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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 educating elementary and secondary school students and training teachers, supports fellowships to encourage the pursuit of environmental professions, selects individuals for environmental awards, and sponsors workshops and conferences. The Bush Administration proposed to eliminate funding for this program each year since FY2003, and again in FY2006, asserting that it is uncertain whether the program has demonstrated results in improving the quality of environmental education. Advocates of the program have countered that it has had a national impact, providing financial assistance to schools in all 50 states to train teachers, develop curricula, purchase textbooks, and conduct other educational activities. In response to widespread state and local support, Congress has appropriated funding to continue the program each year. The Interior, Environment, and Related Agencies Appropriations Act for FY2006 (P.L. 109-54, H.R. 2361) provides \$9 million to continue EPA's environmental education program, subject to an across-the-board rescission of 0.476%. Although Congress continues to fund the program, reauthorization legislation has not been enacted. The program's original funding authorization expired in FY1996. Among the issues for reauthorization in past Congresses have been whether specific statutory requirements are needed to ensure that environmental education activities supported by EPA are based on "sound science." This report will be updated as developments warrant.

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 at that time 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 educating elementary and secondary school students, training teachers, purchasing textbooks, developing 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 act, and analyzes potential issues for reauthorization that may be considered in the 109th Congress.

Appropriations

Although the funding authorization for EPA's environmental education program expired at the end of FY1996, Congress has continued to fund it since then without enacting reauthorizing legislation. However, the Bush Administration has proposed to eliminate funding for the program each year since FY2003, and did not include any funding for the program in its FY2006 request.

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. In recent years, the Administration has used OMB's rating as the primary justification for its recurring proposal to eliminate funding for the program.

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 countered OMB'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 EPA's environmental education program, Congress appropriated funding to continue it in FY2003, FY2004, and FY2005 with broad bipartisan support, and has provided funding again for FY2006. Title II of the Interior, Environment, and Related Agencies Appropriations Act for FY2006 (P.L. 109-54, H.R. 2361) provides funding for EPA and includes \$9 million for the environmental education program, subject to an across-the-board rescission of 0.476% as required by Section 439 of Title IV. The House had proposed \$9 million in passing its version of H.R. 2361, and the Senate had proposed \$7 million. Neither the House nor Senate versions included an across-the-board rescission, as did the final bill. The table below indicates appropriations since FY2003 to reinstate the program.

**Environmental Education Program Appropriations: FY2003-FY2005
Enacted, FY2006 Request, and Congressional Action**
(millions of dollars)

| FY2003 Enacted* | FY2004 Enacted | FY2005 Enacted | FY2006 Request | H.R. 2361, as passed the House | H.R. 2361, as passed the Senate | P.L. 109-54 |
|----------------------------|---------------------------|---------------------------|---------------------------|---|--|------------------------|
| \$9.1 | \$9.1 | \$8.9 | \$0.0 | \$9.0 | \$7.0 | \$9.0 |

Source: Prepared by the Congressional Research Service. Enacted amounts are from the conference reports on final appropriations bills for FY2003 (H.J.Res. 2, H.Rept. 108-10), FY2004 (H.R. 2673, H.Rept. 108-401), and FY2005 (H.R. 4818, H.Rept. 108-792). Enacted amounts reflect across-the-board rescissions of 0.65% in FY2003, 0.59% in FY2004, and 0.80% in FY2005. The Administration's lack of request for funds for FY2006 is from EPA's FY2006 budget justification. The amount for H.R. 2361, as passed by the House, is from H.Rept. 109-80, and as passed by the Senate, is from S.Rept. 109-80. The amount for P.L. 109-54 is from the conference report on H.R. 2361 (H.Rept. 109-188), which is subject to an across-the-board rescission of 0.476% as required by Section 439 of Title IV of the conference agreement.

* Although the conference report on the Consolidated Appropriations Resolution for FY2003 (H.J.Res. 2, H.Rept. 108-10) specified a funding level of \$9.2 million for the environmental education program (\$9.1 million after the 0.65% across-the-board rescission), it directed EPA to allocate this amount "from within available funds." EPA's FY2005 budget justification indicates that the agency allocated \$5.3 million in actual funding from available appropriations for FY2003.

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

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

activities, the act 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 act directed EPA to establish an office of environmental education to implement programs authorized under the act and coordinate its activities with related federal programs. EPA established the Office of Environmental Education within the Office of 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 act 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 act 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 2000.²

Environmental Education Grants. The Environmental Education Grant Program supports activities that educate elementary and secondary school students, study environmental issues, 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 act requires EPA to reserve at least 38% of total annual funding for the environmental education program to support these grants.

The act limits a single grant to \$250,000 and reserves 25% of the grants for smaller amounts of \$5,000 or less, as a means to ensure a greater number of grant awards among recipients. EPA reports that few grant awards exceed \$100,000 and that the majority of grant awards are for \$10,000 or less. The act also stipulates that a grant cannot exceed 75% of the cost to implement a proposed project, and the recipient must provide the remaining 25% in matching funds.

Since FY1992, EPA has awarded approximately \$38 million in grants for nearly 3,000 environmental education projects in all 50 states, the District of Columbia, and U.S. territories, of which nearly \$2 million was awarded for FY2005. Grant recipients have provided more than \$20 million in matching funds, and in some cases, have reported matching funds that exceeded individual grant awards, underscoring the importance of these activities to school districts and local communities.

The competition for grant awards has historically been stiff due to limited appropriations. In recent years, EPA has had the resources to award grants to about 20%

²For additional information, see the Environmental Education and Training Partnership's website at [<http://www.eetap.org>].

of those who applied. EPA issued a solicitation notice for FY2006 grant awards on September 30, 2005, and planned to accept grant proposals through November 23, 2005.³ EPA expects to announce the grant awards for FY2006 by the end of next summer.

Environmental Fellowships. With authority provided in Section 7 of the act, 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. In recent years, EPA has awarded approximately 40 fellowships annually to students at more than 400 participating universities.

Environmental Education Awards. EPA 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 to receive awards from the EPA regional offices. EPA selects a winner in each of its 10 regions, and invites the winners to attend a ceremony in Washington, D.C. The award recipients receive national recognition from the President or Vice President of the United States and the EPA Administrator.

Section 8 of the act also 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.

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 act. 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 periodically 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.⁴ Section 10 of the act established the foundation as a private, nonprofit organization with

³ 70 *Federal Register* 57278.

⁴ For additional information, see the National Environmental Education Training Foundation's website at [<http://www.neetf.org>].

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 and the environment, "green" business, environmental education at the K-12 level, and adult education.

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 act 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.

Potential 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.

In response to the above concerns, EPA has developed guidelines for funding environmental education activities which specify that the grants awarded by EPA cannot be used for projects that would recommend a specific course of action or advocate a particular viewpoint. Further, lobbying or political activities are specifically designated as activities that are ineligible for funding. These guidelines also indicate that environmental education activities must be based on "objective and scientifically sound information" to be eligible for funding. However, the National Environmental Education Act itself does not include specific requirements to insure that activities funded by EPA adhere to these guidelines. Whether to include such requirements in federal statute has been a prominent consideration in past debate over the reauthorization of the act.

To date, legislation to reauthorize funding for EPA's environmental education program has not been introduced in the 109th Congress. Reauthorization legislation was considered, but not enacted, in each Congress from the 104th to the 107th. 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 included statutory language limiting funding eligibility to activities that are "objective and scientifically sound." However, neither bill specified criteria to determine how an activity would have met this requirement.