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S. 2242

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

IN THE SENATE OF THE UNITED STATES

JUNE 24 (legislative day, JUNE 7), 1994

Mr. DASCHLE (for himself, Mr. PELL, Mrs. BOXER, Mr. DURENBERGER, Mr. JEFFORDS, Mr. REID, Mr. SARBANES, Ms. MIKULSKI, Ms. MOSELEY-BRAUN, and Mr. BUMPERS) introduced the following bill; which was read twice and referred to the Committee on Environment and Public Works

A BILL

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

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Institute for
5 the Environment Act”.

6 **SEC. 2. FINDINGS AND PURPOSE.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) An appropriate scientific understanding of
2 the diverse physical, biological, engineering, social,
3 and economic issues that underlie the environmental
4 problems facing the United States is essential to
5 finding environmentally and economically sound so-
6 lutions to the problems.

7 (2) While more than a dozen Federal agencies
8 support environmental research and gather environ-
9 mental information, there is not a lead Federal
10 agency for environmental research and information.

11 (3) The current approach of the Federal Gov-
12 ernment to developing a scientific understanding of
13 environmental problems, and of applying that under-
14 standing to the problems, lacks coherence and often
15 fails to provide information vital to finding sound so-
16 lutions to the problems.

17 (4) The United States needs to improve the sci-
18 entific basis for decisionmaking by Federal, State,
19 and local governments, and private sector entities,
20 on environmental issues.

21 (5) Many environmental issues that will seri-
22 ously affect the United States in the future are not
23 adequately studied under existing Federal environ-
24 mental research programs.

1 (6) Existing Federal environmental research
2 programs often do not provide adequate information
3 in a timely manner to enable Federal, State, and
4 local governments, and private sector entities, to en-
5 gage in well-informed decisionmaking on environ-
6 mental and related issues.

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

11 (8) Ongoing study and communication of the
12 existing knowledge about environmental issues, in-
13 cluding the assessment of the significance of the
14 knowledge, are needed to strengthen the weak link
15 between scientific knowledge and decisionmaking on
16 environmental issues.

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

22 (10) To address the complex environmental
23 problems facing the United States, there is a grow-
24 ing need for more education and training of individ-

1 uals in disciplinary, interdisciplinary, and multidisci-
2 plinary sciences related to the environment.

3 (b) PURPOSE.—It is the purpose of this Act to create
4 an independent establishment to improve the scientific
5 basis for making decisions on environmental issues
6 through support for competitive, peer-reviewed, extra-
7 mural research, ongoing knowledge assessments, data and
8 information activities, and education and training on envi-
9 ronmental issues.

10 **SEC. 3. ESTABLISHMENT OF NATIONAL INSTITUTE FOR**
11 **THE ENVIRONMENT.**

12 There is established as an independent establishment
13 an institute to be known as the “National Institute for
14 the Environment” (referred to in this Act as the “Insti-
15 tute”). The mission of the Institute shall be to improve
16 the scientific basis for decisionmaking on environmental
17 issues.

18 **SEC. 4. DUTIES.**

19 The Institute shall have the following duties:

20 (1) To increase scientific understanding of envi-
21 ronmental issues (including environmental resources,
22 systems, and sustainability, and the human dimen-
23 sions associated with environmental issues) by initi-
24 ating and supporting credible, extramural, problem-
25 focused, peer-reviewed basic and applied scientific

1 environmental research and other disciplinary, multi-
2 disciplinary, and interdisciplinary environmental pro-
3 grams. The support of research and programs under
4 this paragraph may include the provision of financial
5 assistance pursuant to section 8, including grants,
6 contracts, and cooperative agreements.

7 (2) To assist decisionmaking on environmental
8 issues by providing ongoing, comprehensive assess-
9 ments of knowledge of environmental issues. The
10 performance of assessments under this paragraph
11 shall include the following:

12 (A) Summarizing the state of the knowl-
13 edge.

14 (B) Assessing the implications of the
15 knowledge.

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

21 (D) Analyzing constraints that may affect
22 the conduct of research described in subpara-
23 graph (C), including the existence of limited
24 technological, human, and economic resources.

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

5 (3) To serve as the foremost provider and
6 facilitator in the United States of access to current
7 and easy-to-use peer-reviewed scientific and technical
8 information about the environment. The provision
9 and facilitation of access to information under this
10 paragraph shall include the following:

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

20 (B) Establishing an electronic network
21 that—

22 (i) uses existing telecommunications
23 infrastructures to provide single-point ac-
24 cess to environmental information; and

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

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

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

19 (4) To sponsor higher education and training in
20 environmental fields in order to contribute to a
21 greater public understanding of the environment and
22 to ensure that the United States has a core of sci-
23 entifically educated and trained personnel who pos-
24 sess skills to meet the environmental needs of the
25 United States. The sponsorship of education and

1 training under this paragraph shall include the
2 following:

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

9 (B) Supporting curriculum and program
10 development in fields related to the environ-
11 ment.

12 (C) Promoting the involvement of women,
13 minorities, and other underrepresented groups.

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

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

20 (7) To foster interchange of scientific informa-
21 tion about the environment among scientists, Fed-
22 eral, State, and local government decisionmakers,
23 and the public.

24 (8) To identify and seek to address emerging
25 environmental issues and all aspects of scientific,

1 technological, and societal aspects of environmental
2 problems.

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

6 **SEC. 5. GOVERNING BOARD.**

7 (a) ESTABLISHMENT.—There shall be a Governing
8 Board for the Institute (referred to in this Act as the
9 “Board”) which shall establish the policies and priorities
10 of the Institute.

11 (b) MEMBERSHIP.—

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

16 (2) REPRESENTATION ON THE BOARD.—

17 (A) IN GENERAL.—The members of the
18 Board shall include individuals—

19 (i) who, as scientists and users of sci-
20 entific information, are representative of
21 diverse groups and entities, including
22 States, academic institutions, businesses,
23 environmental groups, citizens groups, and
24 other appropriate organizations;

1 (ii) who have a distinguished record of
2 service in their fields; and

3 (iii) who, among the scientific mem-
4 bers of the Board, represent the diversity
5 of scientific fields that study the environ-
6 ment.

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

14 (c) TERMS.—

15 (1) INITIAL TERMS.—Members initially ap-
16 pointed to the Board shall serve for the following
17 terms:

18 (A) 6 members shall serve for an initial
19 term of 2 years.

20 (B) 6 members shall serve for an initial
21 term of 4 years.

22 (C) 6 members shall serve for an initial
23 term of 6 years.

24 (2) SUBSEQUENT TERMS.—On completion of a
25 term referred to in paragraph (1), each member of

1 the Board subsequently appointed or reappointed
2 shall serve for a term of 6 years, with a maximum
3 of 2 consecutive terms for any member appointed
4 under this section.

5 (d) ADMINISTRATION.—

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

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

19 (e) CHAIRPERSON.—The Chairperson of the Board
20 shall be designated by the President at the time of the
21 appointment. The term of office of the Chairperson shall
22 be 6 years.

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

1 (g) REPORTS.—The Board shall periodically submit
2 to the President reports on such specific environmental
3 policy matters as the Board, the President, or Congress
4 determines to be necessary. After receipt of any such re-
5 port, the President shall transmit the report to Congress
6 in a timely fashion, together with any comments that the
7 President considers to be appropriate.

8 (h) ADVISORY COMMITTEES.—The Board may estab-
9 lish such advisory committees as the Board considers nec-
10 essary to carry out this Act.

11 **SEC. 6. STAFF.**

12 (a) DIRECTOR.—

13 (1) APPOINTMENT.—The Director of the Insti-
14 tute shall be appointed by the President by and with
15 the advice and consent of the Senate.

16 (2) AUTHORITY.—The Director shall exercise
17 all of the authority granted to the Institute by this
18 Act, including any powers and functions delegated to
19 the Director by the Board. All actions taken by the
20 Director pursuant to this Act, or pursuant to the
21 delegation from the Board, shall be final and bind-
22 ing on the Institute. The Director shall formulate
23 programs consistent with the policies of the Institute
24 and in consultation with the Board and any appro-

1 piate advisory committee established pursuant to
2 this Act.

3 (3) PAY; TERM OF OFFICE.—The Director shall
4 receive basic pay at the rate provided for level II of
5 the Executive Schedule under section 5313 of title
6 5, United States Code, and shall serve for a term of
7 6 years.

8 (4) NSTC MEMBERSHIP.—Section 401(b) of
9 the National Science and Technology Policy, Organi-
10 zation, and Priorities Act of 1976 (42 U.S.C.
11 6651(b)) is amended by inserting “, the Director of
12 the National Institute for the Environment,” after
13 “the Director of the Office of Science and Tech-
14 nology Policy”.

15 (b) ASSISTANT DIRECTORS.—The President may, on
16 the recommendation of the Director, appoint such assist-
17 ant Directors as the President considers necessary to
18 carry out this Act.

19 **SEC. 7. INTERAGENCY ADVISORY COMMITTEE.**

20 (a) ESTABLISHMENT.—There is established an Inter-
21 agency Advisory Committee to ensure that the environ-
22 mental efforts of the Institute and other Federal agencies
23 are complementary.

24 (b) DUTIES.—It shall be the duty of the Interagency
25 Advisory Committee established under subsection (a) to

1 provide recommendations and advice to the Board to help
2 to ensure that—

3 (1) the research priorities and agenda of the In-
4 stitute support, rather than duplicate or compete
5 with, the research agendas of existing Federal agen-
6 cies;

7 (2) the knowledge assessment activities of the
8 Institute incorporate knowledge obtained and pos-
9 sessed by other Federal agencies, and are useful to
10 the agencies;

11 (3) information within the databases of other
12 Federal agencies is available for incorporation into
13 the information network of the Institute; and

14 (4) the educational programs of the Institute
15 serve the needs of the United States.

16 (c) COMPOSITION.—

17 (1) IN GENERAL.—The Interagency Advisory
18 Committee established under subsection (a) shall in-
19 clude directors of research (or individuals who hold
20 a comparable position) from Federal agencies that
21 conduct or use substantial quantities of environ-
22 mental research, including—

23 (A) the Environmental Protection Agency;

24 (B) the National Oceanic and Atmospheric
25 Administration;

- 1 (C) the National Science Foundation;
2 (D) the Department of Energy;
3 (E) the Department of the Interior; and
4 (F) the Department of Agriculture.

5 (2) EX OFFICIO MEMBERS.—The Director of
6 the Office of Science and Technology Policy (or a
7 designee of the Director) and the Director of the Of-
8 fice of Environmental Quality (or a designee of the
9 Director) shall serve as ex officio members of the
10 Interagency Advisory Committee.

11 (d) DURATION.—Section 14(a)(2) of the Federal Ad-
12 visory Committee Act (5 U.S.C. App. 2) shall not apply
13 to the Interagency Advisory Committee established under
14 subsection (a).

15 **SEC. 8. FUNDING.**

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

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

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

4 (2) the receipt of funding from the Institute
 5 shall be subject to any criteria and other require-
 6 ments that are prescribed by the Institute.

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

15 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

16 There are authorized to be appropriated such sums
 17 as are necessary to carry out this Act.

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