

107TH CONGRESS
1ST SESSION

S. 159

To elevate the Environmental Protection Agency to a cabinet level department, to redesignate the Environmental Protection Agency as the Department of Environmental Protection Affairs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2001

Mrs. BOXER introduced the following bill; which was read twice and referred to the Committee on Governmental Affairs

A BILL

To elevate the Environmental Protection Agency to a cabinet level department, to redesignate the Environmental Protection Agency as the Department of Environmental Protection Affairs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Department of Envi-
5 ronmental Protection Affairs Act of 2001”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) protection of public health and the environ-
 2 ment is a mission of at least equal importance to the
 3 duties carried out by cabinet-level departments;

4 (2) the Federal Government should ensure that
 5 all Americans enjoy the same basic level of public
 6 health and environmental protection regardless of
 7 where they live;

8 (3) protection of public health and the environ-
 9 ment increasingly involves negotiations with foreign
 10 nations, including the most highly industrialized na-
 11 tions all of whose top environmental officials have
 12 ministerial status; and

13 (4) a cabinet-level Department of Environ-
 14 mental Protection Affairs should be established.

15 **SEC. 3. ESTABLISHMENT OF THE DEPARTMENT OF ENVI-**
 16 **RONMENTAL PROTECTION AFFAIRS.**

17 (a) REDESIGNATION.—The Environmental Protec-
 18 tion Agency is redesignated as the Department of Envi-
 19 ronmental Protection Affairs (in this Act referred to as
 20 the “Department”) and shall be an executive department
 21 in the executive branch of the Government.

22 (b) SECRETARY OF ENVIRONMENTAL PROTECTION
 23 AFFAIRS.—

24 (1) IN GENERAL.—There shall be at the head
 25 of the Department a Secretary of Environmental

1 Protection Affairs who shall be appointed by the
2 President, by and with the advice and consent of the
3 Senate. The Department shall be administered
4 under the supervision and direction of the Secretary.

5 (2) NONDELEGATION.—The Secretary may not
6 assign duties for or delegate authority for the super-
7 vision of the Assistant Secretaries, the General
8 Counsel, or the Inspector General of the Department
9 to any officer of the Department other than the
10 Deputy Secretary.

11 (3) DELEGATIONS.—Except as described under
12 paragraph (2) of this section and section 4(b)(2),
13 and notwithstanding any other provision of law, the
14 Secretary may delegate any functions including the
15 making of regulations to such officers and employees
16 of the Department as the Secretary may designate,
17 and may authorize such successive redelegations of
18 such functions within the Department as determined
19 to be necessary or appropriate.

20 (c) DEPUTY SECRETARY.—There shall be in the De-
21 partment a Deputy Secretary of the Environment, who
22 shall be appointed by the President, by and with the advice
23 and consent of the Senate. The Deputy Secretary shall
24 perform such responsibilities as the Secretary shall pre-
25 scribe and shall act as the Secretary during the absence

1 or disability of the Secretary or in the event of a vacancy
2 in the Office of Secretary.

3 (d) OFFICE OF THE SECRETARY.—The Office of the
4 Secretary shall consist of a Secretary and a Deputy Sec-
5 retary and may include an Executive Secretary and such
6 other executive officers as the Secretary may determine
7 necessary.

8 (e) REGIONAL OFFICES.—The regional offices of the
9 Environmental Protection Agency are redesignated as re-
10 gional offices of the Department of Environmental Protec-
11 tion Affairs.

12 (f) INTERNATIONAL RESPONSIBILITIES OF THE SEC-
13 RETARY.—

14 (1) IN GENERAL.—In addition to exercising
15 other international responsibilities under existing
16 provisions of law, the Secretary is—

17 (A) encouraged to assist the Secretary of
18 State to carry out his primary responsibilities
19 for coordinating, negotiating, implementing,
20 and participating in international agreements,
21 including participation in international organi-
22 zations, relevant to environmental protection;
23 and

24 (B) authorized and encouraged to—

1 (i) conduct research on and apply ex-
2 isting research capabilities to the nature
3 and impacts of international environmental
4 problems and develop responses to such
5 problems; and

6 (ii) provide technical and other assist-
7 ance to foreign countries and international
8 bodies to improve the quality of the envi-
9 ronment.

10 (2) CONSULTATION.—The Secretary of State
11 shall consult with the Secretary of Environmental
12 Protection Affairs and such other persons as he de-
13 termines appropriate on such negotiations, imple-
14 mentation, and participation described under para-
15 graph (1)(A).

16 (g) AUTHORITY OF THE SECRETARY WITHIN THE
17 DEPARTMENT.—Nothing in this Act—

18 (1) authorizes the Secretary of Environmental
19 Protection Affairs to require any action by any offi-
20 cer of any executive department or agency other
21 than officers of the Department of Environmental
22 Protection Affairs, except that this paragraph shall
23 not affect any authority provided for by any other
24 provision of law authorizing the Secretary of Envi-

1 ronmental Protection Affairs to require any such ac-
2 tions;

3 (2) modifies any Federal law that is adminis-
4 tered by any executive department or agency; or

5 (3) transfers to the Department of Environ-
6 mental Protection Affairs any authority exercised by
7 any other Federal executive department or agency
8 before the effective date of this Act, except the au-
9 thority exercised by the Environmental Protection
10 Agency.

11 (h) APPLICATION TO THE DEPARTMENT OF ENVI-
12 RONMENTAL PROTECTION AFFAIRS.—This Act applies
13 only to activities of the Department of Environmental Pro-
14 tection Affairs, except where expressly provided otherwise.

15 **SEC. 4. ASSISTANT SECRETARIES.**

16 (a) ESTABLISHMENT OF POSITIONS.—There shall be
17 in the Department such number of Assistant Secretaries,
18 not to exceed 10, as the Secretary shall determine, each
19 of whom shall be appointed by the President, by and with
20 the advice and consent of the Senate.

21 (b) RESPONSIBILITIES OF ASSISTANT SECRE-
22 TARIES.—

23 (1) IN GENERAL.—The Secretary shall assign
24 to Assistant Secretaries such responsibilities as the
25 Secretary considers appropriate, including—

1 (A) enforcement and compliance moni-
 2 toring;

3 (B) research and development;

4 (C) air and radiation;

5 (D) water;

6 (E) pesticides and toxic substances;

7 (F) solid waste;

8 (G) hazardous waste;

9 (H) hazardous waste cleanup;

10 (I) emergency response;

11 (J) international affairs;

12 (K) policy, planning, and evaluation;

13 (L) pollution prevention;

14 (M) congressional, intergovernmental, and
 15 public affairs; and

16 (N) administration and resources manage-
 17 ment, including financial and budget manage-
 18 ment, information resources management, pro-
 19 curement and assistance management, and per-
 20 sonnel and labor relations.

21 (2) ASSIGNMENT OF RESPONSIBILITIES.—The
 22 Secretary may assign and modify any responsibilities
 23 at his discretion under paragraph (1), except that
 24 the Secretary may not modify the responsibilities of
 25 any Assistant Secretary without substantial prior

1 written notification of such modification to the ap-
2 propriate committees of the Senate and the House
3 of Representatives.

4 (c) DESIGNATION OF RESPONSIBILITIES BEFORE
5 CONFIRMATION.—Whenever the President submits the
6 name of an individual to the Senate for confirmation as
7 Assistant Secretary under this section, the President shall
8 state the particular responsibilities of the Department
9 such individual shall exercise upon taking office.

10 (d) CONTINUING PERFORMANCE OF FUNCTIONS.—
11 On the effective date of this Act, the Administrator and
12 Deputy Administrator of the Environmental Protection
13 Agency shall be redesignated as the Secretary and Deputy
14 Secretary of the Department of Environmental Protection
15 Affairs, Assistant Administrators of the Agency shall be
16 redesignated as Assistant Secretaries of the Department,
17 and the General Counsel and the Inspector General of the
18 Agency shall be redesignated as the General Counsel and
19 the Inspector General of the Department, without renomi-
20 nation or reconfirmation.

21 (e) CHIEF INFORMATION RESOURCES OFFICER.—

22 (1) IN GENERAL.—The Secretary shall des-
23 ignate the Assistant Secretary whose responsibilities
24 include information resource management functions
25 as required by section 3506 of title 44, United

1 States Code, as the Chief Information Resources Of-
2 ficer of the Department.

3 (2) RESPONSIBILITIES.—The Chief Information
4 Resources Officer shall—

5 (A) advise the Secretary on information re-
6 source management activities of the Depart-
7 ment as required by section 3506 of title 44,
8 United States Code;

9 (B) develop and maintain an information
10 resources management system for the Depart-
11 ment which provides for—

12 (i) the conduct of and accountability
13 for any acquisitions made under a delega-
14 tion of authority under section 111 of the
15 Federal Property and Administrative Serv-
16 ices Act of 1949 (40 U.S.C. 759);

17 (ii) the implementation of all applica-
18 ble government-wide and Department in-
19 formation policies, principles, standards,
20 and guidelines with respect to information
21 collection, paperwork reduction, privacy
22 and security of records, sharing and dis-
23 semination of information, acquisition and
24 use of information technology, and other

1 information resource management func-
2 tions;

3 (iii) the periodic evaluation of and, as
4 needed, the planning and implementation
5 of improvements in the accuracy, complete-
6 ness, and reliability of data and records
7 contained with Department information
8 systems; and

9 (iv) the development and annual revi-
10 sion of a 5-year plan for meeting the De-
11 partment's information technology needs;
12 and

13 (C) report to the Secretary as required
14 under section 3506 of title 44, United States
15 Code.

16 **SEC. 5. DEPUTY ASSISTANT SECRETARIES.**

17 (a) ESTABLISHMENT OF POSITIONS.—There shall be
18 in the Department such number of Deputy Assistant Sec-
19 retaries as the Secretary may determine.

20 (b) APPOINTMENTS.—Each Deputy Assistant
21 Secretary—

22 (1) shall be appointed by the Secretary; and

23 (2) shall perform such functions as the Sec-
24 retary shall prescribe.

1 (c) FUNCTIONS.—Functions assigned to an Assistant
2 Secretary under section 4(b) may be performed by 1 or
3 more Deputy Assistant Secretaries appointed to assist
4 such Assistant Secretary.

5 **SEC. 6. OFFICE OF THE GENERAL COUNSEL.**

6 There shall be in the Department, the Office of the
7 General Counsel. There shall be at the head of such office
8 a General Counsel who shall be appointed by the Presi-
9 dent, by and with advice and consent of the Senate. The
10 General Counsel shall be the chief legal officer of the De-
11 partment and shall provide legal assistance to the Sec-
12 retary concerning the programs and policies of the Depart-
13 ment.

14 **SEC. 7. OFFICE OF THE INSPECTOR GENERAL.**

15 The Office of Inspector General of the Environmental
16 Protection Agency, established in accordance with the In-
17 spector General Act of 1978 (5 U.S.C. App.), is redesign-
18 nated as the Office of Inspector General of the Depart-
19 ment of Environmental Protection Affairs.

20 **SEC. 8. MISCELLANEOUS EMPLOYMENT RESTRICTIONS.**

21 Except as otherwise provided in this Act, political af-
22 filiation or political qualification may not be taken into
23 account in connection with the appointment of any person
24 to any position in the career civil service or in the assign-

1 ment or advancement of any career civil servant in the
2 Department.

3 **SEC. 9. ADMINISTRATIVE PROVISIONS.**

4 (a) ACCEPTANCE OF MONEY AND PROPERTY.—

5 (1) IN GENERAL.—The Secretary may accept
6 and retain money, uncompensated services, and
7 other real and personal property or rights (whether
8 by gift, bequest, devise, or otherwise) for the pur-
9 pose of carrying out the Department’s programs and
10 activities, except that the Secretary shall not endorse
11 any company, product, organization, or service.
12 Gifts, bequests, and devises of money and proceeds
13 from sales of other property received as gifts, be-
14 quests, or devises shall be credited in a separate
15 fund in the Treasury of the United States and shall
16 be available for disbursement upon the order of the
17 Secretary.

18 (2) REGULATIONS.—The Secretary shall pre-
19 scribe regulations and guidelines setting forth the
20 criteria the Department shall use in determining
21 whether to accept a gift, bequest, or devise. Such
22 criteria shall take into consideration whether the ac-
23 ceptance of the property would reflect unfavorably
24 upon the Department’s or any employee’s ability to
25 carry out its responsibilities or official duties in a

1 fair and objective manner, or would compromise the
 2 integrity of or the appearance of the integrity of a
 3 Government program or any official involved in that
 4 program.

5 (b) SEAL OF THE DEPARTMENT.—

6 (1) IN GENERAL.—On the effective date of this
 7 Act, the seal of the Environmental Protection Agen-
 8 cy with appropriate changes shall be the seal of the
 9 Department of Environmental Protection Affairs,
 10 until such time as the Secretary may cause a seal
 11 of office to be made for the Department of Environ-
 12 mental Protection Affairs of such design as the Sec-
 13 retary shall approve.

14 (2) CRIMINAL PENALTY FOR UNAUTHORIZED
 15 USE OF SEAL.—

16 (A) IN GENERAL.—Chapter 33 of title 18,
 17 United States Code, is amended by adding at
 18 the end the following:

19 **“§ 716. Department of Environmental Protection Af-**
 20 **fairs Seal**

21 “(a) Whoever knowingly displays any printed or other
 22 likeness of the official seal of the Department of Environ-
 23 mental Protection Affairs, or any facsimile thereof, in, or
 24 in connection with, any advertisement, poster, circular,
 25 book, pamphlet, or other publication, public meeting, play,

1 motion picture, telecast, or other production, or on any
 2 building, monument, or stationery, for the purpose of con-
 3 veying, or in a manner reasonably calculated to convey,
 4 a false impression of sponsorship or approval by the Gov-
 5 ernment of the United States or by any department, agen-
 6 cy, or instrumentality thereof, shall be fined not more than
 7 \$250 or imprisoned not more than 6 months, or both.

8 “(b) Whoever, except as authorized under regulations
 9 promulgated by the Secretary of Environmental Protec-
 10 tion Affairs and published in the Federal Register, know-
 11 ingly manufactures, reproduces, sells, or purchases for re-
 12 sale, either separately or appended to any article manufac-
 13 tured or sold, any likeness of the official seal of the De-
 14 partment of Environmental Protection Affairs, or any sub-
 15 stantial part thereof, except for manufacture or sale of the
 16 article for the official use of the Government of the United
 17 States, shall be fined not more than \$250 or imprisoned
 18 not more than 6 months, or both.

19 “(c) A violation of subsection (a) or (b) may be en-
 20 joined at the suit of the Attorney General of the United
 21 States upon complaint by any authorized representative
 22 of the Secretary of the Department of Environmental Pro-
 23 tection Affairs.”.

24 (B) TECHNICAL AND CONFORMING AMEND-
 25 MENT.—The table of sections for chapter 33 of

1 title 18, United States Code, is amended by
 2 adding at the end:

“716. Department of Environmental Protection Affairs Seal.”.

3 (c) ACQUISITION OF COPYRIGHTS AND PATENTS.—

4 The Secretary is authorized to acquire any of the following
 5 described rights if the related property acquired is for use
 6 by or for, or useful to, the Department:

7 (1) Copyrights, patents, and applications for
 8 patents, designs, processes, and manufacturing data.

9 (2) Licenses under copyrights, patents, and ap-
 10 plications for patents.

11 (3) Releases, before suit is brought, for past in-
 12 fringement of patents or copyrights.

13 (d) ADVISORY COMMITTEE STANDARDS OF CONDUCT

14 AND COMPENSATION.—The Secretary may promulgate

15 regulations, no less stringent than any other applicable

16 provision of law, regarding standards of conduct for mem-

17 bers of advisory committees (and consultants to advisory

18 committees), including requirements regarding conflicts of

19 interest or disclosure of past and present financial and em-

20 ployment interests. The Secretary may pay members of

21 advisory committees and others who perform services as

22 authorized under section 3109 of title 5, United States

23 Code, at rates for individuals not to exceed the per diem

24 rate equivalent to the rate for level V of the Executive

1 Schedule under section 5316 of title 5, United States
2 Code.

3 **SEC. 10. INHERENTLY GOVERNMENTAL FUNCTIONS.**

4 (a) GOVERNMENT OFFICERS AND EMPLOYEES.—

5 (1) IN GENERAL.—Any inherently governmental
6 function of the Department shall be performed only
7 by officers and employees of the United States.

8 (2) DEFINITION.—In this section, the term “in-
9 herently governmental function”—

10 (A) means any activity which is so inti-
11 mately related to the public interest as to man-
12 date performance by Government officers and
13 employees; and

14 (B) includes—

15 (i) activities which require either the
16 exercise of discretion in applying Govern-
17 ment authority or the use of value of judg-
18 ment in making decisions for the Govern-
19 ment; and

20 (ii) work of a policy, decisionmaking,
21 or managerial nature which is the direct
22 responsibility of Department officials.

23 (b) CONFLICTS OF INTEREST.—

24 (1) IN GENERAL.—The Secretary shall by regu-
25 lation require any person proposing to enter into a

1 contract, agreement, or other arrangement, whether
2 by competitive bid or negotiation, for the conduct of
3 research, development, evaluation activities, or for
4 advisory and assistance services, to provide the Sec-
5 retary, before entering into any such contract, agree-
6 ment, or arrangement, with all relevant information,
7 as determined by the Secretary, bearing on whether
8 that person has a possible conflict of interest with
9 respect to—

10 (A) being able to render impartial, tech-
11 nically sound, or objective assistance or advice
12 in light of other activities or relationships with
13 other persons; or

14 (B) being given an unfair competitive ad-
15 vantage.

16 (2) SUBCONTRACTORS.—Such person shall en-
17 sure, in accordance with regulations prescribed by
18 the Secretary, compliance with this section by sub-
19 contractors of such person who are engaged to per-
20 form similar services.

21 (c) REQUIRE AFFIRMATIVE FINDING; CONFLICTS OF
22 INTEREST WHICH CANNOT BE AVOIDED; MITIGATION OF
23 CONFLICTS.—

24 (1) IN GENERAL.—Subject to paragraph (2),
25 the Secretary may not enter into any such contract,

1 agreement, or arrangement, unless he affirmatively
 2 finds, after evaluating all such information and any
 3 other relevant information otherwise available to
 4 him, either that—

5 (A) there is little or no likelihood that a
 6 conflict of interest would exist; or

7 (B) that such conflict has been avoided
 8 after appropriate conditions have been included
 9 in such contract, agreement, or arrangement.

10 (2) MITIGATION OF CONFLICTS.—If the Sec-
 11 retary determines that such conflict of interest exists
 12 and that such conflict of interest cannot be avoided
 13 by including appropriate conditions therein, the Sec-
 14 retary may enter into such contract, agreement, or
 15 arrangement, if he—

16 (A) determines that it is in the best inter-
 17 ests of the United States to do so; and

18 (B) includes appropriate conditions in such
 19 contract, agreement, or arrangement to miti-
 20 gate such conflict.

21 (d) PUBLIC NOTICE REGARDING CONFLICTS OF IN-
 22 TEREST.—The Secretary shall promulgate regulations
 23 which require public notice to be given whenever the Sec-
 24 retary determines that the award of a contract, agreement,
 25 or arrangement may result in a conflict of interest which

1 cannot be avoided by including appropriate conditions
2 therein.

3 (e) DISCLAIMER.—Nothing in this section shall pre-
4 clude the Department from promulgating regulations to
5 monitor potential conflicts after the contract award.

6 (f) RULES.—Not later than 60 days after the effec-
7 tive date of this Act, the Secretary shall publish rules for
8 the implementation of this section.

9 (g) CENTRAL FILE.—The Department shall maintain
10 a central file regarding all cases when a public notice is
11 issued. Other information required under this section shall
12 also be compiled. Access to this information shall be con-
13 trolled to safeguard any proprietary information.

14 (h) DEFINITIONS.—In this section, the term “advi-
15 sory and assistance services” includes—

16 (1) management and professional support serv-
17 ices;

18 (2) the conduct of studies, analyses, and evalua-
19 tions; and

20 (3) engineering and technical services, excluding
21 routine technical services.

22 **SEC. 11. REFERENCES.**

23 Reference in any other Federal law, Executive order,
24 rule, regulation, or delegation of authority, or any docu-
25 ment of or pertaining to—

1 (1) the Administrator of the Environmental
2 Protection Agency shall be deemed to refer to the
3 Secretary of Environmental Protection Affairs;

4 (2) the Environmental Protection Agency shall
5 be deemed to refer to the Department of Environ-
6 mental Protection Affairs;

7 (3) the Deputy Administrator of the Environ-
8 mental Protection Agency shall be deemed to refer
9 to the Deputy Secretary of Environmental Protec-
10 tion Affairs; or

11 (4) any Assistant Administrator of the Environ-
12 mental Protection Agency shall be deemed to refer
13 to an Assistant Secretary of the Department of En-
14 vironmental Protection Affairs.

15 **SEC. 12. SAVINGS PROVISIONS.**

16 (a) CONTINUING EFFECT OF LEGAL DOCUMENTS.—
17 All orders, determinations, rules, regulations, permits,
18 agreements, grants, contracts, certificates, licenses, reg-
19 istrations, privileges, and other administrative actions—

20 (1) which have been issued, made, granted, or
21 allowed to become effective by the President, by the
22 Administrator of the Environmental Protection
23 Agency, or by a court of competent jurisdiction, in
24 the performance of functions of the Administrator or
25 the Environmental Protection Agency, and

1 (2) which are in effect at the time this Act
2 takes effect, or were final before the effective date
3 of this Act and are to become effective on or after
4 the effective date of this Act;
5 shall continue in effect according to their terms until
6 modified, terminated, superseded, set aside, or revoked in
7 accordance with law by the President, the Secretary of En-
8 vironmental Protection Affairs, or other authorized offi-
9 cial, a court of competent jurisdiction, or by operation of
10 law.

11 (b) PROCEEDINGS NOT AFFECTED.—This Act shall
12 not affect any proceedings or any application for any li-
13 cense, permit, certificate, or financial assistance pending
14 before the Environmental Protection Agency at the time
15 this Act takes effect, but such proceedings and applica-
16 tions shall be continued. Orders shall be issued in such
17 proceedings, appeals shall be taken therefrom, and pay-
18 ments shall be made pursuant to such orders, as if this
19 Act had not been enacted, and orders issued in any such
20 proceedings shall continue in effect until modified, termi-
21 nated, superseded, or revoked by a duly authorized official,
22 by a court of competent jurisdiction, or by operation of
23 law. Nothing in this subsection shall be deemed to prohibit
24 the discontinuance or modification of any such proceeding
25 under the same terms and conditions and to the same ex-

1 tent that such proceeding could have been discontinued
2 or modified if this Act had not been enacted.

3 (c) SUITS NOT AFFECTED.—This Act shall not affect
4 suits commenced before the date this Act takes effect, and
5 in all such suits, proceedings shall be had, appeals taken,
6 and judgments rendered in the same manner and with the
7 same effect as if this Act had not been enacted.

8 (d) NONABATEMENT OF ACTIONS.—No suit, action,
9 or other proceeding commenced by or against the Environ-
10 mental Protection Agency, or by or against any individual
11 in the official capacity of such individual as an officer of
12 the Environmental Protection Agency, shall abate by rea-
13 son of the enactment of this Act.

14 (e) ADMINISTRATIVE ACTIONS RELATING TO PRO-
15 MULGATION OF REGULATIONS.—Any administrative ac-
16 tion relating to the preparation or promulgation of a regu-
17 lation by the Environmental Protection Agency may be
18 continued by the Department with the same effect as if
19 this Act had not been enacted.

20 (f) PROPERTY AND RESOURCES.—The contracts, li-
21 abilities, records, property, and other assets and interests
22 of the Environmental Protection Agency shall, after the
23 effective date of this Act, be considered to be the con-
24 tracts, liabilities, records, property, and other assets and
25 interests of the Department.

1 (g) SAVINGS.—The Department of Environmental
 2 Protection Affairs and its officers, employees, and agents
 3 shall have all the powers and authorities of the Environ-
 4 mental Protection Agency.

5 **SEC. 13. CONFORMING AMENDMENTS.**

6 (a) PRESIDENTIAL SUCCESSION.—Section 19(d)(1)
 7 of title 3, United States Code, is amended by inserting
 8 before the period at the end the following: “, Secretary
 9 of Environmental Protection Affairs”.

10 (b) DEFINITION OF DEPARTMENT, CIVIL SERVICE
 11 LAWS.—Section 101 of title 5, United States Code, is
 12 amended by adding at the end the following: “The Depart-
 13 ment of Environmental Protection Affairs”.

14 (c) COMPENSATION, LEVEL I.—Section 5312 of title
 15 5, United States Code, is amended by adding at the end
 16 the following: “Secretary of Environmental Protection Af-
 17 fairs”.

18 (d) COMPENSATION, LEVEL II.—Section 5313 of title
 19 5, United States Code, is amended by striking “Adminis-
 20 trator of Environmental Protection Agency” and inserting
 21 “Deputy Secretary of Environmental Protection Affairs”.

22 (e) COMPENSATION, LEVEL IV.—Section 5315 of
 23 title 5, United States Code, is amended—

24 (1) by striking “Inspector General, Environ-
 25 mental Protection Agency” and inserting “Inspector

1 General, Department of Environmental Protection
2 Affairs”; and

3 (2) by striking each reference to an Assistant
4 Administrator of the Environmental Protection
5 Agency and by adding at the end the following:

6 “Assistant Secretaries, Department of Environ-
7 mental Protection Affairs (10).

8 “General Counsel, Department of Environ-
9 mental Protection Affairs.”.

10 (f) INSPECTOR GENERAL ACT.—The Inspector Gen-
11 eral Act of 1978 (5 U.S.C. App.) is amended—

12 (1) in section 2(1)—

13 (A) by inserting “the Department of Envi-
14 ronmental Protection Affairs,” after “Veterans
15 Affairs,”; and

16 (B) by striking “The Environmental Pro-
17 tection Agency,”;

18 (2) in section 11(1) by striking “or Veterans
19 Affairs” and inserting “Veterans Affairs, or Envi-
20 ronmental Protection Affairs,”; and

21 (3) in section 11(2) by striking “or Veterans
22 Affairs” and inserting “Veterans Affairs, or Envi-
23 ronmental Protection Affairs,”.

1 **SEC. 14. ADDITIONAL CONFORMING AMENDMENTS.**

2 After consultation with the Committee on Govern-
3 mental Affairs and the Committee on Environment and
4 Public Works and other appropriate committees of the
5 United States Senate and the appropriate committees of
6 the House of Representatives, the Secretary of the Envi-
7 ronment shall prepare and submit to Congress proposed
8 legislation containing technical and conforming amend-
9 ments to the United States Code, and to other provisions
10 of law, to reflect the changes made by this Act. Such legis-
11 lation shall be submitted not later than 6 months after
12 the effective date of this Act.

13 **SEC. 15. EFFECTIVE DATE.**

14 This Act and the amendments made by this Act shall
15 take effect on such date during the 6-month period begin-
16 ning on the date of enactment, as the President may direct
17 in an Executive order. If the President fails to issue an
18 Executive order for the purpose of this section, this Act
19 and such amendments shall take effect 6 months after the
20 date of enactment of this Act.

