

Section 4312, Pub. L. 91-181, §12, Dec. 30, 1969, 83 Stat. 840, provided that this chapter shall expire five years after Dec. 30, 1969.

**CHAPTER 55—NATIONAL ENVIRONMENTAL POLICY**

Sec.  
4321. Congressional declaration of purpose.

**SUBCHAPTER I—POLICIES AND GOALS**

- 4331. Congressional declaration of national environmental policy.
- 4332. Cooperation of agencies; reports; availability of information; recommendations; international and national coordination of efforts.
- 4333. Conformity of administrative procedures to national environmental policy.
- 4334. Other statutory obligations of agencies.
- 4335. Efforts supplemental to existing authorizations.

**SUBCHAPTER II—COUNCIL ON ENVIRONMENTAL QUALITY**

- 4341. Omitted.
- 4342. Establishment; membership; Chairman; appointments.
- 4343. Employment of personnel, experts and consultants.
- 4344. Duties and functions.
- 4345. Consultation with Citizens' Advisory Committee on Environmental Quality and other representatives.
- 4346. Tenure and compensation of members.
- 4346a. Travel reimbursement by private organizations and Federal, State, and local governments.
- 4346b. Expenditures in support of international activities.
- 4347. Authorization of appropriations.

**SUBCHAPTER III—MISCELLANEOUS PROVISIONS**

- 4361, 4361a. Repealed.
- 4361b. Implementation by Administrator of Environmental Protection Agency of recommendations of "CHESS" Investigative Report; waiver; inclusion of status of implementation requirements in annual revisions of plan for research, development, and demonstration.
- 4361c. Staff management.
  - (a) Appointments for educational programs.
  - (b) Post-doctoral research fellows.
  - (c) Non-Government research associates.
  - (d) Women and minority groups.
- 4362. Interagency cooperation on prevention of environmental cancer and heart and lung disease.
- 4362a. Membership of Task Force on Environmental Cancer and Heart and Lung Disease.
- 4363. Continuing and long-term environmental research and development.
- 4363a. Pollution control technologies demonstrations.
- 4364. Expenditure of funds for research and development related to regulatory program activities.
  - (a) Coordination, etc., with research needs and priorities of program offices and Environmental Protection Agency.
  - (b) Program offices subject to coverage.
  - (c) Report to Congress; contents.
- 4365. Science Advisory Board.
  - (a) Establishment; requests for advice by Administrator of Environmental Protection Agency and Congressional committees.

- Sec.
  - (b) Membership; Chairman; meetings; qualifications of members.
  - (c) Proposed environmental criteria document, standard, limitation, or regulation; functions respecting in conjunction with Administrator.
  - (d) Utilization of technical and scientific capabilities of Federal agencies and national environmental laboratories for determining adequacy of scientific and technical basis of proposed criteria document, etc.
  - (e) Member committees and investigative panels; establishment; chairmanship.
  - (f) Appointment and compensation of secretary and other personnel; compensation of members.
  - (g) Consultation and coordination with Scientific Advisory Panel.
- 4366. Identification and coordination of research, development, and demonstration activities.
  - (a) Consultation and cooperation of Administrator of Environmental Protection Agency with heads of Federal agencies; inclusion of activities in annual revisions of plan for research, etc.
  - (b) Coordination of programs by Administrator.
  - (c) Joint study by Council on Environmental Quality in consultation with Office of Science and Technology Policy for coordination of activities; report to President and Congress; report by President to Congress on implementation of joint study and report.
- 4366a. Omitted.
- 4367. Reporting requirements of financial interests of officers and employees of Environmental Protection Agency.
  - (a) Covered officers and employees.
  - (b) Implementation of requirements by Administrator.
  - (c) Exemption of positions by Administrator.
  - (d) Violations; penalties.
- 4368. Grants to qualified citizens groups.
- 4368a. Utilization of talents of older Americans in projects of pollution prevention, abatement, and control.
  - (a) Technical assistance to environmental agencies.
  - (b) Pre-award certifications.
  - (c) Prior appropriation Acts.
- 4368b. General assistance program.
  - (a) Short title.
  - (b) Purposes.
  - (c) Definitions.
  - (d) General assistance program.
  - (e) No reduction in amounts.
  - (f) Expenditure of general assistance.
  - (g) Procedures.
  - (h) Authorization.
  - (i) Report to Congress.
- 4369. Miscellaneous reports.
  - (a) Availability to Congressional committees.
  - (b) Transmittal of jurisdictional information.
  - (c) Comment by Government agencies and the public.
  - (d) Transmittal of research information to the Department of Energy.
- 4369a. Reports on environmental research and development activities of Agency.
  - (a) Reports to keep Congressional committees fully and currently informed.

- Sec. (b) Omitted.
4370. Reimbursement for use of facilities.
- (a) Authority to allow outside groups or individuals to use research and test facilities; reimbursement.
- (b) Rules and regulations.
- (c) Waiver of reimbursement by Administrator.
- 4370a. Assistant Administrators of Environmental Protection Agency; appointment; duties.
- 4370b. Availability of fees and charges to carry out Agency programs.
- 4370c. Environmental Protection Agency fees.
- (a) Assessment and collection.
- (b) Amount of fees and charges.
- (c) Limitation on fees and charges.
- (d) Rule of construction.
- (e) Uses of fees.
- 4370d. Percentage of Federal funding for organizations owned by socially and economically disadvantaged individuals.
- 4370e. Working capital fund in Treasury.
- 4370f. Availability of funds after expiration of period for liquidating obligations.

### § 4321. Congressional declaration of purpose

The purposes of this chapter are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

(Pub. L. 91-190, § 2, Jan. 1, 1970, 83 Stat. 852.)

#### SHORT TITLE

Section 1 Pub. L. 91-190 provided: "That this Act [enacting this chapter] may be cited as the 'National Environmental Policy Act of 1969'."

#### TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of the Interior related to compliance with system activities requiring coordination and approval under this chapter, and enforcement functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with this chapter with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas transferred to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, until first anniversary of date of initial operation of Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§102(e), (f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

#### EMERGENCY PREPAREDNESS FUNCTIONS

For assignment of certain emergency preparedness functions to Administrator of Environmental Protection Agency, see Parts 1, 2, and 16 of Ex. Ord. No. 12656,

Nov. 18, 1988, 53 F.R. 47491, set out as a note under section 5195 of this title.

#### NECESSITY OF MILITARY LOW-LEVEL FLIGHT TRAINING TO PROTECT NATIONAL SECURITY AND ENHANCE MILITARY READINESS

Pub. L. 106-398, § 1 [[div. A], title III, § 317], Oct. 30, 2000, 114 Stat. 1654, 1654A-57, provided that: "Nothing in the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.) or the regulations implementing such law shall require the Secretary of Defense or the Secretary of a military department to prepare a programmatic, nation-wide environmental impact statement for low-level flight training as a precondition to the use by the Armed Forces of an airspace for the performance of low-level training flights."

#### POLLUTION PROSECUTION

Pub. L. 101-593, title II, Nov. 16, 1990, 104 Stat. 2962, provided that:

#### "SEC. 201. SHORT TITLE.

"This title may be cited as the 'Pollution Prosecution Act of 1990'.

#### "SEC. 202. EPA OFFICE OF CRIMINAL INVESTIGATION.

"(a) The Administrator of the Environmental Protection Agency (hereinafter referred to as the 'Administrator') shall increase the number of criminal investigators assigned to the Office of Criminal Investigations by such numbers as may be necessary to assure that the number of criminal investigators assigned to the office—

"(1) for the period October 1, 1991, through September 30, 1992, is not less than 72;

"(2) for the period October 1, 1992, through September 30, 1993, is not less than 110;

"(3) for the period October 1, 1993, through September 30, 1994, is not less than 123;

"(4) for the period October 1, 1994, through September 30, 1995, is not less than 160;

"(5) beginning October 1, 1995, is not less than 200.

"(b) For fiscal year 1991 and in each of the following 4 fiscal years, the Administrator shall, during each such fiscal year, provide increasing numbers of additional support staff to the Office of Criminal Investigations.

"(c) The head of the Office of Criminal Investigations shall be a position in the competitive service as defined in 2102 of title 5 U.S.C. or a career reserve [reserved] position as defined in 3132(A) [3132(a)] of title 5 U.S.C. and the head of such office shall report directly, without intervening review or approval, to the Assistant Administrator for Enforcement.

#### "SEC. 203. CIVIL INVESTIGATORS.

"The Administrator, as soon as practicable following the date of the enactment of this Act [Nov. 16, 1990], but no later than September 30, 1991, shall increase by fifty the number of civil investigators assigned to assist the Office of Enforcement in developing and prosecuting civil and administrative actions and carrying out its other functions.

#### "SEC. 204. NATIONAL TRAINING INSTITUTE.

"The Administrator shall, as soon as practicable but no later than September 30, 1991 establish within the Office of Enforcement the National Enforcement Training Institute. It shall be the function of the Institute, among others, to train Federal, State, and local lawyers, inspectors, civil and criminal investigators, and technical experts in the enforcement of the Nation's environmental laws.

#### "SEC. 205. AUTHORIZATION.

"For the purposes of carrying out the provisions of this Act [probably should be "this title"], there is authorized to be appropriated to the Environmental Protection Agency \$13,000,000 for fiscal year 1991, \$18,000,000 for fiscal year 1992, \$20,000,000 for fiscal year 1993,