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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. Although the funding authorization expired in FY1996, Congress has continued to appropriate funding since then without enacting reauthorizing legislation. In recent years, annual appropriations for the program have remained steady at around \$9 million in total funding to support grants and other program activities, and administrative expenses such as personnel costs and benefits.

While Congress has continued to appropriate funding for EPA's environmental education program, the Bush Administration did not request any funding to continue the program in its budget proposals for FY2003, FY2004, and FY2005. In response to widespread state and local support for the program's continuance, Congress reinstated its funding in FY2003 and FY2004. The Bush Administration's proposal to eliminate funding for the program once again may spark debate in the appropriations process for FY2005. In addition to appropriations, reauthorization may also be addressed. Among the key issues is whether specific criteria are needed to ensure that environmental education activities supported by EPA are based on "sound science." This report will be updated periodically.

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. The program supports activities to achieve these goals primarily through the awarding of grants. Since the beginning of the program in FY1992, EPA has awarded grants for environmental education projects in each of the 50 states, the District of Columbia, and U.S. territories for teacher training, the purchase of textbooks, the development of curricula, and other educational activities.

This report presents an overview of the National Environmental Education Act of 1990, discusses appropriations, examines EPA's implementation of the law, and analyzes key issues for reauthorization.

Appropriations

The funding authorization for EPA's environmental education program expired at the end of FY1996. However, Congress has funded it since then without enacting reauthorizing legislation. Congress first appropriated \$6.5 million for the program when it was established in FY1992. Since that time, appropriations have remained around \$7 million annually for grants and other program activities, excluding administrative expenses such as personnel costs and benefits. Total funding has been higher than \$7 million annually when these expenses are accounted for, at a steady level of about \$9 million in recent years, including FY2004.

Departing from past congressional support, the President's FY2005 budget request does not include any funding for EPA's environmental education program. The Office of Management and Budget (OMB) gave the program a "Results Not Demonstrated" rating as part of its government-wide assessment of federal programs. OMB indicated that the absence of performance metrics for activities supported by grant awards made it difficult to determine whether the program was achieving its goal of improving the quality of environmental education. The Administration has used OMB's rating as the primary justification for its proposal to eliminate funding. The Administration also did not request any funding for this program in FY2003 and FY2004, due to similar arguments that the effectiveness of the program was questionable.

Advocates of the program have pointed out that there have been long-standing disagreements among educators about how to evaluate the quality of education in general, and that the lack of performance metrics for educational activities is not unique to EPA's grant program. Such critics counter the Administration's characterization of the program's effectiveness by arguing that grant awards have had a positive impact on a national level with a small amount of funding relative to EPA's total budget, and that the program therefore should be continued. The activities supported by these grants have generated significant state and local support. In response to state and local concern about the proposed elimination of the program, Congress reinstated its funding during the appropriations process for FY2003 and FY2004 with broad bipartisan support.

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.

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. The University of Wisconsin at Stevens Point has been implementing this training program, under agreement with EPA, since October 2000.

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 of the law requires EPA to reserve at least 38% of the total funding for environmental

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

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.

Since FY1992, EPA has awarded almost \$33 million in grants for environmental education projects in all 50 states, the District of Columbia, and U.S. territories. Grant recipients have provided more than \$10 million in matching funds, and in some cases, have reported matching funds that exceed individual grant awards. The competition for grant awards has historically been stiff due to funding limitations. In recent years, EPA has had the resources to award grants to about 20% of those who applied. In FY2003, EPA selected over 175 recipients for a total of nearly \$2.8 million in grant awards. EPA issued a solicitation notice for FY2004 grant awards on November 12, 2003 (68 *FR* 64252), and accepted grant proposals through January 6, 2004. EPA traditionally announces the grant recipients the following summer.

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 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 two 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. The law requires EPA to reserve 10% of the environmental education program's annual funding to award a non-competitive grant to help support the foundation's activities.

Key Issues for Reauthorization

Although 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.

The funding guidelines that EPA has developed for its environmental education activities do not recommend a specific course of action or advocate a particular viewpoint, and lobbying or political activities are designated as activities that are ineligible for funding. 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 been a prominent consideration in past debate over the reauthorization of the law.

Thus far in the 108th Congress, legislation to reauthorize EPA's environmental education program has not been introduced. In each Congress from the 104th to the 107th, reauthorization legislation has been considered, but not enacted. Most recently, two reauthorization bills were considered during the 107th Congress (H.R. 1 as passed by the Senate and S. 876 as introduced). Both bills would have authorized funding through FY2007 and amended various aspects of the program. Both bills also would have addressed the issue of whether environmental education activities are balanced and based on scientifically accurate information by limiting funding eligibility to activities that are "objective and scientifically sound," although neither bill specified criteria to determine how an activity would have met this requirement.