

**§ 4372. Office of Environmental Quality****(a) Establishment; Director; Deputy Director**

There is established in the Executive Office of the President an office to be known as the Office of Environmental Quality (hereafter in this chapter referred to as the "Office"). The Chairman of the Council on Environmental Quality established by Public Law 91-190 shall be the Director of the Office. There shall be in the Office a Deputy Director who shall be appointed by the President, by and with the advice and consent of the Senate.

**(b) Compensation of Deputy Director**

The compensation of the Deputy Director shall be fixed by the President at a rate not in excess of the annual rate of compensation payable to the Deputy Director of the Office of Management and Budget.

**(c) Employment of personnel, experts, and consultants; compensation**

The Director is authorized to employ such officers and employees (including experts and consultants) as may be necessary to enable the Office to carry out its functions under this chapter and Public Law 91-190, except that he may employ no more than ten specialists and other experts without regard to the provisions of title 5, governing appointments in the competitive service, and pay such specialists and experts without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no such specialist or expert shall be paid at a rate in excess of the maximum rate for GS-18 of the General Schedule under section 5332 of title 5.

**(d) Duties and functions of Director**

In carrying out his functions the Director shall assist and advise the President on policies and programs of the Federal Government affecting environmental quality by—

- (1) providing the professional and administrative staff and support for the Council on Environmental Quality established by Public Law 91-190;
- (2) assisting the Federal agencies and departments in appraising the effectiveness of existing and proposed facilities, programs, policies, and activities of the Federal Government, and those specific major projects designated by the President which do not require individual project authorization by Congress, which affect environmental quality;
- (3) reviewing the adequacy of existing systems for monitoring and predicting environmental changes in order to achieve effective coverage and efficient use of research facilities and other resources;
- (4) promoting the advancement of scientific knowledge of the effects of actions and technology on the environment and encourage<sup>1</sup> the development of the means to prevent or reduce adverse effects that endanger the health and well-being of man;
- (5) assisting in coordinating among the Federal departments and agencies those programs

and activities which affect, protect, and improve environmental quality;

(6) assisting the Federal departments and agencies in the development and interrelationship of environmental quality criteria and standards established through the Federal Government;

(7) collecting, collating, analyzing, and interpreting data and information on environmental quality, ecological research, and evaluation.

**(e) Authority of Director to contract**

The Director is authorized to contract with public or private agencies, institutions, and organizations and with individuals without regard to section 3324(a) and (b) of title 31 and section 6101 of title 41 in carrying out his functions.

(Pub. L. 91-224, title II, § 203, Apr. 3, 1970, 84 Stat. 114; 1970 Reorg. Plan No. 2, § 102, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085.)

## REFERENCES IN TEXT

Public Law 91-190, referred to in subsecs. (a), (c), and (d), is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, known as the National Environmental Policy Act of 1969, which is classified generally to chapter 55 (§ 4321 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of this title and Tables.

The General Schedule, referred to in subsec. (c), is set out under section 5332 of Title 5.

## CODIFICATION

In subsec. (e), "section 3324(a) and (b) of title 31 and section 6101 of title 41" substituted for "sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5)" on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, which Act enacted Title 31, Money and Finance, and Pub. L. 111-350, § 6(c), Jan. 4, 2011, 124 Stat. 3854, which Act enacted Title 41, Public Contracts.

## TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of Reorg. Plan No. 2 of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of Reorg. Plan No. 2 of 1970, redesignated Bureau of the Budget as Office of Management and Budget.

## REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

**§ 4373. Referral of Environmental Quality Reports to standing committees having jurisdiction**

Each Environmental Quality Report required by Public Law 91-190 shall, upon transmittal to Congress, be referred to each standing committee having jurisdiction over any part of the subject matter of the Report.

(Pub. L. 91-224, title II, § 204, Apr. 3, 1970, 84 Stat. 115.)

## REFERENCES IN TEXT

Public Law 91-190, referred to in text, is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, known as

<sup>1</sup> So in original. Probably should be "encouraging".

the National Environmental Policy Act of 1969, which is classified generally to chapter 55 (§4321 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of this title and Tables.

#### § 4374. Authorization of appropriations

There are hereby authorized to be appropriated for the operations of the Office of Environmental Quality and the Council on Environmental Quality not to exceed the following sums for the following fiscal years which sums are in addition to those contained in Public Law 91-190:

(a) \$2,126,000 for the fiscal year ending September 30, 1979.

(b) \$3,000,000 for each of the fiscal years ending September 30, 1980, and September 30, 1981.

(c) \$44,000 for the fiscal years ending September 30, 1982, 1983, and 1984.

(d) \$480,000 for each of the fiscal years ending September 30, 1985 and September 30, 1986.

(Pub. L. 91-224, title II, §205, Apr. 3, 1970, 84 Stat. 115; Pub. L. 93-36, May 18, 1973, 87 Stat. 72; Pub. L. 94-52, §1, July 3, 1975, 89 Stat. 258; Pub. L. 94-298, May 29, 1976, 90 Stat. 587; Pub. L. 95-300, June 26, 1978, 92 Stat. 342; Pub. L. 97-350, §1, Oct. 18, 1982, 96 Stat. 1661; Pub. L. 98-581, §1, Oct. 30, 1984, 98 Stat. 3093.)

#### REFERENCES IN TEXT

Public Law 91-190, referred to in text, is Pub. L. 91-190, Jan. 1, 1970, 83 Stat. 852, as amended, known as the National Environmental Policy Act of 1969, which is classified generally to chapter 55 (§4321 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 4321 of this title and Tables.

#### AMENDMENTS

1984—Cl. (d), Pub. L. 98-581 added cl. (d).

1982—Cl. (c), Pub. L. 97-350 added cl. (c).

1978—Pub. L. 95-300 added cls. (a) and (b). Former cls. (a) to (d), which authorized appropriations of \$2,000,000 for fiscal year ending June 30, 1976, \$500,000 for transition period of July 1, 1976 to Sept. 30, 1976, \$3,000,000 for fiscal year ending Sept. 30, 1977, and \$3,000,000 for fiscal year ending Sept. 30, 1978, respectively, were struck out.

1976—Pub. L. 94-298 made changes in structure by designating existing provisions as cls. (a) and (b) and adding cls. (c) and (d).

1975—Pub. L. 94-52 substituted “\$2,000,000 for the fiscal year ending June 30, 1976, and not to exceed \$500,000 for the transition period (July 1, 1976 to September 30, 1976)” for “\$1,500,000 for the fiscal year ending June 30, 1974, and \$2,000,000 for the fiscal year ending June 30, 1975”.

1973—Pub. L. 93-36 substituted provisions authorizing to be appropriated for operations of the Office of Environmental Quality and the Council on Environmental Quality \$1,500,000 for fiscal year ending June 30, 1974, and \$2,000,000 for fiscal year ending June 30, 1975, for provisions authorizing to be appropriated not to exceed \$500,000 for fiscal year ending June 30, 1970, not to exceed \$750,000 for fiscal year ending June 30, 1971, not to exceed \$1,250,000 for fiscal year ending June 30, 1972, and not to exceed \$1,500,000 for fiscal year ending June 30, 1973.

#### § 4375. Office of Environmental Quality Management Fund

##### (a) Establishment; financing of study contracts and Federal interagency environmental projects

There is established an Office of Environmental Quality Management Fund (hereinafter referred to as the “Fund”) to receive advance payments from other agencies or accounts that may be used solely to finance—

(1) study contracts that are jointly sponsored by the Office and one or more other Federal agencies; and

(2) Federal interagency environmental projects (including task forces) in which the Office participates.

##### (b) Study contract or project initiative

Any study contract or project that is to be financed under subsection (a) of this section may be initiated only with the approval of the Director.

##### (c) Regulations

The Director shall promulgate regulations setting forth policies and procedures for operation of the Fund.

(Pub. L. 91-224, title II, §206, as added Pub. L. 98-581, §2, Oct. 30, 1984, 98 Stat. 3093.)

#### CHAPTER 57—ENVIRONMENTAL POLLUTION STUDY

Sec.	
4391.	Congressional statement of findings.
4392.	Presidential study.
4393.	Report to Congress by President.
4394.	Omitted.
4395.	Authorization of appropriations.

##### § 4391. Congressional statement of findings

The Congress finds that there is general agreement that air, water, and other common environmental pollution may be hazardous to the health of individuals resident in the United States, but that despite the existence of various research papers and other technical reports on the health hazards of such pollution, there is no authoritative source of information about (1) the nature and gravity of these hazards, (2) the availability of medical and other assistance to persons affected by such pollution, especially when such pollution reaches emergency levels, and (3) the measures, other than those relating solely to abatement of the pollution, that may be taken to avoid or reduce the effects of such pollution on the health of individuals.

(Pub. L. 91-515, title V, §501(a), Oct. 30, 1970, 84 Stat. 1309.)

##### § 4392. Presidential study

The President shall immediately commence (1) a study of the nature and gravity of the hazards to human health and safety created by air, water, and other common environmental pollution, (2) a survey of the medical and other assistance available to persons affected by such pollution, especially when such pollution reaches emergency levels, and (3) a survey of the measures, other than those relating solely to