

105TH CONGRESS  
2D SESSION

# S. 2360

To authorize appropriations for the National Oceanic and Atmospheric Administration for Fiscal Years 1999, 2000, and 2001, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

JULY 27, 1998

Ms. SNOWE (for herself and Mr. FRIST) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

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## A BILL

To authorize appropriations for the National Oceanic and Atmospheric Administration for Fiscal Years 1999, 2000, and 2001, 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 “National Oceanic and  
5 Atmospheric Administration Authorization Act of 1998”.

6 **SEC. 2. TABLE OF SECTIONS.**

7 The table of sections for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of sections.

Sec. 3. Definitions.

TITLE I—NOAA ATMOSPHERIC AND SATELLITE PROGRAMS

- Sec. 101. National Weather Service operations and research.
- Sec. 102. Public warning and forecast systems.
- Sec. 103. Climate and air quality research.
- Sec. 104. Atmospheric research.
- Sec. 105. Satellite observing systems.
- Sec. 106. Environmental data management systems.

TITLE II—NOAA OCEAN AND COASTAL PROGRAMS

- Sec. 201. National Ocean Service.
- Sec. 202. Marine environmental research.
- Sec. 203. National Undersea Research Program.

TITLE III—PROGRAM ADMINISTRATION AND SUPPORT

- Sec. 301. Program support.

TITLE IV—HYDROGRAPHIC SERVICES

- Sec. 401. Short title.
- Sec. 402. Definitions.
- Sec. 403. Functions of the Administrator.
- Sec. 404. Quality assurance program.
- Sec. 405. Reports.
- Sec. 406. Authorization of appropriations.

TITLE V—NOAA CORPS

- Sec. 501. Authorized number of commissioned Officers.
- Sec. 502. Designation of the Director of the National Oceanic and Atmospheric Administration Corps.
- Sec. 503. Relief from hiring freeze.

TITLE VI—NOAA FLEET

- Sec. 601. NOAA fleet modernization plan.

TITLE VII—MISCELLANEOUS

- Sec. 701. Elimination of Chief Scientist position.
- Sec. 702. National Marine Sanctuaries Act.
- Sec. 703. Malcolm Baldrige National Quality Award.

**1 SEC. 3. DEFINITIONS.**

**2 In this Act:**

**3 (1) ACT OF 1890.**—The term “Act of 1890”  
**4 means the Act entitled “An Act to increase the effi-**  
**5 ciency and reduce the expenses of the Signal Corps**  
**6 of the Army, and to transfer the Weather Bureau of**  
**7 the Department of Agriculture”, approved October**  
**8 1, 1890 (26 Stat. 653).**

**9 (2) ACT OF 1947.**—The term “Act of 1947”  
**10 means the Act entitled “An Act to define the func-**

tions and duties of the Coast and Geodetic Survey,  
and for other purposes”, approved August 6, 1947  
(33 U.S.C. 883a et seq.).

(3) ADMINISTRATION.—The term “Administra-  
tion” means the National Oceanic and Atmospheric  
Administration.

(4) ADMINISTRATOR.—The term “Adminis-  
trator” means the Administrator of the National  
Oceanic and Atmospheric Administration, except as  
otherwise expressly provided.

(5) SECRETARY.—The term “Secretary” means  
the Secretary of Commerce.

## **TITLE I—NOAA ATMOSPHERIC AND SATELLITE PROGRAMS**

### **SEC. 101. NATIONAL WEATHER SERVICE OPERATIONS AND RESEARCH.**

There are authorized to be appropriated to the Sec-  
retary, to enable the Administration to carry out the oper-  
ations and research activities of the National Weather  
Service under law, \$503,330,000 for fiscal year 1999,  
\$518,430,000 for fiscal year 2000, and \$533,983,000 for  
fiscal year 2001. Funds appropriated pursuant to this au-  
thorization shall be used to fund those activities relating  
to National Weather Service operations and research spec-  
ified by the Act of 1890, the Act of 1947, and any other

1 law involving such activities. Such activities include mete-  
 2 orological, hydrological, and oceanographic public warn-  
 3 ings and forecasts, as well as applied research in support  
 4 of such warnings and forecasts.

5 **SEC. 102. PUBLIC WARNING AND FORECAST SYSTEMS.**

6       There are authorized to be appropriated to the Sec-  
 7 retary, to enable the Administration to improve its public  
 8 warning and forecast systems under law, \$152,843,000  
 9 for fiscal year 1999, \$102,332,000 for fiscal year 2000,  
 10 and \$100,633,000 for fiscal year 2001. Funds appro-  
 11 priated pursuant to this authorization shall be used to  
 12 fund those activities relating to public warning and fore-  
 13 cast systems specified by the Act of 1890, the Act of 1947,  
 14 and any other law involving such activities. Such activities  
 15 include the development, acquisition, and implementation  
 16 of major public warning and forecast systems.

17 **SEC. 103. CLIMATE AND AIR QUALITY RESEARCH.**

18       There are authorized to be appropriated to the Sec-  
 19 retary, to enable the Administration to carry out its cli-  
 20 mate and air quality research activities under law,  
 21 \$130,787,000 for fiscal year 1999, \$134,711,000 for fis-  
 22 cal year 2000, and \$138,752,000 for fiscal year 2001.  
 23 Funds appropriated pursuant to this authorization shall  
 24 be used to fund those activities relating to climate and  
 25 air quality research specified by the Act of 1890, the Act

1 of 1947, and any other law involving such activities. Such  
2 activities include interannual and seasonal climate re-  
3 search, long-term climate and air quality research, and  
4 high performance computing.

5 **SEC. 104. ATMOSPHERIC PROGRAMS.**

6       There are authorized to be appropriated to the Sec-  
7 retary, to enable the Administration to carry out its at-  
8 mospheric research activities under law, \$46,963,000 for  
9 fiscal year 1999, \$48,372,000 for fiscal year 2000, and  
10 \$49,823,000 for fiscal year 2001. Funds appropriated  
11 pursuant to this authorization shall be used to fund those  
12 activities relating to atmospheric research specified by the  
13 Act of 1890 and by any other law involving such activities.  
14 Such activities include research for developing improved  
15 observation and prediction capabilities for atmospheric  
16 processes, as well as solar-terrestrial services and re-  
17 search.

18 **SEC. 105. SATELLITE OBSERVING SYSTEMS AND SYSTEMS**  
19 **ACQUISITION.**

20       There are authorized to be appropriated to the Sec-  
21 retary, to enable the Administration to carry out its sat-  
22 ellite observing systems activities under law, \$570,243,000  
23 for fiscal year 1999, \$578,350,000 for fiscal year 2000,  
24 and \$604,971,000 for fiscal year 2001. Such activities in-  
25 clude spacecraft procurement, launch, and associated

1 ground station system changes involving polar orbiting  
2 and geostationary environmental satellites and land re-  
3 mote-sensing satellites, as well as the operation of such  
4 satellites.

5 **SEC. 106. ENVIRONMENTAL DATA MANAGEMENT SYSTEMS.**

6       There are authorized to be appropriated to the Sec-  
7 retary, to enable the Administration to carry out its data  
8 and information services activities under law, \$46,835,000  
9 in each of fiscal years 1999, 2000, and 2001. Funds ap-  
10 propriated pursuant to this authorization shall be used to  
11 fund those activities relating to data and information serv-  
12 ices specified by the Act of 1890 and by any other law  
13 involving such activities. Such activities include climate  
14 data services, ocean data services, geophysical data serv-  
15 ices, and environmental services data and information  
16 management.

17       **TITLE II—NOAA OCEAN AND**  
18       **COASTAL PROGRAMS**

19 **SEC. 201. NATIONAL OCEAN SERVICE.**

20       (a) OCEAN RESOURCES CONSERVATION AND ASSESS-  
21 MENT ACTIVITIES.—There are authorized to be appro-  
22 priated to the Secretary, to enable the Administration to  
23 carry out ocean resources conservation and assessment ac-  
24 tivities \$94,003,000 for each of fiscal years 1999, 2000,  
25 and 2001. This includes the Beaufort, Oxford, Charleston,

1 and Great Lakes Environmental Research Laboratory  
2 components of the National Ocean Service.

3 (B) COASTAL OCEAN PROGRAM.—Of the sum au-  
4 thorized under subsection (a), \$17,800,000 for each of fis-  
5 cal years 1999, 2000, and 2001 are authorized to be ap-  
6 propriated for the purposes of conducting a Coastal Ocean  
7 Program. Such program shall augment and integrate ex-  
8 isting programs of the Administration and shall include  
9 efforts to improve predictions of fish stocks to better con-  
10 serve and manage living marine resources, to prevent and  
11 control harmful algal blooms, to improve predictions of  
12 coastal ocean pollution to help correct and prevent deg-  
13 radation, and to improve predictions of coastal hazards to  
14 protect human life and personal property.

15 **SEC. 202. MARINE ENVIRONMENTAL RESEARCH.**

16 There are authorized to be appropriated to the Sec-  
17 retary, to enable the Administration to carry out marine  
18 environmental research activities under the Act of 1947,  
19 the Act of 1890, and any other law involving those activi-  
20 ties, \$23,401,000 for each of fiscal years 1999, 2000, and  
21 2001.

22 **SEC. 203. NATIONAL UNDERSEA RESEARCH PROGRAM.**

23 (a) ESTABLISHMENT.—The Administrator shall es-  
24 tablish and maintain a National Undersea Research Pro-  
25 gram and shall designate a Director of such program.

1       (b) PURPOSE.—The purpose of the National Under-  
2 sea Research Program is to increase scientific knowledge  
3 essential for the wise use and conservation of oceanic,  
4 coastal, and large lake resources by conducting advanced  
5 undersea research, including exploration, sampling, obser-  
6 vation, and experimentation.

7       (c) PROGRAM.—The National Undersea Research  
8 Program shall be a national program conducted through  
9 a headquarters and a network of regional undersea re-  
10 search centers. Overall direction of the program shall be  
11 provided by the Director with the advice of a National Ad-  
12 visory Council. Research conducted through the program  
13 shall attain high standards of quality and be relevant to  
14 regional, national, and Administration needs.

15       (d) REGIONAL CENTERS.—

16           (1) The undersea research activities of the Na-  
17 tional Undersea Research Program shall be con-  
18 ducted by regional National Undersea Research Cen-  
19 ters.

20           (2) Each regional National Undersea Research  
21 Center shall annually solicit proposals for undersea  
22 research from the scientific community in its region  
23 and shall, following high standards of an open com-  
24 petition and peer review, submit a prioritized list of



1       such research proposals to the Director of the Na-  
2       tional Undersea Research Program.

3       (e) ADMINISTRATION.—The Director may use up to  
4   10 percent of the funds appropriated for the National Un-  
5   dersea Research Program for program administration and  
6   any undersea research activities identified by the Director.

7       (f) AUTHORIZATION OF APPROPRIATIONS.—There  
8   are authorized to be appropriated to carry out this section  
9   not more than \$15,800,000 in each of fiscal years 1999,  
10  2000, and 2001.

## 11                   **TITLE III—PROGRAM** 12   **ADMINISTRATION AND SUPPORT**

### 13   **SEC. 301. PROGRAM SUPPORT.**

14       (a) ADMINISTRATION AND SERVICES.—There are au-  
15   thorized to be appropriated to the Secretary, to enable the  
16   Administration to carry out administration and services  
17   activities (including executive direction and administra-  
18   tion, administrative support, provision of retired pay of  
19   Administration commissioned officers, and policy develop-  
20   ment) under the Act entitled “An Act to clarify the status  
21   and benefits of commissioned officers of the National Oce-  
22   anic and Atmospheric Administration, and for other pur-  
23   poses”, approved December 31, 1970 (33 U.S.C. 857–1  
24   et seq.), and any other law involving those activities,

1 \$58,750,000 for fiscal year 1999, \$51,050,000 for fiscal  
2 year 2000, and \$51,050,000 for fiscal year 2001.

3 (b) ACQUISITION, CONSTRUCTION, MAINTENANCE,  
4 AND OPERATION OF FACILITIES.—There are authorized  
5 to be appropriated to the Secretary, for acquisition, con-  
6 struction, maintenance, and operation of facilities of the  
7 Administration under any law involving those activities,  
8 \$54,546,000 in each of fiscal years 1999, 2000, and 2001.

9 (c) ACQUISITION OF DATA.—There are authorized to  
10 be appropriated to the Secretary, to enable the Adminis-  
11 tration to carry out vessel support activities (including  
12 ship operations, maintenance, and support) under the Act  
13 of 1947 and any other law involving those activities—

14 (1) to the National Ocean Service to collect  
15 coastal assessment data, \$2,546,000 for fiscal year  
16 1999, \$2,622,000 for fiscal year 2000, and  
17 \$2,701,000 for fiscal year 2001;

18 (2) to the National Marine Fisheries Service to  
19 conduct sustained fisheries scientific and survey op-  
20 erations in various marine environments,  
21 \$25,098,000 for fiscal year 1999, \$25,850,000 for  
22 fiscal year 2000, and \$26,625,000 for fiscal year  
23 2001; and

24 (3) to the Office of Oceanic and Atmospheric  
25 Research to conduct sustained oceanographic and at-

1       mospheric data collection in various marine environ-  
 2       ments, \$12,884,000 for fiscal year 1999,  
 3       \$13,271,000 for fiscal year 2000, and \$13,669,000  
 4       for fiscal year 2001.

5       (d) FLEET MAINTENANCE AND PLANNING.—There is  
 6       authorized to be appropriated to the Secretary, to enable  
 7       the Administration to carry out maintenance and repair  
 8       of its ships and to plan for future ship capability,  
 9       \$11,600,000 for fiscal year 1999, \$11,950,000 for fiscal  
 10      year 2000, and \$12,310,000 for fiscal year 2001.

11      (e) AIRCRAFT SERVICES.—There are authorized to be  
 12      appropriated to the Secretary, to enable the Administra-  
 13      tion to carry out aircraft services activities (including air-  
 14      craft operations, maintenance, and support) under the Act  
 15      of 1890 and any other law involving those activities,  
 16      \$10,500,000 for fiscal year 1999, \$10,815,000 for fiscal  
 17      year 2000, and \$11,134,000 for fiscal year 2001.

## 18           **TITLE IV—HYDROGRAPHIC** 19                           **SERVICES**

### 20   **SEC. 401. SHORT TITLE.**

21       This title may be cited as the “Hydrographic Services  
 22   Improvement Act of 1998”.

### 23   **SEC. 402. DEFINITIONS.**

24       In this title:

1           (1) HYDROGRAPHIC DATA.—The term “hydro-  
2       graphic data” means information acquired through  
3       hydrographic or bathymetric surveying, photo-  
4       grammetry, geodetic measurements, tide and current  
5       observations, or other methods, that is used in pro-  
6       viding hydrographic services.

7           (2) HYDROGRAPHIC PRODUCT.—The term “hy-  
8       drographic product” means any publicly or commer-  
9       cially available product produced by a non-Federal  
10      entity that includes or displays hydrographic data.

11          (3) HYDROGRAPHIC SERVICES.—The term “hy-  
12      drographic services” means—

13               (A) the management, maintenance, inter-  
14               pretation, certification, and dissemination of  
15               bathymetric, hydrographic, geodetic, and tide  
16               and current information, including the produc-  
17               tion of nautical charts, nautical information  
18               databases, and other products derived from hy-  
19               drographic data;

20               (B) the development of nautical informa-  
21               tion systems; and

22               (C) related activities.

1 **SEC. 403. FUNCTIONS OF THE ADMINISTRATOR.**

2 (a) RESPONSIBILITIES.—To fulfill the data gathering  
3 and dissemination duties of the Administration under the  
4 Act of 1947, the Administrator shall—

5 (1) acquire hydrographic data;

6 (2) promulgate standards for hydrographic data  
7 used by the Administration in providing hydro-  
8 graphic services;

9 (3) promulgate standards for hydrographic  
10 services provided by the Administration;

11 (4) ensure comprehensive geographic coverage  
12 of hydrographic services, in cooperation with other  
13 appropriate Federal agencies;

14 (5) maintain a national database of hydro-  
15 graphic data, in cooperation with other appropriate  
16 Federal agencies;

17 (6) provide hydrographic services in uniform,  
18 easily accessible formats;

19 (7) participate in the development of, and im-  
20 plement for the United States in cooperation with  
21 other appropriate Federal agencies, international  
22 standards for hydrographic data and hydrographic  
23 services; and

24 (8) to the extent practicable and cost-effective,  
25 fulfill the requirements of paragraph (1) through

1 contracts or other agreements with private sector en-  
2 tities.

3 (b) AUTHORITIES.—To fulfill the data gathering and  
4 dissemination duties of the Administration under the Act  
5 of 1947, and subject to the availability of appropriations,  
6 the Administrator—

7 (1) may procure, lease, evaluate, test, develop,  
8 and operate vessels, equipment, and technologies  
9 necessary to ensure safe navigation and maintain  
10 operational expertise in hydrographic data acqui-  
11 sition and hydrographic services;

12 (2) may enter into contracts and other agree-  
13 ments with qualified entities, consistent with sub-  
14 section (a)(8), for the acquisition of hydrographic  
15 data and the provision of hydrographic services;

16 (3) shall award contracts for the acquisition of  
17 hydrographic data in accordance with title IX of the  
18 Federal Property and Administrative Services Act of  
19 1949 (40 U.S.C. 541 et seq.); and

20 (4) may design and install where appropriate  
21 Physical Oceanographic Real-Time Systems to en-  
22 hance navigation safety and efficiency.

23 **SEC. 404. QUALITY ASSURANCE PROGRAM.**

24 (a) PROGRAM.—

25 (1) The Administrator may—

1 (A) develop and implement a quality assur-  
2 ance program, under which the Administrator  
3 may certify hydrographic products that satisfy  
4 the standards promulgated by the Adminis-  
5 trator under section 403(a)(3);

6 (B) authorize the use of the emblem or any  
7 trademark of the Administration on a hydro-  
8 graphic product certified under subparagraph  
9 (A); and

10 (C) charge a fee for such certification and  
11 use.

12 (2) Any fee under paragraph (1)(C) shall not  
13 exceed the costs of conducting the quality assurance  
14 testing, evaluation, or studies necessary to determine  
15 whether the hydrographic product satisfies the  
16 standards adopted under section 403(a)(3), includ-  
17 ing the cost of administering such a program.

18 (b) LIMITATION ON LIABILITY.—The Government of  
19 the United States shall not be liable for any negligence  
20 by a person that produces hydrographic products certified  
21 under this section.

22 (c) HYDROGRAPHIC SERVICES ACCOUNT.—

23 (1) There is established in the Treasury a sepa-  
24 rate account, which shall be known as the Hydro-  
25 graphic Services Account.

1 (2) The account shall consist of—

2 (A) amounts received by the United States  
3 as fees charged under subsection (a)(1)(C); and

4 (B) such other amounts as may be pro-  
5 vided by law.

6 (3) Fees deposited in this account during any  
7 fiscal year pursuant to this section shall be deposited  
8 and credited as offsetting collections to the Adminis-  
9 tration, Operations, Research, and Facilities ac-  
10 count.

11 (d) LIMITATION ON NEW FEES AND INCREASES IN  
12 EXISTING FEES FOR HYDROGRAPHIC SERVICES.—After  
13 the date of enactment of this Act, the Administrator may  
14 not increase the amount of any fee or other charge for  
15 the provision of any hydrographic service except as author-  
16 ized by this section, section 1307 of title 44, United States  
17 Code, and section 1 of Public Law 91-412 (15 U.S.C.  
18 1525).

19 **SEC. 405. REPORTS.**

20 (a) PORTS.—Not later than 6 months after the date  
21 of enactment of this Act, the Administrator and the Com-  
22 mandant of the Coast Guard shall report to the Congress  
23 on—



1           (1) the status of implementation of real-time  
2       tide and current data systems in United States  
3       ports;

4           (2) existing safety and efficiency needs in  
5       United States ports that could be met by increased  
6       use of those systems; and

7           (3) a plan for expanding those systems to meet  
8       those needs, including an estimate of the cost of im-  
9       plementing those systems in priority locations.

10       (b) MAINTAINING FEDERAL EXPERTISE IN HYDRO-  
11       GRAPHIC SERVICES.—

12           (1) Not later than 6 months after the date of  
13       enactment of this Act, the Administrator shall report  
14       to the Congress on a plan to ensure that Federal  
15       competence and expertise in hydrographic surveying  
16       will be maintained after the decommissioning of the  
17       3 existing Administration hydrographic survey ves-  
18       sels.

19           (2) The report shall include—

20                (A) an evaluation of the seagoing capacity,  
21       personnel, and equipment necessary to maintain  
22       Federal expertise in hydrographic services;

23                (B) an estimated schedule for decommis-  
24       sioning the 3 existing survey vessels;

1 (C) a plan to maintain Federal expertise in  
2 hydrographic services after the decommissioning  
3 of these vessels; and

4 (D) an estimate of the cost of carrying out  
5 this plan.

6 **SEC. 406. AUTHORIZATION OF APPROPRIATIONS.**

7 There is authorized to be appropriated to the Admin-  
8 istrator the following:

9 (1) To carry out nautical mapping and charting  
10 functions under the Act of 1947 and sections 403  
11 and 404, except for conducting hydrographic sur-  
12 veys, \$33,000,000 for fiscal year 1999, \$34,000,000  
13 for fiscal year 2000, and \$35,000,000 for fiscal year  
14 2001.

15 (2) To conduct hydrographic surveys under sec-  
16 tion 403(a)(1), including the leasing of ships,  
17 \$33,000,000 for fiscal year 1999, \$35,000,000 for  
18 fiscal year 2000, and \$37,000,000 for fiscal year  
19 2001. Of these amounts, no more than \$16,000,000  
20 is authorized for any one fiscal year to operate hy-  
21 drographic survey vessels owned and operated by the  
22 Administration.

23 (3) To carry out geodetic functions under the  
24 Act of 1947, \$25,000,000 for fiscal year 1999,

1       \$30,000,000 for fiscal year 2000, and \$30,000,000  
2       for fiscal year 2001.

3           (4) To carry out tide and current measurement  
4       functions under the Act of 1947, \$22,500,000 for  
5       each of fiscal years 1999 through 2001. Of these  
6       amounts, \$4,500,000 is authorized for each fiscal  
7       year to implement and operate a national quality  
8       control system for real-time tide and current and  
9       maintain the national tide network, and \$7,000,000  
10      is authorized for each fiscal year to design and in-  
11      stall real-time tide and current data measurement  
12      systems under section 403(b)(4).

## 13                   **TITLE V—NOAA CORPS**

### 14   **SECTION 501. AUTHORIZED NUMBER OF COMMISSIONED** 15                   **OFFICERS.**

16       Section 2 of the Coast and Geodetic Survey Commis-  
17      sioned Officers' Act of 1948 (33 U.S.C. 853a) is amend-  
18      ed—

19           (1) by redesignating subsections (a) through (e)  
20      as subsections (b) through (f), respectively; and

21           (2) by inserting before subsection (b), as redes-  
22      ignated, the following:

23       “(a) There are authorized to be not less than 264  
24      and not more than 299 commissioned officers on the active  
25      list of the Administration.”.

1 **SEC. 502. DESIGNATION OF THE DIRECTOR OF THE NA-**  
2 **TIONAL OCEANIC AND ATMOSPHERIC ADMIN-**  
3 **ISTRATION CORPS.**

4 Section 24(a) of the Coast and Geodetic Survey Com-  
5 missioned Officers' Act of 1948 (33 U.S.C. 853u(a)) is  
6 amended by inserting "One such position shall be the di-  
7 rector of the commissioned officers who shall be appointed  
8 from the officers on the active duty promotion list serving  
9 in or above the grade of captain, and who shall be respon-  
10 sible for administration of the commissioned officers, and  
11 for oversight of the operation of the vessel and aircraft  
12 fleets, of the Administration." before "An officer".

13 **SEC. 503. RELIEF FROM HIRING FREEZE.**

14 The Secretary immediately shall relieve the morato-  
15 rium on new appointments of commissioned officers to the  
16 National Oceanic and Atmospheric Administration Corps.

17 **TITLE VI—NOAA FLEET**

18 **SECTION 601. NOAA FLEET MODERNIZATION PLAN.**

19 Not later than 6 months after the date of enactment  
20 of this Act, the Secretary shall submit to the Committee  
21 on Commerce, Science, and Transportation of the Senate,  
22 and the Committee on Resources of the House of Rep-  
23 resentatives, a revised fleet modernization plan reflecting  
24 the need to continue providing the Administration with  
25 high-quality oceanic and atmospheric research information

1 and the budget constraints facing the Administration. The  
 2 plan shall, at a minimum, provide for—

3 (1) reducing the fleet size over the next 10  
 4 years from the fleet size as of July 1, 1998;

5 (2) minimizing the cost of construction for any  
 6 new vessels proposed in the plan;

7 (3) increasing the use of contracts, leases, char-  
 8 ters, and other arrangements with non-Federal ves-  
 9 sels of the United States, including fishing vessels,  
 10 for research activities now conducted by the Admin-  
 11 istration; and

12 (4) selling vessels that are decommissioned  
 13 where feasible.

## 14 **TITLE VII—MISCELLANEOUS**

### 15 **SEC. 701. ELIMINATION OF THE CHIEF SCIENTIST POSI-** 16 **TION.**

17 Section 2 of Reorganization Plan Numbered 4 of  
 18 1970 (84 Stat. 2090, 5 U.S.C. 903, as amended) is  
 19 amended—

20 (1) by striking paragraph (d) and redesignating  
 21 paragraphs (e) through (g) as (d) through (f), re-  
 22 spectively; and

23 (2) in paragraph (f) as redesignated, by strik-  
 24 ing “under (d) or (f)” and inserting “under (e)”.

1 **SEC. 702. NATIONAL MARINE SANCTUARIES ACT.**

2 Section 1442 of title 16, United States Code, is  
3 amended by—

4 (1) redesignating subsections (b), (c), and (d),  
5 as (c), (d), and (e), respectively; and

6 (2) inserting the following new subsection:

7 “(b) **USES OF STATE AND OTHER FEDERAL AGENCY**  
8 **RESOURCES.**—The Secretary may, whenever appropriate,  
9 use by agreement the personnel, services, and facilities of  
10 State and other Federal departments, agencies, and in-  
11 strumentalities, on a reimbursable or non-reimbursable  
12 basis, to carry out the purposes of this title.”.

13 **SEC. 703. MALCOLM BALDRIDGE NATIONAL QUALITY**  
14 **AWARD.**

15 Section 17(c) of the Stevenson-Wydler Technology  
16 Innovation Act of 1980 (15 U.S.C. 3711a(c)(1)) is amend-  
17 ed by adding at the end thereof the following:

18 “(D) Health care providers.

19 “(E) Education providers.”.

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