
CRS Report for Congress

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National Environmental Education Act of 1990: Overview, Implementation, and Reauthorization Issues

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Summary

The National Environmental Education Act of 1990 (P.L. 101-619) established a program within the Environmental Protection Agency (EPA) to increase public understanding of the environment. The program awards grants for developing environmental curricula and training teachers, supports fellowships to encourage the pursuit of environmental professions, selects individuals for environmental awards, and sponsors workshops and conferences. While funding authorization expired in FY1996, Congress has continued to appropriate funding so far without enacting reauthorizing legislation. However, the Administration is proposing a major shift in policy for FY2003, which would transfer the functions of EPA's Environmental Education Program to the National Science Foundation (NSF). The President's budget would provide \$9 million to the NSF to carry out this transfer. Thus far, legislation has not been introduced to transfer the program, and the Administration's proposal may be a contentious issue in the appropriations process. During the first session of the 107th Congress, two bills were offered which would reauthorize the National Environmental Education Act and retain administration of the program at EPA: S. 876 as introduced, and H.R. 1 as passed by the Senate. The Senate incorporated S. 876 into its version of H.R. 1 as part of comprehensive legislation to reauthorize elementary and secondary education programs. However, the Senate provisions were not adopted in the final bill (P.L. 107-110). Debate over reauthorization may continue in the second session, and may be broader in scope due to the Administration's proposal to transfer the program from EPA to the NSF. This report will be updated as relevant developments occur.

Introduction

The Environmental Education Act of 1970 (P.L. 91-516) established an Office of Environmental Education in the Department of Health, Education, and Welfare to award grants for developing environmental curricula and training teachers. Congress moved the office to the newly formed Department of Education in 1979. However, in response to

the Reagan Administration's efforts to transfer the federal role in many programs to the states, Congress eliminated the Office of Environmental Education in 1981. Several years later, the 101st Congress enacted the National Environmental Education Act of 1990 (P.L. 101-619) to renew the federal role in environmental education and reestablish an office of environmental education within EPA. In the law's findings, the 101st Congress stated that existing federal programs to educate the public about environmental problems and train environmental professionals were inadequate and that increasing the federal role in this area was therefore necessary.

EPA is authorized to work with educational institutions, nonprofit organizations, the private sector, tribal governments, and state and local environmental agencies to educate the public about environmental problems and encourage students to pursue environmental careers. Environmental education involves learning ecological concepts to understand the relation between human behavior and environmental quality and developing the knowledge and skills to analyze environmental problems and create solutions. The goal of EPA's Environmental Education Program is to increase public knowledge about environmental issues and provide the public with the skills necessary to make informed decisions and take responsible actions to protect the environment.

This report presents an overview of the National Environmental Education Act of 1990, provides a history of appropriations, summarizes EPA's implementation of the law, and examines reauthorizing issues and legislation in the 107th Congress.

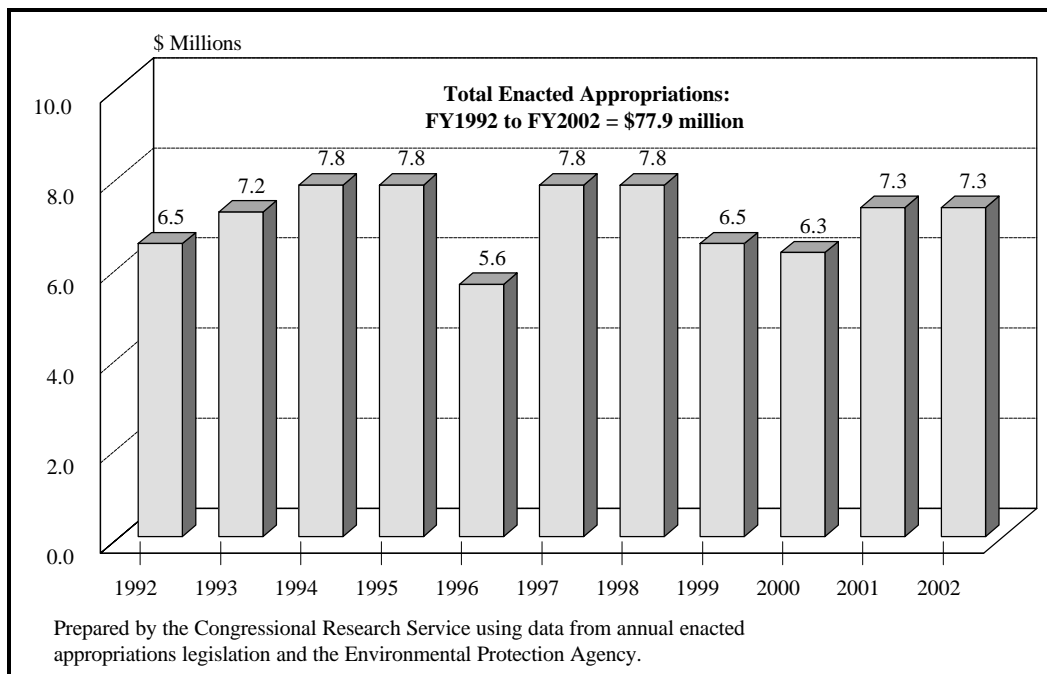
Appropriations

As indicated in the chart on page 3, Congress has appropriated a total of \$77.9 million for EPA's Environmental Education Program since its beginning in FY1992, and annual appropriations have ranged from \$5.6 million to \$7.8 million. While the funding authorization for the program expired at the end of FY1996, Congress has continued to fund it since then without enacting reauthorizing legislation. However, the Administration is proposing a major shift in policy for FY2003, which would terminate the program at EPA and transfer its grant-making functions to the National Science Foundation (NSF). The President's budget would provide \$9 million for the NSF to carry out the transfer, which is \$1.7 million more than the funding level of \$7.3 million that the program received under EPA in FY2002. The President's budget request does not provide any information on how the program would be structured under the NSF, and the extent to which it would differ from EPA's current program is uncertain at this time. According to the Office of Management and Budget (OMB), EPA's outstanding grant commitments would still be fulfilled. OMB argues that the transfer would not require separate authorizing legislation since the NSF has general authorities to award competitive grants for science-related education.

As outlined in the President's budget proposal for EPA, the Administration has requested this transfer because it believes that the program is "ineffective" and that is "has supported environmental advocacy rather than environmental education." The budget proposal also indicates that the program's funding would be transferred to the NSF's math and science programs "so that a consolidated program can better serve educators and students." While no information is provided in the budget proposal to explain how this assessment was made by the Administration, CRS communications with officials at OMB indicated concerns that there were no "performance metrics" for grant awards to

determine whether the program was effective in achieving its goal of enhancing the quality of environmental education. However, OMB acknowledged that an audit of grant awards was not conducted upon which to base this conclusion, and that instead, this assessment was made based on longstanding criticisms by certain interest groups that the program has supported activities that are not objective, or are not based on sound science. While the issue of scientific soundness has been part of the reauthorizing debate in Congress in the past, no legislation has been introduced to eliminate the program at EPA or transfer its functions to another agency. (Refer to page 5 of this report for a discussion of reauthorizing issues and legislation.) The transfer proposal may face opposition during the appropriations process, as criticisms may arise over OMB's assessment of the program as being "ineffective", since an audit of grant awards was not performed to support this conclusion.

Appropriations for EPA's Environmental Education Program



Overview and Implementation

The National Environmental Education Act authorizes EPA to award grants for developing environmental curricula and training teachers, support fellowships to encourage the pursuit of environmental professions, and select individuals for environmental awards.¹ EPA also consults with the Environmental Education Advisory Council and the Federal Task Force on Environmental Education in conducting the above activities and coordinating its efforts with related federal programs. In addition to these activities, the law established a nonprofit foundation to encourage cooperation between the public and private sectors to support environmental education. Each of these activities is discussed below.

¹ For additional information, refer to EPA's web site at [<http://www.epa.gov/enviroed>].

Office of Environmental Education. Section 4 of the law directed EPA to establish an office of environmental education to implement programs authorized under the law and coordinate its activities with related federal programs. EPA established the Environmental Education Division within the Office of Communications, Education, and Public Affairs to perform these functions.

Environmental Education and Training Program. EPA developed the Environmental Education and Training Program to train education professionals to develop and teach environmental curricula. Section 5 of the law directs EPA to award an annual grant to a higher educational institution or nonprofit organization to operate the program under a multiple-year agreement. The law requires EPA to reserve 25% of the annual funding for its Environmental Education Program to support the Environmental Education and Training Program. Teachers, administrators, and related staff of educational institutions as well as staff of state and local environmental agencies, tribal governments, and nonprofit organizations are eligible to participate. In 1992, EPA awarded a total of \$5.4 million to the University of Michigan for a three-year agreement. The program developed resource materials, established a database of educational materials, and conducted workshops to train K-12 teachers. In 1995, EPA awarded a total of \$9 million to the North American Association for Environmental Education for a five-year agreement, which expanded on the University of Michigan's accomplishments. In October 2000, EPA signed a new agreement with the University of Wisconsin and awarded \$1.9 million to support the program's activities in FY2001. Approximately the same amount is available to continue the program's support in FY2002.

Environmental Education Grants. The Environmental Education Grant Program supports activities that develop environmental curricula, study environmental problems, train teachers, and foster environmental cooperation between the United States, Canada, and Mexico. Educational institutions, state and local environmental agencies, tribal governments, and nonprofit organizations are eligible for these grants. Section 6 requires EPA to reserve at least 38% of the total funding for environmental education to support the grant program. The law limits a single grant to \$250,000 and reserves 25% of the grants for smaller amounts of \$5,000 or less. A grant cannot exceed 75% of the cost to implement a proposed project, and the recipient must match the remaining 25% with other funding. However, EPA can grant full federal funding for certain priority projects that cannot be undertaken without full federal support. Since the beginning of the program in FY1992, EPA has awarded \$27.7 million in funding for environmental education projects to all 50 states, the District of Columbia, American Samoa, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. Of this amount, EPA awarded 228 grants in FY2001 for a total of \$2.8 million. Approximately the same amount will be available again in FY2002 for awarding such grants. The deadline for submitting proposals for grants to be awarded in FY2002 was November 15, 2001, and EPA expects to select the grant recipients sometime this summer.²

Environmental Fellowships. With authority provided under Section 7 of the law, EPA administers the National Network for Environmental Management Studies to encourage post-secondary students to pursue environmental careers. Students work with an environmental professional at EPA on a specific project or conduct university research

² EPA. *Federal Register*. August 28, 2001. p. 45540-45550.

under EPA's direction. Since 1992, EPA has awarded approximately 100 fellowships annually to students at more than 400 participating universities.

Environmental Education Awards. Section 8 of the law created four national awards to recognize outstanding contributions to environmental education and training. EPA announced the first recipients in 1993. The awards commemorate Theodore Roosevelt for teaching, Henry David Thoreau for literature, Rachael Carson for communications media, and Gifford Pinchot for natural resources management. EPA also administers the Presidential Environmental Youth Awards Program to recognize outstanding projects that promote local environmental awareness. Elementary and high school students are eligible to compete annually. EPA selects a winner in each of its 10 regions. The recipients receive national recognition from the President and Vice President of the United States and the EPA Administrator.

Environmental Education Advisory Council and Federal Task Force on Environmental Education. EPA established an Environmental Education Advisory Council and a Federal Task Force on Environmental Education under Section 9 of the law. The council consists of 11 members representing a diverse range of public and private expertise in environmental education and training. The council consults with EPA and reports to Congress every 2 years on the quality of environmental education, the implementation of the Act, and its recommendations to improve environmental education and training. The council has met at least once annually since 1992. The task force coordinates EPA's environmental education and training activities with related federal programs. EPA chairs the task force, and its members have included representatives from the Departments of Agriculture, Education, Energy, Health and Human Services, and Interior, the National Aeronautics and Space Administration, the National Oceanic and Atmospheric Administration, and the National Science Foundation. The task force has met at least once annually since 1991.

National Environmental Education and Training Foundation. The National Environmental Education and Training Foundation encourages cooperation between the public and private sectors to support environmental education and training. Section 10 of the law established the foundation as a private, nonprofit organization with a board of 13 directors who are responsible for insuring that its activities adhere to EPA's policies. The foundation operates several priority programs that focus on public health, safe drinking water, business and the environment, communications, conservation, and educational excellence in environmental fields of study. The foundation also awards competitive challenge grants to encourage innovative non-federal activities in environmental education and presents National Environmental Education Achievement Awards to honor outstanding and scientifically accurate environmental education programs. Additionally, the foundation supports annual research projects which examine the public's perception, awareness, and action regarding the environment, pollution control regulations, and personal responsibility.

Reauthorizing Issues and Legislation in the 107th Congress

While Members of Congress have broadly supported environmental education on a bipartisan basis, there has been a continuing controversy at the local level over its role in the classroom. There appears to be general consensus that educating students in the

ecological sciences and examining the potential impacts of human behavior on the environment is appropriate for instruction. However, some critics argue that certain textbooks and curricula misinform students by advocating specific measures to address environmental problems or by presenting unbalanced or scientifically inaccurate data on particular topics. EPA reports that the funding guidelines which it has developed for environmental education activities do not recommend a specific course of action or advocate a particular viewpoint. However, the National Environmental Education Act does not include specific criteria to insure that activities funded by EPA adhere to these guidelines, nor does it include requirements for supported activities to be based on objective and scientifically accurate information. The development of such criteria and requirements has become a prominent consideration in the reauthorization of the law.

In the first session of the 107th Congress, two bills were offered which proposed to reauthorize the National Environmental Education Act: S. 876 as introduced, and H.R. 1 as passed by the Senate. As introduced, S. 876 would authorize \$13 million annually from FY2002 to FY2007 for EPA's Environmental Education Program. The bill would require EPA to submit an annual report to Congress identifying the activities for which the agency has expended appropriated funds. It also would address the issue of whether the activities supported by the program are balanced and accurate by allowing authorized funding to be used only for activities that are "objective and scientifically sound". New guidance for grant applicants would also be subject to review and approval by EPA's Scientific Advisory Board prior to issuance.

S. 876 would also amend various aspects of EPA's Environmental Education Program and introduce new elements as well. First, the bill would increase the percentage of funding set-aside for environmental education grants from 38% to 40%, and it also would reduce the minimum portion of funds reserved for smaller grants of \$5,000 or less from 25% to 15%. This latter requirement would not prevent EPA from reserving funding for a higher percentage of smaller grants, but would simply reduce the minimum percentage to allow the agency greater flexibility in awarding a greater number of larger grants if needs warranted it. Second, the bill would streamline the environmental awards program. Third, the bill would replace the current internships and fellowships program with the "John H. Chafee Memorial Fellowship Program", which would support independent graduate level study and the development of expertise in environmental issues. Fourth, it would create the "Theodore Roosevelt Environmental Stewardship Grant Program" to provide federal assistance to consortia of higher educational institutions that are carrying out environmental stewardship activities. Other provisions would amend various administrative requirements under the law.

As passed by the Senate, H.R. 1 proposed to reauthorize the Elementary and Secondary Education Act of 1965, and included the provisions of S. 876 as an amendment under Title XVII. This amendment is almost identical to S. 876 except that it would authorize cash awards of up to \$2,500 each for teachers and keep the percentage of funding set-aside for environmental education grants at its current level of 38%, rather than increase it to 40%. The House did not include a separate title or other provisions to reauthorize the National Environmental Education Act in passing its version of H.R. 1, and the Senate provisions were not adopted in the final bill (P.L. 107-110). Debate over reauthorization may continue in the second session, and may be broader in scope due to the Administration's proposal to transfer the program from EPA to the NSF.