

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 2918

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

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. BROWN of California (for himself, Mr. SAXTON, Ms. ESHOO, Mr. PORTER, Mr. HUGHES, Mr. GOSS, Mr. HEFNER, Mr. DELLUMS, Mr. OLVER, Mr. RAVENEL, Ms. VELÁZQUEZ, Mr. SERRANO, Mr. GUTIERREZ, Mr. GILLMOR, Mr. PALLONE, Mr. NEAL of North Carolina, Mr. SANDERS, Mr. REYNOLDS, Mr. RUSH, Mr. LIPINSKI, Mr. PAYNE of New Jersey, Mr. ACKERMAN, Mr. VENTO, Mr. KLEIN, Mrs. MORELLA, Mr. BECERRA, Ms. NORTON, Mr. DEUTSCH, Mr. GALLO, Mr. THOMPSON of Mississippi, Mr. HASTINGS, Mr. WELDON, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. VISCLOSKY, Ms. WATERS, Mr. MARKEY, Mr. McDERMOTT, Mr. MACHTLEY, Mr. WASHINGTON, and Ms. MOLINARI) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

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## A BILL

To establish a National Institute for the Environment, to improve the scientific basis for decision-making 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Institute for  
3 the Environment Act”.

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) FINDINGS.—The Congress finds the following:

6 (1) An appropriate scientific understanding of  
7 the diverse physical, biological, engineering, social,  
8 and economic issues that underlie the environmental  
9 problems facing the United States is essential to  
10 finding environmentally and economically sound so-  
11 lutions to such problems.

12 (2) While more than a dozen Federal agencies  
13 support environmental research and gather environ-  
14 mental information, there is not a lead Federal  
15 agency for environmental research and information.

16 (3) The current approach of the Federal Gov-  
17 ernment to developing a scientific understanding of  
18 environmental problems, and of applying that under-  
19 standing to the problems, lacks coherence and often  
20 fails to provide information vital to finding sound so-  
21 lutions to such problems.

22 (4) The United States needs to improve the sci-  
23 entific basis for decision-making by Federal, State,  
24 and local governments, and private-sector entities,  
25 on environmental issues.

1           (5) Many environmental issues that will seri-  
2           ously affect the United States in the future are not  
3           adequately studied in existing Federal environmental  
4           research programs.

5           (6) Existing Federal environmental research  
6           programs often do not provide adequate information  
7           to enable Federal, State, and local governments, and  
8           private-sector entities, to engage in well-informed de-  
9           cision-making on environmental and related issues.

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

14          (8) Ongoing study and communication of the  
15          existing knowledge about environmental issues, in-  
16          cluding the assessment of the significance of such  
17          knowledge, are needed to strengthen the weak link  
18          between scientific knowledge and decision-making on  
19          environmental issues.

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

1           (10) To address the complex environmental  
2           problems facing the United States, there is a grow-  
3           ing need for more education and training of individ-  
4           uals in disciplinary, interdisciplinary, and multidisci-  
5           plinary sciences related to the environment.

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

13   **SEC. 3. ESTABLISHMENT OF NATIONAL INSTITUTE FOR**  
14                                   **THE ENVIRONMENT.**

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

21   **SEC. 4. DUTIES.**

22          The Institute shall have the following duties:

23               (1) To increase scientific understanding of envi-  
24               ronmental issues (including environmental resources,  
25               systems, and sustainability, and the human dimen-

1 sions associated with environmental issues) by initi-  
2 ating and supporting credible, extramural, problem-  
3 focused, peer-reviewed basic and applied scientific  
4 environmental research and other disciplinary, multi-  
5 disciplinary, and interdisciplinary environmental pro-  
6 grams. The support of research and programs under  
7 this paragraph may include the provision of financial  
8 assistance pursuant to section 8, including grants,  
9 contracts, and cooperative agreements.

10 (2) To assist decision-making on environmental  
11 issues by providing on-going, comprehensive assess-  
12 ments of existing knowledge of environmental issues.  
13 The performance of assessments under this para-  
14 graph shall include the following:

15 (A) Summarizing the state of such knowl-  
16 edge.

17 (B) Assessing the implications of such  
18 knowledge.

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

24 (D) Analyzing constraints which may af-  
25 fect the conduct of research described in sub-

1 paragraph (C), including the existence of lim-  
2 ited technological, human, and economic re-  
3 sources.

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

8 (3) To serve as the foremost provider and  
9 facilitator in the United States of access to current  
10 and easy-to-use scientific and technical information  
11 about the environment. The provision and facilita-  
12 tion of access to information under this paragraph  
13 shall include the following:

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

23 (B) Establishing an electronic network  
24 that—

1 (i) uses existing telecommunications  
2 infrastructures to provide single-point ac-  
3 cess to environmental information; and

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

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

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

22 (4) To sponsor higher education and training in  
23 environmental fields in order to contribute to a  
24 greater public understanding of the environment and  
25 to ensure that the United States has a core of sci-

1       entifically educated and trained personnel who pos-  
2       sess skills to meet the environmental needs of the  
3       United States. The sponsorship of education and  
4       training under this paragraph shall include the  
5       following:

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

12             (B) Supporting curriculum and program  
13             development in fields related to the environ-  
14             ment.

15             (C) Promoting the involvement of women,  
16             minorities, and other underrepresented groups.

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

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

23             (7) To foster interchange of scientific informa-  
24             tion about the environment between scientists, Fed-

1 eral, State, and local government decisionmakers,  
2 and the public.

3 (8) To identify and seek to address emerging  
4 environmental issues and all aspects of scientific,  
5 technological, and societal aspects of environmental  
6 problems.

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

10 **SEC. 5. GOVERNING BOARD.**

11 (a) ESTABLISHMENT.—There shall be a Governing  
12 Board for the Institute (in this Act referred to as the  
13 “Board”) which shall establish policies and priorities of  
14 the Institute.

15 (b) MEMBERSHIP.—

16 (1) APPOINTMENT.—The Board shall be com-  
17 posed of 18 members who shall be appointed by the  
18 President by and with the advice and consent of the  
19 Senate.

20 (2) REPRESENTATION ON THE BOARD.—

21 (A) IN GENERAL.—The members of the  
22 Board shall include individuals—

23 (i) who, as scientists and users of sci-  
24 entific information, are representative of  
25 diverse groups and entities, including

1 States, academic institutions, businesses,  
2 environmental groups, citizens groups, and  
3 other appropriate organizations;

4 (ii) who have a distinguished record of  
5 service in their fields; and

6 (iii) who, among the scientific mem-  
7 bers of the Board, represent the diversity  
8 of scientific fields that study the environ-  
9 ment.

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

17 (c) TERMS.—

18 (1) INITIAL TERMS.—Members initially ap-  
19 pointed to the Board shall serve for the following  
20 terms:

21 (A) Six members shall serve for an initial  
22 term of two years.

23 (B) Six members shall serve for an initial  
24 term of four years.

1 (C) Six members shall serve for an initial  
2 term of six years.

3 (2) SUBSEQUENT TERMS.—Upon completion of  
4 a term referred to in paragraph (1), each member  
5 of the Committee subsequently appointed or  
6 reappointed shall serve for a term of six years, with  
7 a maximum of two consecutive terms for any mem-  
8 ber appointed under this section.

9 (d) ADMINISTRATION.—

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

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

23 (e) CHAIRPERSON.—The Chairperson of the Board  
24 shall be designated by the President at the time of the

1 appointment. The term of office of the Chairperson shall  
2 be six years.

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

6 (g) REPORTS.—The Board shall periodically submit  
7 to the President reports on such specific environmental  
8 policy matters as the Board, the President, or the Con-  
9 gress determines to be necessary. After receipt of any such  
10 report, the President shall transmit the report to the Con-  
11 gress in a timely fashion, together with any comments that  
12 the President considers to be appropriate.

13 (h) ADVISORY COMMITTEES.—The Board may estab-  
14 lish such advisory committees as the Board considers nec-  
15 essary for purposes of this Act.

16 **SEC. 6. STAFF.**

17 (a) DIRECTOR.—

18 (1) APPOINTMENT.—The Director of the Insti-  
19 tute shall be appointed by the President by and with  
20 the advice and consent of the Senate.

21 (2) AUTHORITY.—The Director shall exercise  
22 all of the authority granted to the Institute by this  
23 Act, including any powers and functions delegated to  
24 the Director by the Board. All actions taken by the  
25 Director pursuant to the provisions of this Act or

1       pursuant to the delegation from the Board shall be  
2       final and binding upon the Institute. The Director  
3       shall formulate programs consistent with the policies  
4       of the Institute and in consultation with the Board  
5       and any appropriate advisory committee established  
6       pursuant to this Act.

7               (3) PAY; TERM OF OFFICE.—The Director shall  
8       receive basic pay at the rate provided for level II of  
9       the Executive Schedule under section 5313 of title  
10      5, United States Code, and shall serve for a term of  
11      six years.

12             (4) FCCSET MEMBERSHIP.—Section 401(b) of  
13      the National Science and Technology Policy, Organi-  
14      zation, and Priorities Act of 1976 (42 U.S.C.  
15      6651(b)) is amended by inserting “, the Director of  
16      the National Institute for the Environment,” after  
17      “the Director of the Office of Science and Tech-  
18      nology Policy”.

19             (b) ASSISTANT DIRECTORS.—The President may,  
20      upon the recommendation of the Director, appoint such  
21      assistant Directors as the President considers necessary  
22      to carry out this Act.

23      **SEC. 7. INTERAGENCY ADVISORY COMMITTEE.**

24             (a) ESTABLISHMENT.—There is hereby established  
25      an Interagency Advisory Committee to ensure that the en-

1 vironmental efforts of the Institute and other Federal  
2 agencies are complementary.

3 (b) DUTIES.—It shall be the duty of the Interagency  
4 Advisory Committee established under subsection (a) to  
5 provide recommendations and advice to the Board to help  
6 to ensure that—

7 (1) the research priorities and agenda of the In-  
8 stitute support, rather than compete with, the re-  
9 search agendas of existing Federal agencies;

10 (2) the knowledge assessment activities of the  
11 Institute incorporate knowledge obtained and pos-  
12 sessed by other Federal agencies, and are useful to  
13 such agencies;

14 (3) information within the databases of other  
15 Federal agencies is available for incorporation into  
16 the information network of the Institute; and

17 (4) the educational programs of the Institute  
18 serve the needs of the United States.

19 (c) COMPOSITION.—The Interagency Advisory Com-  
20 mittee established under subsection (a) shall include direc-  
21 tors of research (or individuals who hold a comparable po-  
22 sition) from Federal agencies that conduct or use substan-  
23 tial amounts of environmental research, including the En-  
24 vironmental Protection Agency, the National Oceanic and  
25 Atmospheric Administration, the National Science Foun-

1 dation, the Department of Energy, the Department of the  
2 Interior, and the Department of Agriculture. The Director  
3 of the Office of Science and Technology Policy, or such  
4 individual's designee, and the Director of the Office of En-  
5 vironmental Quality, or such individual's designee, shall  
6 serve as ex officio members of the Interagency Advisory  
7 Committee.

8 (d) DURATION.—Section 14(a)(2)(B) of the Federal  
9 Advisory Committee Act (5 U.S.C. App.; relating to the  
10 termination of advisory committees) shall not apply to the  
11 Interagency Advisory Committee established under sub-  
12 section (a).

13 **SEC. 8. FUNDING.**

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

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

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

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

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

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