report to the Committee on Education and Labor in the U.S. House of Representatives and the Committee on Health, Education, Labor, and Pensions in the U.S. Senate that describes the programs funded under this section, provides information on successes in improving environmental education capacity at the state and national level, and makes recommendations for the improvement of the program.

*Accountability*

H.R. 3036 requires that the Administrator of the EPA, the Secretary of Education, and the National Environmental Education Foundation establish indicators of quality for the programs and activities funded under this Act which such official or entity administers. This requirement does not apply to fellowships awarded under section 7 of the National Environmental Education Act. The indicators shall, at a minimum, enhance understanding of the natural and built environment; foster a better appreciation of the interdisciplinary nature of environmental issues and conditions; increase achievement in related areas of national interest, such as mathematics and science; increase understanding of the benefits of exposure to the natural environment; improve understanding of how human and natural systems interact; and, broaden the awareness of environmental issues. The Administrator, Secretary and the Foundation are authorized to develop additional minimum indicators.

Each grantee under this Act, except those awarded fellowships under section 7, shall report annually on the progress made in meeting the indicators to the official administering the grantees' program. Each official shall disseminate the information obtained

from the report widely to the public through electronic and other means.

*Restrictions on use of funds*

H.R. 3036 restricts officers or employees of the federal government from using funds to mandate, direct or control a state or local educational agency. Funds may not be used to direct a school's curriculum, program of instruction, specific instructional content, or academic achievement standards, or to direct a state's allocation of funds. No funds made available under this Act may be used to endorse, approve, or sanction any curriculum. However, no state shall be required to have federal approval of academic content or student academic achievement standards for programs funded under this Act. The Administrator of the EPA and the Secretary of Education are required to ensure that activities confirm to high standards of quality, integrity and accuracy; are objective, neutral, non-ideological and are free of partisan influence; and do not advocate a particular partisan viewpoint

## IV. Committee Views

The Committee believes that H.R. 3036, the No Child Left Inside Act, addresses key environmental education issues—preparing elementary and secondary educators to teach students about environmental issues facing our nation through environmental education as well as building state and national capacity to improve environmental education. Environmental education produces students who are knowledgeable about environmental issues facing our nation and teaches them to be environmental stewards who may create a sustainable and healthy future for the next generation. Like other science courses, environmental education instructs students in critical thinking, problem-solving, team work, obtaining and analyzing data, communication and critical analysis. The Committee believes that these skills are critical for success in the 21st century and that environmental education will help prepare students play an important role in strengthening our nation's economy.

Environmental education involves the outdoors, and in many respects getting students outdoors is essential to connect them with their surrounding environment. The Committee believes that while engaging students in the outdoors is important and beneficial, the overall benefits of integrating environmental education into students' education are numerous and are not limited to experiences outside school walls. When environmental education is integrated into the classroom, students and teachers are able to use current and, ideally, local environmental issues to help increase their understanding of math, science, history, and other academic subjects. Environmental education is a powerful tool to help motivate students to take care of the environment and help improve their academic achievement.

Environmental education has been shown to improve academic performance across the curriculum. According to Karen Harris, principal of Pot Spring Elementary School in Baltimore County, using the outdoors to teach language arts, math, reading, science, and art has resulted in improved academic performance and behavior, and in student achievement. At Pot Spring Elementary, integrating environmental education into the curriculum has fostered

a collaborative environment among students and produced community among students, faculty and staff.[1] Students can also benefit from character development and leadership, environmental responsibility, and academic performance when engaged in environmental education.[2]

The NCLI Act will enhance existing federal environmental education programs as well as create a new program, the National Capacity Environmental Education Grant program (NCEEG) to help develop state and national capacity around environmental education.

*Professional development in environmental education*

The Committee finds that in proved preparation of environmental educators increases both the quantity and quality of environmental education, improves environmental learning and supports student academic achievement. The Committee considers environmental education professional development as an integral component in producing environmentally literate students. When teachers are provided opportunities to experience environmental science, to meet environmental professionals, and to learn about or engage in a wide range of environmental issues facing our nation, those teachers bring their experiences into the classroom. The interdisciplinary nature of environmental education leads naturally to environmental education across the curriculum—in art, math, science, social studies, language arts or other subjects. Therefore, teachers should be provided training on how to integrate environmental education across the curriculum, using it as a tool to enhance the academic achievement of students.

It is the Committee's intent that the Environmental Education and Training Program (EETP) currently administered through the Environmental Protection Agency (EPA) should now include program and activities to create opportunities for enhanced and ongoing professional development in environmental education. The Committee notes that when teachers are given ongoing professional development, they are provided necessary supports to respond and adapt to challenges they face in the classroom.

The Committee believes that professional development programs and activities carried out by the EETP should include educational methods and practices that integrate scientifically valid research teaching methods and technology-based teaching methods into the curriculum. It is the Committee's intent that professional development for teachers in environmental education, specifically related to educational methods and practices, and that is funded under this Act, be based on scientific research that shows that the methods and practices are effective in increasing the academic achievement of students.

Currently, the EETP's program and activities include the development of environmental education programs and curriculum. The

[1] Testimony of Karen Harris, Hearing, U.S. House of Representatives, Subcommittee on Early Childhood, Elementary and Secondary Education, Environmental Education: Teaching Our Children to Preserve our Future, April 22, 2008 (http://edlabor.house.gov/testimony/2008–04–22–KarenHarris.pdf).

[2] Testimony of Dr. Nancy S. Grasmick, Hearing, U.S. House of Representatives, Subcommittee on Early Childhood, Elementary and Secondary Education, Environmental Education: Teaching Our Children to Preserve our Future, April 22, 2008 (http://edlabor.house.gov/testimony/2008–04–22–NancyGrasmick.pdf).

Committee believes that, to the extent such standards exist, environmental education curricula and programs should be aligned with challenging state and local academic content standards. The Committee is not mandating that states or locals create such standards. However, the Committee believes that when these programs and curricula are aligned with existing academic content standards, the academic achievement of students in science, math, and other subjects will improve. Also, the Committee believes that environmental education programs and curriculum developed under the EETP should advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic system and that include strong field components. According to Sean Davidson, a school sponsored trip to a local farm to learn about the outdoors encouraged him to seek out other outdoor experiences. A subsequent trip to the Chesapeake Bay led to his eventual decision to co-found Greenlight Biofuels, a biodiesel production company.[3] Environmental education helps students become more aware of their environment and encourages them to take proactive steps to become better stewards of the environment.

Bringing teachers in contact with working professionals in environmental fields will help to expand their knowledge of and research in environmental issues. Teachers will be better poised to teach about environmental issues when they are provided information on the issues facing our nation and world, and when they have first-hand knowledge of the work being done to address these issues. Teachers will also benefit from environmental education distance leaning programs that are up-to-date, based on scientifically valid research, and that are innovative and content-based. Distance leaning is of particular importance for our nation's rural elementary and secondary educators. Because not every teacher is able to travel to forums, seminars, and conferences on environmental education, distance learning programs should increase the number of teachers who are able to provide environmental education in their classrooms. It is the Committee's intent that the EETP include summer workshops or institutes, including follow-up training, for elementary and secondary teachers that will provide professional development on how to integrate environmental education into the classroom and topics related to the improvement of environmental education.

Additionally, the Committee believes that the EETP should establish programs to prepare teachers to share environmental education professional development they have received with other teachers at their schools. The EETP should also establish programs that promote outdoor environmental education activities for teaches and students.

According to Dr. Oliver R.W. Pergrams, Director of the Red Rock Institute, Inc., and Conservation Biologist at the University of Illinois at Chicago, "while classroom environmental education . . . is important and absolutely necessary, incorporating as many hands-on nature experiences as possible is crucial."[4]

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[3] Testimony of Sean Davidson, Hearing, U.S. House of Representatives, Subcommittee on Early Childhood, Elementary and Secondary Education, Environmental Education: Teaching Our Children to Preserve our Future, April 22, 2008, (http://edlabor.house.gov/testimony/2008-04-22-SeanDavidson.pdf)

[4] Testimony of Dr. Oliver R.W. Pergams, Hearing, U.S. House of Representatives, Subcommittee on Early Childhood, Elementary and Secondary Education, Environmental Edu-

According to the report of the National Science Foundation on science and engineering (S&E) , "the S&E workforce in the United States has grown rapidly for decades"' although "the proportions of women, blacks, and Hispanics in S&E occupations have continued to grow over time, but are still less than their proportions of the population."[5] As such, it is the Committee's intent that the EETP include initiatives to encourage individuals traditionally underrepresented in environmental careers to pursue postsecondary degrees in majors leading to environmental careers. The EETP should also contain programs and activities to encourage mid-career environmental professionals to pursue careers in environmental education. An environmental professional can bring real-world experience to the classroom and help make environmental education more relevant for students.

*Building national and state capacity in environmental education*

The Committee determines that there is a need for federal resources to build national and state capacity in environmental education. While the the Committee supports the continued work of the EPA through the NEEA programs, the Committee also recognizes that the Department of Education can have an influential role in building capacity for and improving environmental education in our nation. H.R. 3036 establishes, within the Department of Education, an environmental education capacity program with separate funding to support environmental education initiatives at the state and local level. The Committee expects that the Department of Education will partner with the EPA in this initiative.

Eligible grants for the capacity building program include state educational agencies, local educational agencies, nonprofits, and institutions of higher education that have demonstrated expertise and experience in the development of institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced. An amendment offered by Representative Holt and Souder encourages grant applicants to partner with federal national resources management agencies, as defined in the NEEA. It is the Committee's intent that partnerships with such agencies may involve each of the various goals within the mission of the particular agency. The Committee recognizes the important contributions to environmental education made by zoos, aquariums, museums, science and nature centers, libraries, botanic gardens, and other cultural institutions. The Committee further recognizes that teacher and student education programs at such entities, when conducted in partnership with local educational agencies, can help accomplish the purposes of this Act. Therefore, the Committee encourages giant applicants under the NCEEG program to partner with such entities to establish new programs or expand existing programs. Furthermore, the Committee recognizes the contributions made by local and regional parks to the environmental education of children and communities, and also encourages NCEEG program grantees

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cation: Teaching Our Children to Preserve Our Future, April 22, 2008, (http://edlabor.house.gov/testimony/ 2008–04–22-OliverPergams.pdt)

[5] National Science Board. 2008. Science and Engineering Indicators 2008. Two volumes. Arlington VA: National Scienc Foundation (volume 1, NSB 08–01; volume 2, NSB 08–01A) (http:nsf.gov/statistics/seind08/pdfstart.htm)

to partner with them to establish new programs or expand existing programs.

Grants awarded under NCEEG program may be used for a number of purposes, including developing environmental education standards, new environmental policy approaches, model programs, national studies on the effectiveness of environmental education, or increasing the number of elementary and secondary environmental education teachers. Representative Souder offered an amendment to H.R. 3036 , clarifying that such standards and state curriculum frameworks for environmental education include the need to balance conservation of the environment with the development of the nation's energy resources. The Committee supports the goal of educating students about the challenges currently faced by our nation and the world in regard to the amount of fossil fuels available globally and the resources necessary to research and develop new energy sources for the future.

Representative Bishop of New York offered an amendment to allow NCEEG program grantees to apply for funds for the replication or dissemination of information about proven tested model environmental education programs on waste reduction, reuse, recycling, and composting programs and, when possible, to promote these activities within the school. The amendment was adopted by voice vote. The Committee believes that teaching students about these issues will help raise awareness and may encourage schools to develop their own programs to address these issues.

Representative Clarke of New York also offered an amendment to allow funds under the NCEEG program be used to address issues of environmental justice and for the development of environmental justice curricula at the middle and high school level. The amendment was adopted by recorded vote following debate and consideration of the meaning of the term "environmental justice." The Committee intends that the definition of environmental justice be derived from that currently used by the EPA :

> Environmental Justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education, or income with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies.
>
> Fair Treatment means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental consequences resulting from industrial, municipal, and commercial operations or the execution of federal, state, local, and tribal environmental programs and policies.
>
> Meaningful Involvement means that: (1) potentially affected community residents have an appropriate opportunity to participate in decisions about a proposed activity that will affect their environment and/or health; (2) the public's contribution can influence the regulatory agency decision; (3) the concerns of all participants involved will be considered in the decision-making process; and (4) the decision-makers seek out and facilitate the involvement of those potentially affected.

The Committee believes that it is important for students to investigate and consider environmental justice issues facing their respective communities and the nation. Additionally, the Committee believes that suburban, rural, and urban communities may face a variety of environmental justice issues and as such intends that these grants be awarded to grantees in a variety of geographic locations.

*State environmental literacy plans*

H.R. 3036 will provide support for developing environmental literacy plans and encourage states to develop a framework to guide environmental education in that state. An environmentally literate citizenry will be more capable of analyzing environmental issues and making along informed decisions as consumers, employees, parents, youth, students, and voters.

It is the Committee's intent that a state educational agency that applies for a grant under the NCEEG program either has a state environmental literacy plan in place or develops a plan with funds made available under the grant before using funds for any other purpose. State environmental literary plans must be peer reviewed by a panel composed of experts in environmental education and representatives from other related state agencies, such as the state's agency on the environment. The Committee believes coordination with related state agencies will result in higher quality state environmental literacy plans. The Committee intends that the description of the state environmental literacy plan in the NCEEG serve as a framework to guide states in developing their own plan. The Committee recognizes, however, that each state is unique and that each state environmental literacy plan will differ according to the needs and environmental landscape of that state.

Representative Ehlers of Michigan offered two amendments en bloc to include science in the list of subjects to be studied in determining whether environmental education improves student achievement. The amendments also allow grantees to conduct studies of national significance to evaluate ways to coordinate authorized with existing federal science teacher in-service training or professional development programs. The Committee notes that these studies address the continued need for coordination and collaboration across Federal programs.

Representative Castle of Delaware offered an amendment to provide accountability for programs under the Act, with the exception of the fellowship programs described in section 7. The amendment requires the development of quality indicators by the administrators of grant funds, including the Administrator of the Environmental Protection Agency, the Secretary of Education, and a designated official from the National Environmental Education Foundation (established in the NEEA). The Committee recognizes the importance of accountability and will continue to seek ways to further improve accountability for programs under the Act.

Representative Price of Georgia offered an amendment to impose certain restrictions on the use of funds. The amendment provides that no officer of the federal government may mandate, direct, or control a state or local educational agency, or a school's curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of funds. Fur-

thermore, no funds may be used to endorse, approve, or sanction a particular curriculum. The amendment provides that no state shall be required to obtain approval or certification from the federal government of its academic content or student academic achievement standards. The Administrator and Secretary must ensure that authorized activities conform to high standards of quality, integrity, and accuracy; are objective, neutral, and non-ideological and free of partisan political influence; and do not advocate a particular political viewpoint. The amendment was adopted by voice vote.

*Authorization of appropriations*

It has been over eighteen years since the National Environmental Education Act was passed into law, and the Committee realizes much has changed in the field of environmental education and professional development over that span of time. H.R. 3036 provides a one-year extension of the Act at its highest appropriated level of $14,000,000. It is the Committee's intention, however, to address reauthorization of the NEEA during the next session of Congress.

## V. Section-by-Section Analysis

*Sec. 1. Short title*

Amends section 1, title, from the "No Child Left Inside Act of 2007" to the "No Child Left Inside Act of 2008"

*Sec. 2. Definitions*

Amends Section 3 of the National Environmental Education Act, Definitions (20 U.S.C. 5502). Adds definitions under this section, including the terms "principles of scientific research", "scientifically valid research", "State", and "State educational agency".

*Sec. 3. Amendments to Section 5 of the Environmental Education and Training Program*

Amends Section 5, subsection (b), the functions and activities of the Environmental Education and Training Program (20 U.S.C. 5504). Expands or adds to the functions of the Environmental Education and Training Program. Creates opportunities for enhanced and ongoing professional development. Requires scientifically valid researched teaching methods and technology-based teaching methods and curriculum. Clarifies the kinds of programs and curriculum to be developed. Expands opportunities to bring teachers in contact with environmental professionals to enhance teachers' subject matter knowledge and research in environmental issues. Includes environmental education distance learning for teachers that use curricula that are innovative, content-based and based on current scientifically valid research.

Encourages individuals traditionally underrepresented in environmental careers to pursue postsecondary degrees in majors leading to such careers. Authorizes the establishment of programs to prepare teachers to provide environmental education professional development to other teachers and to promote environmental education activities as part of the regular school curriculum and schedule. Authorizes summer workshops and institutes for elementary

and secondary environmental education teachers, including follow-up training. Encourages mid-career environmental professionals to pursue careers in environmental education.

Requires the Administrator of the Environmental Protection agency to consult with the Secretary of Education when making a grant under this section.

Amends Section 11(a) of the National Environmental Education Act (20 U.S.C. 5510(a)). Extends authorization level of $14 million for 1 year through fiscal year 2009.

Amends the National Environmental Education Act by redesignating section 11 as section 14 and inserts new sections 11, 12, and 13.

*Sec. 11. National capacity environmental Education Grant Program*

Authorizes a competitive grant program in the Department of Education. Clarifies eligible entities, including partnerships with a program run by a federal natural resource management agency.

Describes program areas including developing and implementing state academic content standards, student academic achievement standards, and state curriculum frameworks including information on the need to balance conservation of the environment with the development of the nation's energy resources; replicating or disseminating information on proven and tested model environmental education programs that use the environment throughout the curriculum, provide integrated instruction about natural, social, and economic systems, waste reduction, reuse, recycling, or composting, and issues of environmental justice; developing and implementing new policy approaches to advance environmental education on state and national levels; conducting studies of national significance; executing projects that spread the use or adoption of environmental education content standards; developing a state environmental literacy plan, and developing evidence-based approaches to build capacity to increase the number of elementary and secondary environmental educators.

Establishes basic content requirements for applications, including a plan to initiate, expand, or improve environmental education programs and an evaluation and accountability plan.

Requires an annual report that includes a description of the activities completed during the prior year; results of the grantee's accountability and evaluation plan; and a description of the activities.

Limits the amount of grant funds that may be used for administrative expenses to five percent.

Describes peer review requirements for the state educational agencies. Requires applicants that are not state educational agencies, to demonstrate that the applicant has consulted with the state education agency about the use of grant funds.

Describes the match required from states for the grants of ten percent for the first year, twenty-five percent for the second year, and fifty percent for each subsequent year.

Requires a report to the Committee on Education and Labor in the U.S. House of Representatives and the Committee on Health, Education, Labor, and Pensions of the U.S. Senate.

Allows funds to be available until expended.

Specifies that funds are meant to supplement not supplant other funds for environmental education.

Describes rules of construction indicating that nothing in the section should be construed to mandate academic content standards, curricula, or assessments in environmental education. Also indicates that nothing in the section should be construed to authorize an officer or employee of the federal government to mandate, direct, or control a state, local educational agency, or school's specific instructional content, academic achievement standards, assessments, curriculum, or program of instruction.

Authorizes such sums as may be necessary to carry out the section for fiscal year 2009.

*Sec. 12. Accountability*

Requires the Administrator of the EPA, the Secretary of Education, and an official of the National Environmental Education Foundation, all of whom oversee the grants (except the fellowships of Section 7) to develop quality indicators for each program. Describes the minimum requirements required. Requires a report from each grantee on the progress towards reaching each goal. Requires officials disseminate reported information widely and electronically.

*Sec. 14. Restrictions on Federal Government and use of Federal funds*

Prohibits any officer of the federal government from mandating, directing, or controlling a state, local educational agency, or a school's curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of funds.

Prohibits the use of funds to endorse, approve, or sanction a particular curriculum.

Provides that no state shall be required to have academic content or student academic achievement standards approved or certified by the federal government.

Requires the Administrator and Secretary to ensure that activities under this Act shall conform to high standards of quality, integrity, and accuracy; are objective, neutral, and non-ideological and free of partisan political influence; and do not advocate a particular political viewpoint.

## VI. Explanation Of Amendments

The Amendment in the Nature of a Substitute, as amended, is explained in the body of this report.

Representative Clarke (D–NY) offered an amendment to allow grantees of the National capacity Environmental Education grant program to replicate or disseminate information about proven and tested model environmental education programs that address issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations with respect to minority and low-income communities, with particular attention to the development of environmental justice curriculum at the middle and high school level. The amendment was adopted by a vote of 27–18.

## VII. Application of Law to the Legislative Branch

Section 102(b)(3) of Public Law 104–1, the Congressional Accountability Act, requires a description of the application of this bill to the legislative branch. H.R. 3036 expands and enhances environmental education in our public schools, and has no direct impact on the legislative branch.

## VIII. Unfunded Mandate Statement

Section 423 of the Congressional Budget and Impoundment Control Act (as amended by Section 101(a)(2) of the Unfunded Mandates Reform Act, P.L. 104–4) requires a statement of whether the provisions of the reported bill include unfunded mandates. H.R. 3036 contains no intergovernmental or private-sector mandates as defined by the Unfunded Mandates Reform Act (UMRA).

## IX. Earmark Statement

H.R. 3036 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(d), 9(e) or 9(f) of rule XXI of the House of Representatives.

## X. ROLLCALL VOTES
## COMMITTEE ON EDUCATION AND LABOR

**ROLL CALL: 1 BILL: H.R. 3036 DATE: 6/18/2008**
**AMENDMENT NUMBER: 6 FAILED: 13 AYES / 28 NOES**
**SPONSOR/AMENDMENT: PRICE / ENVIRONMENTAL BENEFITS OF AMERICAN-MADE ENERGY**

| MEMBER | AYE | NO | PRESENT | NOT VOTING |
|---|---|---|---|---|
| Mr. MILLER, Chairman | | X | | |
| Mr. KILDEE, Vice Chairman | | X | | |
| Mr. PAYNE | | X | | |
| Mr. ANDREWS | | X | | |
| Mr. SCOTT | | X | | |
| Ms. WOOLSEY | | X | | |
| Mr. HINOJOSA | | X | | |
| Mrs. McCARTHY | | X | | |
| Mr. TIERNEY | | | | X |
| Mr. KUCINICH | | X | | |
| Mr. WU | | | | X |
| Mr. HOLT | | X | | |
| Mrs. SUSAN DAVIS | | X | | |
| Mr. DANNY DAVIS | | X | | |
| Mr. GRIJALVA | | X | | |
| Mr. TIMOTHY BISHOP | | X | | |
| Ms. SANCHEZ | | X | | |
| Mr. SARBANES | | X | | |
| Mr. SESTAK | | X | | |
| Mr. LOEBSACK | | X | | |
| Ms. HIRONO | | X | | |
| Mr. ALTMIRE | | X | | |
| Mr. YARMUTH | | X | | |
| Mr. HARE | | X | | |
| Ms. CLARKE | | X | | |
| Mr. COURTNEY | | X | | |
| Ms. SHEA-PORTER | | X | | |
| Mr. McKEON | X | | | |
| Mr. PETRI | | X | | |
| Mr. HOEKSTRA | X | | | |
| Mr. CASTLE | | X | | |
| Mr. SOUDER | X | | | |
| Mr. EHLERS | | | | X |
| Mrs. BIGGERT | | | | X |
| Mr. PLATTS | X | | | |
| Mr. KELLER | | | | X |
| Mr. WILSON | X | | | |
| Mr. KLINE | X | | | |
| Mrs. McMORRIS RODGERS | | | | X |
| Mr. MARCHANT | | | | X |
| Mr. PRICE | X | | | |
| Mr. FORTUÑO | X | | | |
| Mr. BOUSTANY | X | | | |
| Mrs. FOXX | X | | | |
| Mr. KUHL | X | | | |
| Mr. ROB BISHOP | | X | | |
| Mr. DAVID DAVIS | X | | | |
| Mr. WALBERG | X | | | |
| [vacancy] | | | | |
| **TOTALS** | **13** | **28** | | **7** |

## COMMITTEE ON EDUCATION AND LABOR

**ROLL CALL: 2 BILL: H.R. 3036 DATE: 6/18/2008**
**AMENDMENT NUMBER: 9 PASSED: 27 AYES / 18 NOES**
**SPONSOR/AMENDMENT: CLARKE / TO CREATE AN ENVIRONMENTAL JUSTICE EDUCATION CURRICULUM**

| MEMBER | AYE | NO | PRESENT | NOT VOTING |
|---|---|---|---|---|
| Mr. MILLER, Chairman | X | | | |
| Mr. KILDEE, Vice Chairman | X | | | |
| Mr. PAYNE | X | | | |
| Mr. ANDREWS | X | | | |
| Mr. SCOTT | X | | | |
| Ms. WOOLSEY | X | | | |
| Mr. HINOJOSA | X | | | |
| Mrs. McCARTHY | X | | | |
| Mr. TIERNEY | | | | X |
| Mr. KUCINICH | X | | | |
| Mr. WU | X | | | |
| Mr. HOLT | X | | | |
| Mrs. SUSAN DAVIS | X | | | |
| Mr. DANNY DAVIS | X | | | |
| Mr. GRIJALVA | X | | | |
| Mr. TIMOTHY BISHOP | X | | | |
| Ms. SANCHEZ | X | | | |
| Mr. SARBANES | X | | | |
| Mr. SESTAK | X | | | |
| Mr. LOEBSACK | X | | | |
| Ms. HIRONO | X | | | |
| Mr. ALTMIRE | X | | | |
| Mr. YARMUTH | X | | | |
| Mr. HARE | X | | | |
| Ms. CLARKE | X | | | |
| Mr. COURTNEY | X | | | |
| Ms. SHEA-PORTER | X | | | |
| Mr. McKEON | | X | | |
| Mr. PETRI | | X | | |
| Mr. HOEKSTRA | | X | | |
| Mr. CASTLE | | X | | |
| Mr. SOUDER | | X | | |
| Mr. EHLERS | | X | | |
| Mrs. BIGGERT | | X | | |
| Mr. PLATTS | | X | | |
| Mr. KELLER | | X | | |
| Mr. WILSON | | X | | |
| Mr. KLINE | | X | | |
| Mrs. McMORRIS RODGERS | | | | X |
| Mr. MARCHANT | | | | X |
| Mr. PRICE | | X | | |
| Mr. FORTUÑO | X | | | |
| Mr. BOUSTANY | | X | | |
| Mrs. FOXX | | X | | |
| Mr. KUHL | | X | | |
| Mr. ROB BISHOP | | X | | |
| Mr. DAVID DAVIS | | X | | |
| Mr. WALBERG | | X | | |
| [vacancy] | | | | |
| **TOTALS** | **27** | **18** | | **3** |

## COMMITTEE ON EDUCATION AND LABOR

**ROLL CALL: 3** **BILL: H.R. 3036** **DATE: 6/18/2008**
**AMENDMENT NUMBER** **PASSED: 37 AYES / 8 NOES**
**SPONSOR/AMENDMENT: SARBANES / FAVORABLY REPORT THE BILL AS AMENDED**

| MEMBER | AYE | NO | PRESENT | NOT VOTING |
|---|---|---|---|---|
| Mr. MILLER, Chairman | X | | | |
| Mr. KILDEE, Vice Chairman | X | | | |
| Mr. PAYNE | X | | | |
| Mr. ANDREWS | X | | | |
| Mr. SCOTT | X | | | |
| Ms. WOOLSEY | X | | | |
| Mr. HINOJOSA | X | | | |
| Mrs. McCARTHY | X | | | |
| Mr. TIERNEY | | | | X |
| Mr. KUCINICH | X | | | |
| Mr. WU | X | | | |
| Mr. HOLT | X | | | |
| Mrs. SUSAN DAVIS | X | | | |
| Mr. DANNY DAVIS | X | | | |
| Mr. GRIJALVA | X | | | |
| Mr. TIMOTHY BISHOP | X | | | |
| Ms. SANCHEZ | X | | | |
| Mr. SARBANES | X | | | |
| Mr. SESTAK | X | | | |
| Mr. LOEBSACK | X | | | |
| Ms. HIRONO | X | | | |
| Mr. ALTMIRE | X | | | |
| Mr. YARMUTH | X | | | |
| Mr. HARE | X | | | |
| Ms. CLARKE | X | | | |
| Mr. COURTNEY | X | | | |
| Ms. SHEA-PORTER | X | | | |
| Mr. McKEON | X | | | |
| Mr. PETRI | X | | | |
| Mr. HOEKSTRA | | X | | |
| Mr. CASTLE | X | | | |
| Mr. SOUDER | X | | | |
| Mr. EHLERS | X | | | |
| Mrs. BIGGERT | X | | | |
| Mr. PLATTS | X | | | |
| Mr. KELLER | X | | | |
| Mr. WILSON | | X | | |
| Mr. KLINE | | X | | |
| Mrs. McMORRIS RODGERS | | | | X |
| Mr. MARCHANT | | | | X |
| Mr. PRICE | | X | | |
| Mr. FORTUÑO | X | | | |
| Mr. BOUSTANY | X | | | |
| Mrs. FOXX | | X | | |
| Mr. KUHL | X | | | |
| Mr. ROB BISHOP | | X | | |
| Mr. DAVID DAVIS | | X | | |
| Mr. WALBERG | | X | | |
| [vacancy] | | | | |
| **TOTALS** | **37** | **8** | | **3** |

## XI. Statement of Oversight Findings and Recommendations of the Committee

In compliance with clause 3(c)(1) of rule XIII and clause 2(b)(1) of rule X of the rules of the House of Representatives, the Committee's oversight findings and recommendations are reflected in the body of this report.

## XII. New Budget Authority and CBO Cost Estimate

With respect to the requirements of clause 3(c)(2) of rule XIII of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974 and with respect to requirements of 3(c)(3) of rule XIII of the House of Representatives and section 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for H.R. 3036 from the Director of the Congressional Budget Office:

U.S. Congress,
Congressional Budget Office,
*Washington, DC, July 8, 2008.*

Hon. George Miller,
*Chairman, Committee on Education and Labor,*
*House of Representatives, Washington, DC.*

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 3036, the No Child Left Inside Act of 2008.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Justin Humphrey.

Sincerely,

Robert A. Sunshine
(For Peter R. Orszag, Director).

Enclosure.

*H.R. 3036—No Child Left Inside Act of 2008*

H.R. 3036 would amend the National Environmental Education Act to authorize the appropriation of $14 million for fiscal year 2009 for the Environmental Protection Agency for environmental education and training programs. It also would authorize the appropriation of such sums as may be necessary for fiscal year 2009 for the Department of Education for a new grant program for research and expansion of educational opportunities in the field of environmental education. Based on data from similar programs, CBO estimates that $10 million would be sufficient to operate this program in 2009.

As shown in the following table, CBO estimates that implementing H.R. 3036 would increase discretionary spending by $24 million over the 2009–2012 period. The bill would not affect direct spending or revenues.

For this estimate, CBO assumes that the necessary sums will be appropriated in 2009 and that outlays will follow historical patterns of similar programs. The costs of this legislation fall within budget functions 300 (natural resources and environment) and 500 (education, training, employment, and social services).

H.R. 3036 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and state,

local, and tribal governments could benefit from the funds authorized in the bill.

| | By fiscal year, in millions of dollars— | | | | | |
|---|---|---|---|---|---|---|
| | 2009 | 2010 | 2011 | 2012 | 2013 | 2009–2013 |
| CHANGES IN SPENDING SUBJECT TO APPROPRIATION | | | | | | |
| Environmental Protection Agency: | | | | | | |
| Authorization Level | 14 | 0 | 0 | 0 | 0 | 14 |
| Estimated Outlays | 9 | 4 | 1 | 0 | 0 | 14 |
| Department of Education: | | | | | | |
| Estimated Authorization Level | 10 | 0 | 0 | 0 | 0 | 10 |
| Estimated Outlays | * | 7 | 2 | 1 | 0 | 10 |
| Total: | | | | | | |
| Estimated Authorization Level | 24 | 0 | 0 | 0 | 0 | 24 |
| Estimated Outlays | 9 | 11 | 3 | 1 | 0 | 24 |

Note: * = less than $500,000.

The CBO staff contact for this estimate is Justin Humphrey. This estimate was approved by Keith Fontenot, Deputy Assistant Director for Health and Human Resources, Budget Analysis Division.

## XIII. Statement of General Performance Goals and Objectives

In accordance with clause 3(c) of rule XIII of the House of Representatives, the goal of H.R. 3036 is to enhance environmental education. The Committee expects the Department of Education to comply with H.R. 3036 and implement the changes to the law in accordance with these stated goals.

## XIV. Constitutional Authority Statement

Under clause 3(d)(1) of rule XIII of the House of Representatives, the Committee must include a statement citing the specific powers granted to Congress in the Constitution to enact the law proposed by H.R. 3036. The Committee believes that the amendments made by this bill are within Congress' authority under Article I, section 8, clause 18 of the U.S. Constitution.

## XV. Committee Estimate

Clause 3(d)(2) of rule XIII of the House of Representatives requires an estimate and a comparison of the costs that would be incurred in carrying out H.R. 3036. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act.

## XVI. Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3(e) of rule XIII of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

## NATIONAL ENVIRONMENTAL EDUCATION ACT

**SECTION 1. SHORT TITLE AND TABLE OF CONTENTS.**

(a) * * *

(b) TABLE OF CONTENTS.—

* * * * * * *

[Sec. 11. Authorization.]
*Sec. 11. National capacity environmental education grant program.*
*Sec. 12. Accountability.*
*Sec. 13. Authorization.*
*Sec. 14. Restrictions on Federal Government and use of Federal funds.*

* * * * * * *

**SEC. 3. DEFINITIONS.**

For the purposes of this Act, the term—

(1) * * *

* * * * * * *

(12) "Foundation" means the National Environmental Education and Training Foundation established pursuant to section 10 of this Act; [and]

(13) "Board of Directors" means the Board of Directors of the National Environmental Education and Training Foundation[.]*;*

*(14) "principles of scientific research" means principles of research that—*

*(A) apply rigorous, systematic, and objective methodology to obtain reliable and valid knowledge relevant to education activities and programs;*

*(B) present findings and make claims that are appropriate to, and supported by, the methods that have been employed; and*

*(C) include, appropriate to the research being conducted—*

*(i) use of systematic, empirical methods that draw on observation or experiment;*

*(ii) use of data analyses that are adequate to support the general findings;*

*(iii) reliance on measurements or observational methods that provide reliable and generalizable findings;*

*(iv) strong claims of causal relationships, only with research designs that eliminate plausible completing explanations for observed results, such as, but not limited to, random-assignment experiments;*

*(v) presentation of studies and methods in sufficient detail and clarity to allow for replication or, at a minimum, to offer the opportunity to build systematically on the findings of the research;*

*(vi) acceptance by a peer-reviewed journal or critique by a panel of independent experts through a comparably rigorous, objective, and scientific review; and*

*(vii) consistency of findings across multiple studies or sites to support the generality of results and conclusions;*

*(15) "scientifically valid research" includes applied research, basic research, and field-initiated research in which the rationale, design, and interpretation are soundly developed in accordance with principles of scientific research;*

*(16) "State" has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965; and*

*(17) "State educational agency" has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965.*

* * * * * * *

**SEC. 5. ENVIRONMENTAL EDUCATION AND TRAINING PROGRAM.**

(a) * * *

(b) The functions and activities of the program shall include, at a minimum—

(1) *creating opportunities for enhanced and ongoing professional development and* classroom training in environmental education and studies including environmental sciences and theory, educational methods and practices *(including integrating scientifically valid research teaching methods and technology-based teaching methods into the curriculum)*, environmental career or occupational education, and topical environmental issues and problems;

* * * * * * *

(3) development of environmental education programs and ⟦curriculum, including⟧ *curriculum (including* programs and curriculum to meet the needs of diverse ethnic and cultural ⟦groups;⟧ *groups) which—*

*(A) are aligned with challenging State and local academic content standards to the extent such standards exist; and*

*(B) advance the teaching of interdisciplinary courses that integrate the study of natural, social, and economic systems and that include strong field components;*

*(4) encouraging individuals traditionally under-represented in environmental careers to pursue postsecondary degrees in majors leading to such careers;*

⟦(4)⟧ *(5)* sponsorship and management of international exchanges of teachers and other educational professionals between the United States, Canada, and Mexico involved in environmental programs and issues;

⟦(5)⟧ *(6)* maintenance or support of a library of environmental education materials, information, literature, and technologies, with electronic as well as hard copy accessibility;

⟦(6)⟧ *(7)* evaluation and dissemination of environmental education materials, training methods, and related programs;

⟦(7)⟧ *(8)* sponsorship of conferences, seminars, and related forums for the advancement and development of environmental education and training curricula and materials, including

international conferences, seminars, [and forums;] *forums, and bringing teachers into contact with working professionals in environmental fields to expand such teachers' subject matter knowledge of, and research in, environmental issues;*

[(8)] *(9)* supporting effective partnerships and networks and the use of distant learning technologies[; and]*, including environmental education distance learning programs for teachers using curricula that are innovative, content-based, and based on scientifically valid research that is current as of the date of the program involved;*

*(10) establishment of programs to prepare teachers at a school to provide environmental education professional development to other teachers at the school and programs to promote outdoor environmental education activities as part of the regular school curriculum and schedule in order to further the knowledge and development of teachers and students;*

*(11) summer workshops or institutes, including follow-up training, for elementary and secondary school environmental education teachers;*

*(12) encouraging mid-career environmental professionals to pursue careers in environmental education; and*

[(9)] *(13)* such other activities as the Administrator determines to be consistent with the policies of this Act.Special emphasis should be placed on developing environmental education programs, workshops, and training tools that are portable and can be broadly disseminated.

(c)(1) The Administrator*, in consultation with the Secretary,* shall make a grant on an annual basis to an institution of higher education or other institution which is a not-for-profit institution (or consortia of such institutions) to operate the environmental education and training program required by this section.

* * * * * * *

***SEC. 11. NATIONAL CAPACITY ENVIRONMENTAL EDUCATION GRANT PROGRAM.***

*(a) GRANTS AUTHORIZED.—*

*(1) IN GENERAL.—The Secretary is authorized to award grants, on a competitive basis, to nonprofit organizations, State educational agencies, local educational agencies, or institutions of higher education that have demonstrated expertise and experience in the development of the institutional, financial, intellectual, or policy resources needed to help the field of environmental education become more effective and widely practiced. Notwithstanding any other provision of this section, a State educational agency, a local educational agency, an institution of higher education, or a not-for-profit organization may use funds provided under this section to coordinate with any program or unit operated by a Federal Natural Resource Management Agency to carry out environmental education programs based on the full range of the resources and mission of the Agency.*

*(2) DURATION.—The Secretary shall award each grant under this section for a period of not less than 1 year and not more than 3 years.*

*(b) USE OF FUNDS.—Grant funds made available under this section shall be used for 1 or more of the following:*

*(1) Developing and implementing challenging State academic content standards, student academic achievement standards, and State curriculum frameworks in environmental education, including the need to balance conservation of the environment with the development of the Nation's energy resources.*

*(2) Replicating or disseminating information about proven and tested model environmental education programs that—*

*(A) use the environment as an integrating theme or content throughout the curriculum;*

*(B) provide integrated, interdisciplinary instruction about natural, social, and economic systems along with field experience that provides students with opportunities to directly experience nature in ways designed to improve overall academic performance, self-esteem, personal responsibility, community involvement, personal health (including addressing child obesity issues), or their understanding of nature;*

*(C) provide integrated instruction on waste reduction, reuse, recycling, and composting programs and, when possible, promote such activities within the school; or*

*(D) address issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations with respect to minority and low-income communities, with particular attention to the development of environmental justice curriculum at the middle and high school level.*

*(3) Developing and implementing new policy approaches to advancing environmental education at the State and national level.*

*(4) Conducting studies of national significance that—*

*(A) evaluate the effectiveness of teaching environmental education as a separate subject, and as an integrating concept or theme;*

*(B) evaluate the effectiveness of using environmental education in helping students improve their assessment scores in mathematics, reading or language arts, science, and the other core academic subjects; or*

*(C) evaluate ways to coordinate activities under this Act with existing Federal science teacher in-service training or professional development programs.*

*(5) Executing projects that advance widespread State and local educational agency adoption and use of environmental education content standards, including adoption and use of such standards in textbook selection criteria.*

*(6) Developing a State environmental literacy plan that includes the following:*

*(A) A description of how the State educational agency will measure the environmental literacy of students, including—*

*(i) relevant State academic content standards and content areas regarding environmental education, and courses or subjects where environmental education instruction will take place; and*

*(ii) a description of the relationship of the plan to the secondary school graduation requirements of the State.*

*(B) A description of programs for professional development for teachers to improve the teachers'—*

*(i) environmental content knowledge;*

*(ii) skill in teaching about environmental issues; and*

*(iii) field-based pedagogical skills.*

*(C) A description of how the State educational agency will implement the plan, including securing funding and other necessary support.*

*(7) Developing evidence-based approaches to build capacity to increase the number of elementary and secondary environmental educators.*

*(c) APPLICATIONS.—Each nonprofit organization, State educational agency, local educational agency, or institution of higher education desiring a grant under this section shall submit to the Secretary an application that contains a plan to initiate, expand, or improve environmental education programs in order to make progress toward meeting State standards for environmental learning (to the extent such standards exist) and environmental literacy and contains an evaluation and accountability plan for activities assisted under this section that includes rigorous objectives that measure the impact of activities funded under this section.*

*(d) REQUIREMENTS.—*

*(1) ANNUAL REPORT.—In order to continue receiving grant funds under this section after the first year of a multi-year grant under this section, the grantee shall submit to the Secretary an annual report that—*

*(A) describes the activities assisted under this section that were conducted during the preceding year;*

*(B) describes the results of the grantee's evaluation and accountability plan; and*

*(C) demonstrates that the grantee has undertaken activities to accomplish at least one of the following:*

*(i) Responsibly preparing children to understand and address major challenges facing the United States, such as increasing the supply of clean energy, climate change, environmental health risks, and environmental disaster and emergency preparedness.*

*(ii) Supporting systemic education reform by strengthening environmental education as an integral part of the elementary school and secondary school curriculum.*

*(iii) Helping ensure that all students meet challenging State academic content and student academic achievement standards in environmental learning.*

*(iv) Supporting efforts to enable students to engage in environmental education.*

*(v) Leveraging and expanding private and public support for environmental education partnerships at national, State, and local levels.*

*(vi) Awarding grants to initiate, expand, or improve environmental education programs for elementary and secondary students.*

*(vii) Restoring and increasing field experiences as part of the regular school curriculum and schedule in order to improve students' overall academic perform-*

*ance, self-esteem, personal responsibility, community involvement, personal health (including addressing child obesity issues), and understanding of nature.*

*(2) ADMINISTRATIVE EXPENSES.—Not more than 5 percent of the grant funds made available to a nonprofit organization, State educational agency, local educational agency, or institution of higher education under this section for any fiscal year may be used for administrative expenses.*

*(3) STATE ENVIRONMENTAL LITERACY PLANS.—*

*(A) IN GENERAL.—A State educational agency receiving a grant under this section shall—*

*(i) have a State environmental literacy plan that is consistent with the requirements of subsection (b)(6) and that is peer reviewed within the State by a panel composed of experts in environmental education and representatives from other related State agencies; or*

*(ii) develop a State environmental literacy plan described in subsection (b)(6) with funds made available under this section prior to using the grant funds for any other purpose.*

*(B) PEER REVIEW.—If an environmental literacy plan described in subparagraph (A)(i) has not been peer reviewed within the State, the State educational agency, notwithstanding subsection (b), shall use funds made available under this section to complete such review, as described in such subparagraph, prior to using the grant funds for any other purpose.*

*(C) OTHER GRANTEES.—An applicant for a grant under this section that is not a State educational agency and applies for funding to be used for the purpose described in subsection (b)(6) shall demonstrate in the application that the applicant has consulted with the State educational agency about such use of funds.*

*(e) ADMINISTRATIVE PROVISIONS.—*

*(1) FEDERAL SHARE.—The Federal share under this section shall not exceed—*

*(A) 90 percent of the total cost of a program assisted under this section for the first year for which the program receives assistance under this section;*

*(B) 75 percent of such cost for the second; and*

*(C) 50 percent of such cost for each subsequent such year.*

*(2) REPORT TO CONGRESS.—Not later than one year after enactment of this bill, the Secretary shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report that—*

*(A) describes the programs assisted under this section;*

*(B) documents the success of such programs in improving national and State environmental education capacity; and*

*(C) makes such recommendations as the Secretary determines appropriate for the continuation and improvement of the programs assisted under this section.*

*(3) AVAILABILITY OF FUNDS.—Amounts made available to the Secretary to carry out this section shall remain available until expended.*

*(f) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, any other Federal, State, or local funds available for environmental education activities.*

*(g) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2009.*

***SEC. 12. ACCOUNTABILITY.***

*(a) QUALITY INDICATORS.—The Administrator, the Secretary, and the Foundation each shall establish indicators of program quality for the programs and activities funded under this Act (other than fellowship awards funded under section 7) that such official or entity administers.*

*(b) MINIMUM INDICATORS.—Such indicators of program quality, at a minimum, shall—*

*(1) enhance understanding of the natural and built environment;*

*(2) foster a better appreciation of the interdisciplinary nature of environmental issues and conditions;*

*(3) increase achievement in related areas of national interest, such as mathematics and science;*

*(4) increase understanding of the benefits of exposure to the natural environment;*

*(5) improve understanding of how human and natural systems interact together;*

*(6) broaden awareness of environmental issues; and*

*(7) include such other indicators as the Administrator, Secretary, or Foundation may develop.*

*(c) REPORT.—Each recipient receiving funds under this Act, other than fellowship recipients under section 7, shall report annually to the Administrator, the Secretary, or the Foundation regarding progress made in meeting the minimum indicators of program quality established under subsection (b). The Administrator, the Secretary, and the Foundation shall disseminate such information widely to the public through electronic and other means.*

**SEC. [11.] *13.* AUTHORIZATION.**

(a) There is hereby authorized to be appropriated to the Environmental Protection Agency to carry out this [Act not to exceed $12,000,000 for each fiscal year 1992 and 1993, not to exceed $13,000,000 for fiscal year 1994, and not to exceed $14,000,000 for each fiscal year 1995 and 1996.] *Act, except for section 11, $14,000,000 for fiscal year 2009.*

***SEC. 14. RESTRICTIONS ON FEDERAL GOVERNMENT AND USE OF FEDERAL FUNDS.***

*(a) GENERAL PROHIBITION.—Nothing in this Act shall be construed to authorize an officer or employee of the Federal Government to mandate, direct, or control a State, local educational agency, or school's curriculum, program of instruction, specific instructional content, academic achievement standards, assessments, or allocation of State or local resources, or mandate a State or any subdivision thereof to spend any funds or incur any costs not paid for under this Act.*

*(b) PROHIBITION ON ENDORSEMENT OF CURRICULUM.—No funds provided to the Administrator or Secretary under this Act may be*

*used by the Agency or Department of Education to endorse, approve, or sanction any curriculum designed to be used in an elementary school or secondary school.*

*(c) PROHIBITION ON REQUIRING FEDERAL APPROVAL OR CERTIFICATION OF STANDARDS.—No State shall be required to have academic content or student academic achievement standards approved or certified by the Federal Government, in order to receive assistance under this Act.*

*(d) RESTRICTIONS ON PARTISAN POLITICAL INFLUENCE.—*

*(1) IN GENERAL.—In carrying out the activities described in this Act, the Administrator and Secretary shall ensure that such activities—*

*(A) conform to high standards of quality, integrity, and accuracy;*

*(B) are objective, neutral, and nonideological and are free of partisan political influence; and*

*(C) do not advocate a particular political viewpoint.*

*(2) ACTIONS TO IMPLEMENT AND ENFORCE.—The Administrator and Secretary shall take such actions as are necessary to ensure that the provisions of this section are vigorously implemented and enforced.*

* * * * * * *

## XVII. COMMITTEE CORRESPONDENCE

None.

## REPUBLICAN VIEWS ON H.R. 3036, THE NO CHILD LEFT INSIDE ACT OF 2008

Committee Republicans support efforts to extend environmental education programs in our nation's elementary and secondary schools. We support providing assistance to States, local educational agencies, and public and private organizations to teach our kids about the environment, making professional development available to teachers, and providing better access to quality programs and information. At the same time, we believe that the Federal government should have a limited role in this arena and that the nation's focus should remain on ensuring that low-income and disadvantaged students learn how to read and perform basic math so that they can be prepared for success in life.

### ENVIRONMENTAL EDUCATION PROVIDED THROUGH THE EPA

For nearly two decades, the Environmental Protection Agency (EPA) has been the primary Federal agency responsible for assisting schools in improving the quality of environmental education. When Congress passed the National Environmental Education Act (NEEA) in 1990, it established a program within EPA to award grants for educating elementary and secondary school students and training teachers in environmental education, to support fellowships for post-secondary students, and to fund other related activities.

Administered by the EPA's Office of Environmental Education, the Environmental Education Grant Program provides funding to State and local agencies, tribal governments, institutions of higher education, and nonprofit organizations to support activities that educate elementary and secondary school students, train teachers, increase understanding of environmental issues, and accomplish related goals.

Since FY1992, EPA reports that it has awarded $40.6 million in grants for nearly 3,200 environmental education projects in all 50 States, the District of Columbia, and U.S. territories. EPA also reports that grant recipients have exceeded matching funds requirements, providing at least $1 for every $3 awarded by EPA, underscoring the importance of these activities to school districts and communities.

### THE COMMITTEE PROCESS FOR HR. 3036

On July 12, 2007, Congressman John Sarbanes (D–MD) introduced H.R. 3036, the No Child Left Inside Act, which amends the Elementary and Secondary Education Act of 1965 (ESEA) to authorize States to use Federal funds for the creation and development of elementary and secondary environmental education programs.

The bill, as introduced, would have created two new environmental education programs within the Elementary and Secondary Education Act, to be administered by the U.S. Department of Education. Both of these new programs were troublesome on a number of levels, from their duplicative nature to their prescriptive policy mandates.

Thankfully, a substitute amendment was offered at the Committee markup of H.R. 3036 that substantially changed the bill's framework and used the framework of the NEEA, rather than creating a program out of whole cloth. We think this is the right approach.

The substitute would extend for one year the National Environmental Education Act (NEEA), which coordinates the Federal government's environmental education programs through the EPA and strengthens the existing Environmental Education and Training Program so that it focuses on creating opportunities for enhanced and ongoing professional development.

However, H.R. 3036 still is not perfect. The legislation would still create a new National Capacity Environmental Education Grant Program, administered by the Department of Education, under the NEEA to develop elementary and secondary environmental education programs. This program is duplicative of the existing Environmental Education Program, which is already being administered by the EPA. We are concerned that the creation of this new program focused on environmental education at the Department of Education will further dilute the Federal government's limited funding provided to existing programs.

The bill would also require States to develop environmental literacy plans on how the State will measure the environmental literacy of its students, which may include relevant academic content standards. While a number of States are already developing environmental literacy plans to increase environmental content knowledge, there is a concern that this new requirement would urge States to develop academic content standards in environmental learning. This potential shift would come at the same time that States are currently struggling to maintain high standards in reading and math and develop standards for students with disabilities and Limited English Proficient students.

Nonetheless, the bill does make some important changes to NEEA and we hope to continue to work with the Democrats to address these concerns.

### INCREASING ACCOUNTABILITY IN THE NATIONAL ENVIRONMENTAL EDUCATION ACT

During the Committee markup, Congressman Mike Castle (R–DE) successfully offered an important amendment that improved the bill by requiring the EPA Administrator and Secretary of Education to establish indicators of program quality for programs and activities funded under the Act. Indicators include: enhancing the understanding of the natural and built environment, fostering an appreciation of environmental issues, and increasing academic achievement in environmental issues. The amendment also requires participants in the program to report to the Administrator, the Secretary, and the National Environmental Education and

Training Foundation the progress that they have made in meeting these indicators so that this information can be disseminated to the public.

This amendment ensures that the programs and activities funded under the NEEA are, in fact, quality programs and activities. In recent years, because of the No Child Left Behind Act, all 50 States have implemented accountability measures in response to increasing concerns about the quality of elementary and secondary education in America. The amendment guarantees that all of our nation's environmental education programs are following this model of accountability.

ADVANCING THE UNDERSTANDING OF ENERGY POLICY

As the price of gasoline continues to dramatically increase and recognizing the need for this Committee to be working on legislative solutions to help address the nation's energy crisis, Congressman Tom Price (R–GA) and Congressman Mark Souder (R–IN) offered two amendments to allow eligible entities receiving funds under the new National Capacity Environmental Education Grant program to develop new policy approaches to advance the understanding of energy issues. The Price amendment, which was rejected by a largely party line vote, would have allowed applicants to focus on American made energy and the effects of such policies on energy usage, the impact of greater usage on the environment, and any corresponding effects on the price of gasoline. The Souder amendment, which was adopted by voice vote, allows eligible entities to focus on balancing conservation of the environment with the development of our nation's energy resources.

The adoption of both of these amendments would have greatly improved the bill by highlighting issues that are important to American families and the schools in their local communities. This Committee and this Congress should be doing all that we can to educate our nation's students about the ability of the United States to develop clean and reliable sources of energy like advanced nuclear power and next generation coal, as well as promoting clean power from renewable energy sources such as wind and hydroelectric power.

ENSURING LOCAL CONTROL FOR THE DEVELOPMENT OF CURRICULUM AND PROMOTING SCIENCE EDUCATION

Although we agree that there is a limited role for the Federal government to play in supporting State and local environmental education programs, there has always been a significant amount of controversy about what is being taught in the classroom. For example, we know that certain textbooks and curricula are doing a disservice to students by advocating specific measures to address environmental problems, or by presenting unbalanced or scientifically inaccurate data.

Prior to 2000, this Committee had heard about numerous cases where assessments and instructional materials funded through the ESEA and research conducted by the now-defunct Office of Educational, Research, and Innovation asked questions and posed solutions that were biased and unbalanced. It is for this reason that Congress inserted language in the reauthorization of the No Child

Left Behind Act and the Education Sciences Reform Act to specifically prohibit an employee of the Federal government from mandating, directing, or controlling a school's curriculum or instructional program and require agencies to present information in an objective, neutral, and non-ideological way.

During the markup, Congressman Tom Price (R–GA) successfully offered an amendment to apply the language included in ESEA and the new Institute for Education Sciences to all of the programs administered by the EPA under the National Environmental Education Act. The amendment will ensure that the agency's activities conform to the highest standards of quality, integrity, and accuracy. It will also guarantee that grantees that are receiving valuable Federal funding are conducting their activities in a manner that is objective, neutral, and non-ideological, free of partisan political influence, and that they do not advocate a particular viewpoint.

The EPA has issued guidelines specifying that the environmental education grants it awards cannot be used for projects that would recommend a specific course of action or advocate a particular viewpoint, and that activities must be based on "objective and scientifically sound information" to be eligible for funding. The NEEA does not include similar requirements and we believe that we must codify these guidelines in the underlying bill.

Further strengthening the bill, Congressman Vern Ehlers (R–Ml) offered two amendments that were adopted during the committee process. The first amendment would ensure that the studies of national significance authorized under H.R. 3036 evaluate the effectiveness of using environmental education in helping students improve their assessment scores in science. The second amendment would encourage greater coordination of activities with existing Federal science teacher in-service or professional development programs.

During consideration of the bill, Democrats adopted an amendment offered by Congresswoman Yvette Clarke (D–NY) on a party line vote that would encourage the promotion of issues of environmental justice, including policies and methods for eliminating disparate enforcement of environmental laws and regulations in minority and low-income communities. It would also encourage the development of environmental justice curriculum at the middle and high school level. While we understand the concern that is being raised on the other side of the aisle over this issue, we opposed the amendment and continue to believe that the requirement for States and local educational agencies to develop specific curriculum runs counter to the provisions included in the Price amendment and to the actions of the Federal government to ensure that decisions affecting curriculum and instructional materials should be dealt with on the local level. Nonetheless, we hope to continue to work with the Democrats, including striking this unnecessary and unwarranted provision, as the bill moves to the floor.

## CONCLUSION

Committee Republicans support H.R. 3036, the No Child Left Inside Act, which extends and enhances opportunities for environmental education to strengthen programs that teach our children about the environment in which they live. This type of instruction

is often encompassed in science curricula, from ecology to biology to life sciences. But there is also an interest in assisting States and school districts in focusing more directly on environmental studies and this bill attempts to promote these efforts.

At the same time, we need to be careful about directing limited Federal resources to efforts that require students to study a specific subject area and creating new programs that could potentially create a fragmented system of promoting environmental education on the Federal level.

HOWARD P. "BUCK" MCKEON.
MARK E. SOUDER.
RIC KELLER.
JOE WILSON.
KENNY MARCHANT.
LUIS G. FORTUÑO.
CHARLES W. BOUSTANY, Jr.
JOHN R. "RANDY" KUHL, Jr.
DAVID DAVIS (TN).
TIMOTHY WALBERG.

## ADDITIONAL VIEWS

Page 3 and page 11 of the Committee's report to H.R. 3036, the No Child Left Inside Act, insufficiently describes the meaning of my amendment to the bill on energy development. My amendment—with the intent to encourage discussion of energy development in federally-funded environmental education—would make it a requirement that grantees of the NCEEG program in the bill that choose to use their grant funds to develop environmental education standards and curriculum include within those standards and curriculum a discussion of the need to balance environmental preservation with the development of our nation's energy resources. In contrast, the Committee report appears to describe my amendment as an option, rather than a requirement.

MARK SOUDER.

○