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EPA [Environmental Protection Agency] - Draft CEQ [Council on Environmental Quality] Language and "General Principles" March 3, 1993

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TO:

Jack Quinn

FROM:

Bob Hickeyott / Kate Perry - 260-5422

SUBJECT:

Draft CED language + "General Principles"
for Thursday meeting.

NUMBER OF PAGES TO FOLLOW:

2

DATE:

3/3/93

TIME:

11:45 am

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GENERAL PRINCIPLES

- Statutory "surgery" to eliminate CEQ.
- Preservation of CEQ's NEPA functions (statutory status quo).
- Reassignment of CEQ's NEPA functions to the President (statutory amendment changing entity).
- Presidential delegation of CEQ's NEPA functions to the Department of the Environment as follows (Executive Order):

Dispute resolution--Secretary of Environment review through existing CAA §309 process, with referral and recommendation to President.

[Annual Report--Secretary of Environment]??

All other CEQ NEPA functions to Secretary of Environment.

- ~~Legislative History outlining Congressional intent that: a) Department of the Environment comply with NEPA, and b) Department of the Environment defers to the President when the Department itself is the action agency.~~
- "Gentlemen's" Agreement on expeditious Committee action: SEPW action within 30 days of SGAC referral.

SEC. ____ REASSIGNMENT OF FUNCTIONS TO THE PRESIDENT.

(a) Section 201 of the National Environmental Policy Act (42 U.S.C. §4341) is amended by adding the following sentence to the end of the section 201:

"The President is authorized to take all necessary action to carry out this section and to establish and coordinate environmental policy for the Federal Government in furtherance of the purposes of subchapter 1 of this chapter."

(b) Section 309(b) of the Clean Air Act (42 U.S.C. §7609(b)) is amended by striking out "Administrator" and inserting "Secretary, Department of the Environment" and by deleting "Council on Environmental Quality" and replacing it with the word "President."

SEC. ____ ELIMINATION OF THE COUNCIL ON ENVIRONMENTAL QUALITY.

Sections 202 through 208 of the National Environmental Policy Act (42 U.S.C. §§4342, 4343, and 4344-4346b) are repealed.

81-98-916