

Public Law 95-63  
95th Congress

An Act

To establish qualifications for individuals appointed to the National Advisory Committee on Oceans and Atmosphere and to authorize appropriations for the Committee for fiscal year 1978.

July 5, 1977

[H.R. 3849]

*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 Advisory Committee on Oceans and Atmosphere Act of 1977".

**SEC. 2. ESTABLISHMENT.**

There is hereby established a committee of 18 members to be known as the National Advisory Committee on Oceans and Atmosphere (hereinafter in this Act referred to as the "Committee").

**SEC. 3. MEMBERSHIP, TERMS, AND DUTIES.**

(a) **MEMBERSHIP.**—The members of the Committee, who may not be full-time officers or employees of the United States, shall be appointed by the President. Members shall be appointed only from among individuals who are eminently qualified by way of knowledge and expertise in the following areas of direct concern to the Committee—

(1) one or more of the disciplines and fields included in marine science and technology, marine industry, marine-related State and local governmental functions, coastal zone management, or other fields directly appropriate for consideration of matters of ocean policy; or

(2) one or more of the disciplines and fields included in atmospheric science, atmospheric-related State and local governmental functions, or other fields directly appropriate for consideration of matters of atmospheric policy.

(b) **TERMS.**—(1) The term of office of a member of the Committee shall be 3 years; except that, of the original appointees, 6 shall be appointed for a term of 1 year, 6 shall be appointed for a term of 2 years, and 6 shall be appointed for a term of 3 years.

(2) Any individual appointed to fill a vacancy occurring before the expiration of the term for which his or her predecessor was appointed shall be appointed only for the remainder of such term. No individual may be reappointed to the Committee for more than one additional 3-year term. A member may serve after the date of the expiration of the term of office for which appointed until his or her successor has taken office, or until 90 days after such date, whichever is earlier. The terms of office for members first appointed after the date of enactment of this Act shall begin on July 1, 1977.

(c) **CHAIRMAN.**—The President shall designate one of the members of the Committee as the Chairman and one of the members as the Vice Chairman. The Vice Chairman shall act as Chairman in the absence or incapacity of, or in the event of a vacancy in the office of, the Chairman.

National  
Advisory  
Committee on  
Oceans and  
Atmosphere Act  
of 1977.

33 USC 857-13  
note.

33 USC 857-13.  
33 USC 857-14.

Vacancies.

## (d) DUTIES.—The Committee shall—

(1) undertake a continuing review, on a selective basis, of national ocean policy, coastal zone management, and the status of the marine and atmospheric science and service programs of the United States; and

(2) advise the Secretary of Commerce with respect to the carrying out of the programs administered by the National Oceanic and Atmospheric Administration.

33 USC 857-15.

Submittal to  
President and  
Congress.

## SEC. 4. REPORTS.

(a) IN GENERAL.—The Committee shall submit an annual report to the President and to the Congress setting forth an assessment, on a selective basis, of the status of the Nation's marine and atmospheric activities, and shall submit such other reports as may from time to time be requested by the President or the Congress.

(b) REVIEW BY SECRETARY.—Each annual report shall also be submitted to the Secretary of Commerce, who shall, within 60 days after receipt thereof, transmit his or her comments and recommendations to the President and to the Congress.

(c) ANNUAL REPORT SUBMITTAL.—The annual report required under subsection (a) shall be submitted on or before June 30 of each year, beginning with June 30, 1978.

33 USC 857-16.

## SEC. 5. COMPENSATION AND TRAVEL EXPENSES.

Members of the Committee shall each be entitled to receive compensation of \$100 per day for each day (including traveltime) during which they are engaged in the actual performance of the duties of the Committee. In addition, while away from their homes or regular places of business in the performance of the duties of the Committee, each member of the Committee shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703 (b) of title 5 of the United States Code.

33 USC 857-17.

Senior policy  
official.

## SEC. 6. INTERAGENCY COOPERATION AND ASSISTANCE.

(a) LIAISON.—The head of each department or agency of the Federal Government concerned with marine and atmospheric matters shall designate a senior policy official to participate as observer in the work of the Committee and offer necessary assistance.

(b) AGENCY ASSISTANCE.—The Committee is authorized to request from the head of any department, agency, or independent instrumentality of the Federal Government any information and assistance it deems necessary to carry out the functions assigned under this Act. The head of each such department, agency, or instrumentality is authorized to cooperate with the Committee, and, to the extent permitted by law, to furnish such information and assistance to the Committee upon request made by the Chairman, without reimbursement for such services and assistance.

(c) ADMINISTRATIVE ASSISTANCE.—The Secretary of Commerce shall make available to the Committee such staff, information, personnel, and administrative services and assistance as may reasonably be required to carry out the provisions of this Act.

**SEC. 7. REPEAL AND TRANSFER.**

(a) **REPEAL.**—The Act of August 16, 1971 (establishing an advisory committee on oceans and atmosphere) (33 U.S.C. 857-6 et seq.) is hereby repealed.

(b) **TRANSFER.**—All personnel, positions, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions specified by the Act of August 16, 1971 (establishing an advisory committee on oceans and atmosphere), are hereby transferred to the National Advisory Committee on Oceans and Atmosphere established by this Act. The personnel transferred under this subsection shall be so transferred without reduction in classification or compensation except, that after such transfer, such personnel shall be subject to reductions in classification or compensation in the same manner, to the same extent, and according to the same procedure as other employees of the United States classified and compensated according to the General Schedule in title 5, United States Code.

33 USC 857-13  
note.

5 USC 5332 note.

**SEC. 8. AUTHORIZATION FOR APPROPRIATIONS.**

There are authorized to be appropriated for purposes of carrying out the provisions of this Act not to exceed \$520,000 for the fiscal year ending September 30, 1978. Such sums as may be appropriated under this section shall remain available until expended.

33 USC 857-18.

Approved July 5, 1977.

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**LEGISLATIVE HISTORY:**

HOUSE REPORT No. 95-297 (Comm. on Merchant Marine and Fisheries).

SENATE REPORT No. 95-211 accompanying S. 1347 (Comm. on Commerce, Science, and Transportation).

CONGRESSIONAL RECORD, Vol. 123 (1977):

May 16, considered and passed House.

May 23, considered and passed Senate, amended, in lieu of S. 1347.

June 21, House concurred in Senate amendment with amendments.

June 22, Senate concurred in House amendments.