Public Law 91-190

AN ACT

To establish a national policy for the environment, to provide for the establish-
ment of a Council on Environmental Quality, and for other purposes.

Be it enacted by the Senate and House of Representatives of the
United States of America in Congress assembled, That this Act may
be cited as the “National Environmental Policy Act of 1969”.

PURPOSE

Sec. 2. The purposes of this Act are: To declare a national policy
which will encourage productive and enjoyable harmony between man
and his environment; to promote efforts which will prevent or elimi-
nate damage to the environment and biosphere and stimulate the
health and welfare of man; to enrich the understanding of the eco-
logical systems and natural resources important to the Nation; and to
establish a Council on Environmental Quality.

TITLE I

DECLARATION OF NATIONAL ENVIRONMENTAL POLICY

Sec. 101. (a) The Congress, recognizing the profound impact of
man’s activity on the interrelations of all components of the natural
environment, particularly the profound influences of population
growth, high-density urbanization, industrial expansion, resource
exploitation, and new and expanding technological advances and
recognizing further the critical importance of restoring and main-
taining environmental quality to the overall welfare and develop-
ment of man, declares that it is the continuing policy of the Federal Government,
in cooperation with State and local governments, and other con-
cerned public and private organizations, to use all practicable means
and measures, including financial and technical assistance, in a man-
ner calculated to foster and promote the general welfare, to create and
maintain conditions under which man and nature can exist in
productive harmony, and fulfill the social, economic, and other
requirements of present and future generations of Americans.

(b) In order to carry out the policy set forth in this Act, it is the
continuing responsibility of the Federal Government to use all prac-
ticable means, consistent with other essential considerations of
national policy, to improve and coordinate Federal plans, functions,
programs, and resources to the end that the Nation may—

1) fulfill the responsibilities of each generation as trustee of
the environment for succeeding generations;
2) assure for all Americans safe, healthful, productive, and
esthetically and culturally pleasing surroundings;
3) attain the widest range of beneficial uses of the environ-
ment without degradation, risk to health or safety, or other unde-
sirable and unintended consequences;
4) preserve important historic, cultural, and natural aspects
of our national heritage, and maintain, wherever possible, an
environment which supports diversity and variety of individual
choice;
5) achieve a balance between population and resource use
which will permit high standards of living and a wide sharing of
life’s amenities; and
(6) enhance the quality of renewable resources and approach
the maximum attainable recycling of depletable resources.

(c) The Congress recognizes that each person should enjoy a health-
ful environment and that each person has a responsibility to contribute
to the preservation and enhancement of the environment.

Sec. 102. The Congress authorizes and directs that, to the fullest
extent possible: (1) the policies, regulations, and public laws of the
United States shall be interpreted and administered in accordance
with the policies set forth in this Act, and (2) all agencies of the Fed-
eral Government shall—

(A) utilize a systematic, interdisciplinary approach which will
insure the integrated use of the natural and social sciences and
the environmental design arts in planning and in decisionmaking
which may have an impact on man's environment;

(B) identify and develop methods and procedures, in con-
sultation with the Council on Environmental Quality established
by title II of this Act, which will insure that presently unquantifi-
ced environmental amenities and values may be given appropriate
consideration in decisionmaking along with economic and tech-
nical considerations;

(C) include in every recommendation or report on proposals
for legislation and other major Federal actions significantly af-
festing the quality of the human environment, a detailed state-
ment by the responsible official on—

(i) the environmental impact of the proposed action,

(ii) any adverse environmental effects which cannot be
 avoided should the proposal be implemented,

(iii) alternatives to the proposed action,

(iv) the relationship between local short-term uses of
 man's environment and the maintenance and enhancement of
 long-term productivity, and

(v) any irreversible and irreplaceable commitments of re-
sources which would be involved in the proposed action
should it be implemented.

Prior to making any detailed statement, the responsible Federal
official shall consult with and obtain the comments of any Fed-
eral agency which has jurisdiction by law or special expertise with
respect to any environmental impact involved. Copies of such
statement and the comments and views of the appropriate Federal,
State, and local agencies, which are authorized to develop and en-
force environmental standards, shall be made available to the
President, the Council on Environmental Quality and to the pub-
lic as provided by section 552 of title 5, United States Code, and
shall accompany the proposal through the existing agency review
processes;

(D) study, develop, and describe appropriate alternatives to
recommended courses of action in any proposal which involves
unresolved conflicts concerning alternative uses of available re-
sources;

(E) recognize the worldwide and long-range character of en-
vironmental problems and, where consistent with the foreign
policy of the United States, lend appropriate support to initiatives,
resolutions, and programs designed to maximize international
cooperation in anticipating and preventing a decline in the quality
of mankind's world environment;

(F) make available to States, counties, municipalities, institu-
tions, and individuals, advice and information useful in restoring,
maintaining, and enhancing the quality of the environment;
(G) initiate and utilize ecological information in the planning and development of resource-oriented projects; and
(H) assist the Council on Environmental Quality established by title II of this Act.

Sec. 103. All agencies of the Federal Government shall review their present statutory authority, administrative regulations, and current policies and procedures for the purpose of determining whether there are any deficiencies or inconsistencies therein which prohibit full compliance with the purposes and provisions of this Act and shall propose to the President not later than July 1, 1971, such measures as may be necessary to bring their authority and policies into conformity with the intent, purposes, and procedures set forth in this Act.

Sec. 104. Nothing in Section 102 or 103 shall in any way affect the specific statutory obligations of any Federal agency (1) to comply with criteria or standards of environmental quality, (2) to coordinate or consult with any other Federal or State agency, or (3) to act, or refrain from acting contingent upon the recommendations or certification of any other Federal or State agency.

Sec. 105. The policies and goals set forth in this Act are supplementary to those set forth in existing authorizations of Federal agencies.

TITLE II

COUNCIL ON ENVIRONMENTAL QUALITY

Sec. 201. The President shall transmit to the Congress annually beginning July 1, 1970, an Environmental Quality Report (hereinafter referred to as the "report") which shall set forth (1) the status and condition of the major natural, manmade, or altered environmental classes of the Nation, including, but not limited to, the air, the aquatic, including marine, estuarine, and fresh water, and the terrestrial environment, including, but not limited to, the forest, dryland, wetland, range, urban, suburban, and rural environment; (2) current and foreseeable trends in the quality, management and utilization of such environments and the effects of those trends on the social, economic, and other requirements of the Nation; (3) the adequacy of available natural resources for fulfilling human and economic requirements of the Nation in the light of expected population pressures; (4) a review of the programs and activities (including regulatory activities) of the Federal Government, the State and local governments, and nongovernmental entities or individuals, with particular reference to their effect on the environment and on the conservation, development and utilization of natural resources; and (5) a program for remedying the deficiencies of existing programs and activities, together with recommendations for legislation.

Sec. 202. There is created in the Executive Office of the President a Council on Environmental Quality (hereinafter referred to as the "Council"). The Council shall be composed of three members who shall be appointed by the President to serve at his pleasure, by and with the advice and consent of the Senate. The President shall designate one of the members of the Council to serve as Chairman. Each member shall be a person who, as a result of his training, experience, and attainments, is exceptionally well qualified to analyze and interpret environmental trends and information of all kinds; to appraise programs and activities of the Federal Government in the light of the policy set forth in title I of this Act; to be conscious of and responsive to the scientific, economic, social, aesthetic, and cultural needs and interests of the Nation; and to formulate and recommend national policies to promote the improvement of the quality of the environment.
SEC. 203. The Council may employ such officers and employees as may be necessary to carry out its functions under this Act. In addition, the Council may employ and fix the compensation of such experts and consultants as may be necessary for the carrying out of its functions under this Act, in accordance with section 3109 of title 5, United States Code (but without regard to the last sentence thereof).

SEC. 204. It shall be the duty and function of the Council—

(1) to assist and advise the President in the preparation of the Environmental Quality Report required by section 201;

(2) to gather timely and authoritative information concerning the conditions and trends in the quality of the environment both current and prospective, to analyze and interpret such information for the purpose of determining whether such conditions and trends are interfering, or are likely to interfere, with the achievement of the policy set forth in title I of this Act, and to compile and submit to the President studies relating to such conditions and trends;

(3) to review and appraise the various programs and activities of the Federal Government in the light of the policy set forth in title I of this Act for the purpose of determining the extent to which such programs and activities are contributing to the achievement of such policy, and to make recommendations to the President with respect thereto;

(4) to develop and recommend to the President national policies to foster and promote the improvement of environmental quality to meet the conservation, social, economic, health, and other requirements and goals of the Nation;

(5) to conduct investigations, studies, surveys, research, and analyses relating to ecological systems and environmental quality;

(6) to document and define changes in the natural environment, including the plant and animal systems, and to accumulate necessary data and other information for a continuing analysis of these changes or trends and an interpretation of their underlying causes;

(7) to report at least once each year to the President on the state and condition of the environment; and

(8) to make and furnish such studies, reports thereon, and recommendations with respect to matters of policy and legislation as the President may request.

SEC. 205. In exercising its powers, functions, and duties under this Act, the Council shall—

(1) consult with the Citizens' Advisory Committee on Environmental Quality established by Executive Order numbered 11472, dated May 29, 1969, and with such representatives of science, industry, agriculture, labor, conservation organizations, State and local governments, and other groups, as it deems advisable; and

(2) utilize, to the fullest extent possible, the services, facilities, and information (including statistical information) of public and private agencies and organizations, and individuals, in order that duplication of effort and expense may be avoided, thus assuring that the Council's activities will not unnecessarily overlap or conflict with similar activities authorized by law and performed by established agencies.
Sec. 206. Members of the Council shall serve full time and the Chairman of the Council shall be compensated at the rate provided for Level II of the Executive Schedule Pay Rates (5 U.S.C. 5313). The other members of the Council shall be compensated at the rate provided for Level IV or the Executive Schedule Pay Rates (5 U.S.C. 5315).

Sec. 207. There are authorized to be appropriated to carry out the provisions of this Act not to exceed $300,000 for fiscal year 1970, $700,000 for fiscal year 1971, and $1,000,000 for each fiscal year thereafter.

Approved January 1, 1970.