



CRS Report for Congress

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

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Summary

The federal role in supporting environmental education has been an ongoing issue. Federal financial assistance for environmental education is authorized primarily in the National Environmental Education Act of 1990 (P.L. 101-619). This law established a program within the Environmental Protection Agency (EPA) to award grants for educating elementary and secondary school students and training teachers in environmental subjects, to support fellowships for post-secondary students, and to fund other related activities. The Bush Administration has proposed to eliminate funding for EPA's environmental education program each year since FY2003, and did so again in its FY2007 request. However, Congress has appropriated approximately \$9 million annually to continue the program. In the second session of the 109th Congress, the House recommended \$9 million for the program again in FY2007 in passing H.R. 5386. The Senate Appropriations Committee recommended \$7 million in reporting its version of the bill. The 109th Congress adjourned without completing FY2007 appropriations for EPA and many other federal agencies. As signed by the President, H.J.Res. 102 provides funding through February 15, 2007. Although Congress has continued to fund EPA's environmental education program, its funding authorization expired at the end of FY1996. Reauthorization legislation was not introduced in the 109th Congress, but has been introduced in past Congresses. Reauthorization issues have included whether statutory requirements are needed to ensure that environmental education activities supported by EPA are based on "sound science."

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.

P.L. 101-619 authorizes EPA 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 reauthorization issues relevant to legislation introduced in recent Congresses.

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. 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 FY2007 budget request. In the second session of the 109th Congress, the House passed the FY2007 Interior, Environment, and Related Agencies appropriations bill (H.R. 5386, H.Rept. 109-465) on May 18, 2006, which included \$9 million to continue EPA's environmental education program. The Senate Appropriations Committee recommended \$7 million in reporting its version of the bill (S.Rept. 109-275) on June 29, 2006. The 109th Congress adjourned without completing FY2007 appropriations for EPA and many other federal agencies. As signed by the President, H.J.Res. 102 provides funding through February 15, 2007. (See CRS Report RL30343, *Continuing Appropriations Acts: Brief Overview of Recent Practices*, by Sandy Streeter.)

The Administration has used the environmental education program's performance rating by the Office of Management and Budget (OMB) as the primary justification for its recurring proposal to eliminate funding for the program. OMB has repeatedly given the program a "Results Not Demonstrated" rating as part of its annual government-wide

assessment of federal programs with its Program Assessment Rating Tool (PART).¹ OMB has indicated that the absence of performance metrics for activities supported by grants awarded by the environmental education program makes it difficult to determine whether the program is achieving its goal of improving the quality of environmental education.

According to EPA's FY2007 budget justification, the program's personnel would be retained and transferred to various "outreach initiatives" throughout the agency to "fully integrate environmental education into all program areas."² However, the justification did not indicate what those initiatives would entail, nor how environmental education would be integrated into all programs across the agency. Whether grants to elementary and secondary schools would continue under those initiatives is also unclear in the justification. EPA's justification also indicated that certain resources previously allocated to the environmental education program would be reallocated to unrelated activities, such as the President's Management Agenda and assistance to certain small businesses.³

Opponents of the Administration's proposal have noted that there are long-standing disagreements among educators about how to evaluate the quality of education, and that the lack of performance metrics for educational activities is not unique to EPA's environmental education program. Such critics have 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. The activities supported by these grants also have generated significant state and local support. In response, Congress has appropriated funding to continue the program each year. The table below indicates enacted appropriations from FY2004 through FY2006, the President's FY2007 request to zero-out funding for the program, and action during the 109th Congress to reinstate funding for FY2007.

**Environmental Education Program Appropriations:
FY2004-FY2006 Enacted, FY2007 Request, and
Amounts Proposed in H.R. 5386 in the 109th Congress**
(millions of dollars)

FY2004 Enacted	FY2005 Enacted	FY2006 Enacted	FY2007 Request	H.R. 5386	
				House- Passed	Senate- Reported
\$9.1	\$8.9	\$8.9	\$0.0	\$9.0	\$7.0

Source: Prepared by CRS with information from House and Senate Appropriations Committee reports on the annual appropriations bills that fund EPA, reflecting applicable rescissions.

¹ See OMB's website [<http://www.whitehouse.gov/omb/budget/fy2007/sheets/part.pdf>] for PART assessments for selected federal agency programs. Also see CRS Report RL32663, *The Bush Administration's Program Assessment Rating Tool (PART)*, by Clinton Brass.

² Environmental Protection Agency. *FY2007 Annual Performance Plan and Congressional Justification*, Environmental Programs and Management, p. EPM-109. The entire justification is available on EPA's website at [<http://www.epa.gov/ocfo/budget/2007/2007cj.htm>].

³ *Ibid.*, p. EPM-114 and p. EPM-124.

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. 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. The act also established a nonprofit foundation to encourage cooperation between the public and private sectors to support environmental education.⁴ As discussed above, the President's FY2007 budget proposed to eliminate funding for EPA's environmental education program, and the extent to which some of these activities would continue under other program elements is unclear. In the 109th Congress, both versions of H.R. 5386 would have reinstated funding to continue these activities in FY2007 under the existing program.

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 had established an Office of Environmental Education within the Office of Public Affairs to perform these functions. The agency reports that it has since reorganized these functions into a new Environmental Education Division within the Office of Children's Health Protection.

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 2000.⁵

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 agencies, tribal governments, and nonprofit organizations are eligible for these grants. Section 6 of the act requires EPA to reserve at least 38% of annual funding for the environmental education program to support these grants. The act limits a single grant to \$250,000 and reserves 25% of grants for amounts of \$5,000 or less, to ensure a greater number of grant awards among recipients. EPA reports that few grant awards exceed \$100,000 and that the majority are for \$10,000 or less. Grant awards are limited to 75% of a project's cost, and the recipient must provide the remaining 25% in matching funds.

⁴ For additional information, see EPA's website at [<http://www.epa.gov/enviroed/>].

⁵ See the Environmental Education and Training Partnership's website at [<http://www.eetap.org/>].

EPA reports that it has awarded approximately \$38 million in grants since FY1992 for more than 3,000 environmental education projects in all 50 states, the District of Columbia, and U.S. territories, of which nearly \$3 million was awarded in FY2006. 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 communities. In recent years, EPA has had the resources to award grants to about 20% of those who applied, resulting in stiff competition among the applicants. The availability of grants for FY2007 will be subject to final appropriations by Congress to continue the program, considering that the Administration has requested to terminate funding.

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 these awards from the EPA regional offices. EPA selects a winner in each region, 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.⁶ Section 10 of the act established the foundation as a private, nonprofit organization with a board of 13 directors responsible for ensuring that its activities adhere to EPA's policies. The foundation operates priority programs focusing 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 nonfederal 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 noncompetitive grant to help support the foundation's activities.

Reauthorization Issues

Although Members of Congress have broadly supported environmental education on a bipartisan basis, there has been 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.

In response to these concerns, EPA has issued 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.

Legislation to reauthorize funding for EPA's environmental education program was not 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.

⁶ For additional information, see the National Environmental Education Training Foundation's website at [<http://www.neetf.org/>].