

Calendar No. 423

108TH CONGRESS
1ST SESSION**S. 1401****[Report No. 108–219]**

To reauthorize the National Oceanic and Atmospheric Administration, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 14, 2003

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

DECEMBER 9, 2003

Reported by Mr. MCCAIN, with amendments

[Omit the part struck through and insert the part printed in *italie*]**A BILL**

To reauthorize the National Oceanic and Atmospheric
Administration, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “National Oceanic and
3 Atmospheric Administration Reauthorization Act of
4 2003”.

5 **SEC. 2. TABLE OF CONTENTS.**

6 The table of contents for this bill is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. Definitions.

TITLE I—AUTHORIZATION OF APPROPRIATIONS

- Sec. 101. National Weather Service.
- Sec. 102. Oceanic and atmospheric research.
- Sec. 103. National Environmental Satellite, Data, and Information Service.
- Sec. 104. National Ocean Service.
- Sec. 105. National Marine Fisheries Service.
- Sec. 106. Office of Program Planning and Integration.
- Sec. 107. Program Support.
- Sec. 108. Office of Marine and Aviation Operations.

TITLE II—MISCELLANEOUS

- Sec. 201. Establishment of business management fund.
- Sec. 202. External research program.
- Sec. 203. Hydrographic service volunteers.
- Sec. 204. Establishment of an Office of Education.
- Sec. 205. NOAA Corps authorized number of officers.
- Sec. 206. *Federal-State partnership operations.*
- Sec. 207. *Cyclone reconnaissance review.*
- Sec. 208. *NEXRAD radar facility study.*

7 **SEC. 3. DEFINITIONS.**

8 In this Act:

- 9 (1) ADMINISTRATOR.—The term “Adminis-
10 trator” means the Administrator of the National
11 Oceanic and Atmospheric Administration.
- 12 (2) SECRETARY.—The term “Secretary” means
13 the Secretary of Commerce.

1 **TITLE I—AUTHORIZATION OF** 2 **APPROPRIATIONS.**

3 **SEC. 101. NATIONAL WEATHER SERVICE.**

4 (a) OPERATIONS, RESEARCH, AND FACILITIES.—

5 There are authorized to be appropriated to the Secretary
 6 to enable the National Oceanic and Atmospheric Adminis-
 7 tration to carry out the operations, research, and facilities
 8 activities of the National Weather Service \$720,950,000
 9 for fiscal year 2004, \$742,579,000 for fiscal year 2005,
 10 \$764,856,000 for fiscal year 2006, \$787,801,000 for fis-
 11 cal year 2007, and \$811,435,000 for fiscal year 2008, to
 12 remain available until expended. Of such amounts—

13 (1) \$584,700,000 for fiscal year 2004,
 14 \$602,241,000 for fiscal year 2005, \$620,000,000 for
 15 fiscal year 2006, \$638,918,000 for fiscal year 2007,
 16 and \$658,085,000 for fiscal year 2008 shall be for
 17 local warnings and forecasts;

18 (2) \$6,098,000 for fiscal year 2004, \$6,281,000
 19 for fiscal year 2005, \$6,469,000 for fiscal year
 20 2006, \$6,663,000 for fiscal year 2007, and
 21 \$6,863,000 for fiscal year 2008 shall be for the ad-
 22 vanced hydrological prediction system;

23 (3) \$2,500,000 for fiscal year 2004, \$2,575,000
 24 for fiscal year 2005, \$2,652,000 for fiscal year
 25 2006, \$2,732,000 for fiscal year 2007, and

1 \$2,814,000 for fiscal year 2008 shall be for aviation
2 forecasts;

3 (4) ~~\$7,390,000 for fiscal year 2004, \$7,612,000~~
4 ~~for fiscal year 2005, \$7,840,000 for fiscal year~~
5 ~~2006, \$8,075,000 for fiscal year 2007, and~~
6 ~~\$8,318,000 for fiscal year 2008 shall be for weather~~
7 ~~forecast offices facilities maintenance;~~

8 (5) ~~\$45,102,000 for fiscal year 2004,~~
9 ~~\$46,455,000 for fiscal year 2005, \$47,849,000 for~~
10 ~~fiscal year 2006, \$49,284,000 for fiscal year 2007,~~
11 ~~and \$50,763,000 for fiscal year 2008 shall be for~~
12 ~~central forecast guidance;~~

13 (6) ~~\$2,320,000 for fiscal year 2004, \$2,390,000~~
14 ~~for fiscal year 2005, \$2,461,000 for fiscal year~~
15 ~~2006, \$2,535,000 for fiscal year 2007, and~~
16 ~~\$2,611,000 for fiscal year 2008 shall be for atmos-~~
17 ~~pheric and hydrological research;~~

18 (7) ~~\$42,340,000 for fiscal year 2004,~~
19 ~~\$43,610,000 for fiscal year 2005, \$44,919,000 for~~
20 ~~fiscal year 2006, \$46,266,000 for fiscal year 2007,~~
21 ~~and \$47,654,000 for fiscal year 2008 shall be for~~
22 ~~next generation weather radar;~~

23 (8) ~~\$8,248,000 for fiscal year 2004, \$8,495,000~~
24 ~~for fiscal year 2005, \$8,750,000 for fiscal year~~
25 ~~2006, \$9,013,000 for fiscal year 2007, and~~

1 \$9,283,000 for fiscal year 2008 shall be for the
2 automated surface observing system; and

3 (9) \$37,570,000 for fiscal year 2004,
4 \$38,697,000 for fiscal year 2005, \$39,858,000 for
5 fiscal year 2006, \$41,054,000 for fiscal year 2007,
6 and \$42,285,000 for fiscal year 2008 shall be for
7 the advanced weather interactive processing system.

8 (b) ~~PROCUREMENT, ACQUISITION, AND CONSTRUCTION.~~—There are authorized to be appropriated to the
9 Secretary to enable the National Oceanic and Atmospheric
10 Administration to carry out the procurement, acquisition,
11 and construction activities of the National Weather Service
12 \$99,081,000 for fiscal year 2004 and \$102,053,000
13 for fiscal year 2005, \$105,115,000 for fiscal year 2006,
14 \$108,268,000 for fiscal year 2007, and \$111,517,000 for
15 fiscal year 2008 to remain available until expended. Of
16 such amounts—

17 (1) \$12,000,000 for fiscal year 2004 shall be
18 for next generation weather radar;

19 (2) \$2,900,000 for fiscal year 2004 shall be for
20 National Weather Service telecommunications gateway legacy replacement;

21 (3) \$2,000,000 for fiscal year 2004 shall be for
22 the National Weather Service coastal global observing system;

1 (4) \$5,500,000 for fiscal year 2004 shall be for
2 the all hazard national warning network, National
3 Oceanic and Atmospheric Administration Radio;

4 (5) \$10,400,000 for fiscal year 2004 shall be
5 for National Oceanic and Atmospheric Administra-
6 tion Center for Weather and Climate Prediction; and

7 (6) \$13,000,000 for fiscal year 2004 shall be
8 for weather forecast office construction.

9 **SEC. 102. OCEANIC AND ATMOSPHERIC RESEARCH.**

10 (a) **OPERATIONS, RESEARCH, AND FACILITIES.—**

11 (1) **IN GENERAL.**—There are authorized to be
12 appropriated to the Secretary to enable the National
13 Oceanic and Atmospheric Administration to carry
14 out the oceanic and atmospheric research operations,
15 research, and facilities environmental research and
16 development activities of the Office of Oceanic and
17 Atmospheric Research \$366,501,000 for fiscal year
18 2004, \$377,496,000 for fiscal year 2005, and
19 \$388,821,000 for fiscal year 2006, \$400,485,000 for
20 fiscal year 2007, and \$412,500,000 for fiscal year
21 2008, to remain available until expended.

22 (2) **CLIMATE AND AIR QUALITY RESEARCH.**—Of
23 the amounts authorized under paragraph (1),
24 \$184,800,000 for fiscal year 2004, \$190,344,000 for
25 fiscal year 2005, \$196,054,000 for fiscal year 2006,

1 \$201,936,000 for fiscal year 2007, and
 2 \$207,994,000 for fiscal year 2008 shall be for eli-
 3 mate research.

4 (3) WEATHER AND AIR QUALITY RESEARCH.—

5 Of the amounts authorized under paragraph (1),
 6 \$56,600,000 for fiscal year 2004, \$58,298,000 for
 7 fiscal year 2005, \$60,047,000 for fiscal year 2006,
 8 \$61,848,000 for fiscal year 2007, and \$63,704,000
 9 for fiscal year 2008 shall be for weather and air
 10 quality research.

11 (4) OCEAN, COASTAL, AND GREAT LAKES RE-

12 SEARCH.—Of the amounts authorized under para-
 13 graph (1), \$112,216,000 for fiscal year 2004,
 14 \$115,583,000 for fiscal year 2005, \$119,050,000 for
 15 fiscal year 2006, \$122,622,000 for fiscal year 2007,
 16 and \$126,300,000 for fiscal year 2008 shall be for
 17 ocean, Coastal and Great Lakes Research.

18 (b) PROCUREMENT, ACQUISITIONS, AND CONSTRUC-

19 TION.—There are authorized to be appropriated to the
 20 Secretary to enable the National Oceanic and Atmospheric
 21 administration to carry out the oceanic and atmospheric
 22 research procurement, acquisition, and construction envi-
 23 ronmental research and development activities of the Of-
 24 fice of Oceanic and Atmospheric Research \$14,084,000
 25 for fiscal year 2004, \$14,506,000 for fiscal year 2005,

1 \$14,942,000 for fiscal year 2006, \$15,390,000 for fiscal
 2 year 2007, and \$15,852,000 for fiscal year 2008.

3 **SEC. 103. NATIONAL ENVIRONMENTAL SATELLITE, DATA,**
 4 **AND INFORMATION SERVICE.**

5 (a) OPERATIONS, RESEARCH, AND FACILITIES.—

6 (1) IN GENERAL.—There are authorized to be
 7 appropriated to the Secretary to enable the National
 8 Oceanic and Atmospheric Administration to carry
 9 out the operations, research, and facilities environ-
 10 mental research and development and related activi-
 11 ties of the National Environmental Satellite, Data
 12 and Information Service \$150,317,000 for fiscal
 13 year 2004, \$154,827,000 for fiscal year 2005,
 14 \$159,471,000 for fiscal year 2006, \$164,255,000 for
 15 fiscal year 2007, and \$169,183,000 for fiscal year
 16 2008, to remain available until expended.

17 (2) ENVIRONMENTAL SATELLITE OBSERVING
 18 SYSTEMS.—Of the amounts authorized under para-
 19 graph (1), \$91,243,000 for fiscal year 2004,
 20 \$93,980,000 for fiscal year 2005, \$96,800,000 for
 21 fiscal year 2006, \$99,704,000 for fiscal year 2007,
 22 and \$102,695,000 for fiscal year 2008 shall be for
 23 environmental satellite observing systems.

24 (3) NOAA DATA CENTERS AND INFORMA-
 25 TIONAL SERVICES.—Of the amounts authorized

1 under paragraph (1), \$59,074,000 for fiscal year
 2 2004, \$60,846,000 for fiscal year 2005,
 3 \$62,672,200 for fiscal year 2006, \$64,552,000 for
 4 fiscal year 2007, and \$66,488,000 for fiscal year
 5 2008 shall be for National Oceanic and Atmospheric
 6 Administration's data centers and information serv-
 7 ices.

8 (b) ~~PROCUREMENT, ACQUISITION, AND CONSTRU-~~
 9 ~~CTION.~~—There are authorized to be appropriated to the
 10 Secretary to enable the National Oceanic and Atmospheric
 11 Administration to carry out the procurement, acquisition,
 12 and construction environmental research and development
 13 and related activities of the National Environmental Sat-
 14 ellite, Data and Information Service. \$687,204,000 for fis-
 15 cal year 2004, \$707,820,000 for fiscal year 2005,
 16 \$729,054,000 for fiscal year 2006, \$750,926,000 for fis-
 17 cal year 2007, and \$773,454,000 for fiscal year 2008 to
 18 remain available until expended. Of such amounts—

19 (1) \$391,100,000 for fiscal year 2004 shall be
 20 for the procurement and launch of, and supporting
 21 ground systems for, the National Polar-Orbiting
 22 Operational Environmental Satellite System and
 23 polar orbiting environmental satellites; and

24 (2) \$277,000,000 for fiscal year 2004 shall be
 25 for the procurement and launch of, and supporting

1 ground systems for, geostationary operational envi-
 2 ronmental satellites.

3 **SEC. 104. NATIONAL OCEAN SERVICE.**

4 (a) OPERATIONS, RESEARCH, AND FACILITIES.—

5 There are authorized to be appropriated to the Secretary
 6 to enable the National Oceanic and Atmospheric Adminis-
 7 tration to carry out operations, research and facilities ac-
 8 tivities of the National Ocean Service \$391,050,000 for
 9 fiscal year 2004, \$402,781,500 for fiscal year 2005,
 10 \$414,864,945 for fiscal year 2006, \$427,310,893 for fis-
 11 cal year 2007, and \$440,130,220 for fiscal year 2008, to
 12 remain available until expended. Of such amounts—

13 (1) \$83,277,000 for fiscal year 2004,
 14 \$85,775,310 for fiscal year 2005, \$88,348,569 for
 15 fiscal year 2006, \$90,999,026 for fiscal year 2007,
 16 and \$93,728,997 for fiscal year 2008 shall be for
 17 mapping and charting;

18 (2) \$25,201,000 for fiscal year 2004,
 19 \$25,957,030 for fiscal year 2005, \$26,735,740 for
 20 fiscal year 2006, \$27,537,813 for fiscal year 2007,
 21 and \$28,363,947 for fiscal year 2008 shall be for ge-
 22 odesy;

23 (3) \$19,577,000 for fiscal year 2004,
 24 \$20,164,310 for fiscal year 2005, \$20,769,239 for
 25 fiscal year 2006, \$21,392,316 for fiscal year 2007,

1 and \$22,034,085 for fiscal year 2008 shall be for
2 tide and current data;

3 (4) \$74,580,000 for fiscal year 2004,
4 \$76,817,400 for fiscal year 2005, \$79,121,922 for
5 fiscal year 2006, \$81,495,579 for fiscal year 2007,
6 and \$83,940,447 for fiscal year 2008 shall be for
7 the ocean assessment program;

8 (5) \$17,903,000 for fiscal year 2004,
9 \$18,440,090 for fiscal year 2005, \$18,993,292 for
10 fiscal year 2006, \$19,563,091 for fiscal year 2007,
11 and \$20,149,984 for fiscal year 2008 shall be used
12 for response and restoration;

13 (6) \$10,384,000 for fiscal year 2004,
14 \$10,695,520 for fiscal year 2005, \$11,016,385 for
15 fiscal year 2006, \$11,346,877 for fiscal year 2007,
16 and \$11,687,283 for fiscal year 2008 shall be used
17 for ocean and coastal research;

18 (7) \$18,663,000 for fiscal year 2004,
19 \$19,222,890 for fiscal year 2005, \$19,799,576 for
20 fiscal year 2006, \$20,393,564 for fiscal year 2007,
21 and \$21,005,370 for fiscal year 2008 shall be used
22 for coastal ocean science.

23 (b) PROCUREMENT, ACQUISITION, AND CONSTRUCTION.—There are authorized to be appropriated to the
24 Secretary to enable the National Oceanic and Atmospheric
25

1 Administration to carry out the procurement, acquisition,
 2 and construction activities of the National Ocean Service
 3 \$20,000,000 for fiscal year 2004, \$20,600,000 for fiscal
 4 year 2005, \$21,218,000 for fiscal year 2006, \$21,854,540
 5 for fiscal year 2007, and \$22,510,176 for fiscal year 2008,
 6 to remain available until expended.

7 **SEC. 105. NATIONAL MARINE FISHERIES SERVICE.**

8 (a) OPERATIONS, RESEARCH, AND FACILITIES.—

9 There are authorized to be appropriated to the Secretary
 10 to enable the National Oceanic and Atmospheric Adminis-
 11 tration to carry out operations, research and facilities ac-
 12 tivities of the National Marine Fisheries Service
 13 \$621,000,000 for fiscal year 2004, \$639,630,000 for fis-
 14 cal year 2005, \$658,818,900 for fiscal year 2006,
 15 \$678,583,467 for fiscal year 2007, and \$698,940,971 for
 16 fiscal year 2008, to remain available until expended. Of
 17 such amounts—

18 (1) \$328,008,000 for fiscal year 2004,
 19 \$337,848,240 for fiscal year 2005, \$347,983,687 for
 20 fiscal year 2006, \$358,423,197 for fiscal year 2007,
 21 and \$369,175,893 for fiscal year 2008 shall be used
 22 for fisheries research and management services;

23 (2) \$15,000,000 for fiscal year 2004,
 24 \$15,450,000 for fiscal year 2005, \$15,913,500 for
 25 fiscal year 2006, \$16,390,905 for fiscal year 2007,

1 and \$16,882,632 for fiscal year 2008 shall be used
2 for cooperative research;

3 ~~(3)~~ \$20,000,000 for fiscal year 2004,
4 \$20,600,000 for fiscal year 2005, \$21,218,000 for
5 fiscal year 2006, \$21,854,540 for fiscal year 2007,
6 and \$22,510,176 for fiscal year 2008 shall be used
7 for observer/training;

8 (4) \$160,740,000 for fiscal year 2004,
9 \$165,562,200 for fiscal year 2005, \$170,529,066 for
10 fiscal year 2006, \$175,644,937 for fiscal year 2007,
11 and \$180,914,286 for fiscal year 2008 shall be used
12 for protected resources research and management
13 services;

14 (5) \$11,000,000 for fiscal year 2004,
15 \$11,330,000 for fiscal year 2005, \$11,669,900 for
16 fiscal year 2006, \$12,019,997 for fiscal year 2007,
17 and \$12,380,596 for fiscal year 2008 shall be used
18 for coral reef conservation;

19 (6) \$35,512,000 for fiscal year 2004,
20 \$36,577,360 for fiscal year 2005, \$37,674,680 for
21 fiscal year 2006, \$38,804,921 for fiscal year 2007,
22 and \$39,969,068 for fiscal year 2008 shall be used
23 for Habitat conservation research management serv-
24 ices;

1 (7) \$50,698,000 for fiscal year 2004,
2 \$52,218,940 for fiscal year 2005, \$53,785,508 for
3 fiscal year 2006, \$55,399,073 for fiscal year 2007,
4 and \$57,061,045 for fiscal year 2008 shall be used
5 for enforcement and surveillance services.

6 (b) ~~PROCUREMENT, ACQUISITION, AND CONSTRU-~~
7 ~~CTION.~~—There are authorized to be appropriated to the
8 Secretary to enable the National Oceanic and Atmospheric
9 Administration to carry out the procurement, acquisition,
10 and construction activities of the National Marine Fish-
11 eries Service \$14,000,000 for fiscal year 2004,
12 \$14,420,000 for fiscal year 2005, \$14,852,600 for fiscal
13 year 2006, \$15,298,178 for fiscal year 2007, and
14 \$15,757,123 for fiscal year 2008, to remain available until
15 expended.

16 (c) ~~OTHER NECESSARY ACTIONS.~~—There are author-
17 ized to be appropriated to the Secretary to enable the Na-
18 tional Oceanic and Atmospheric Administration to carry
19 out the other necessary activities of the National Marine
20 Fisheries Service \$97,181,000 for fiscal year 2004,
21 \$100,096,430 for fiscal year 2005, \$103,099,322 for fis-
22 cal year 2006, \$106,192,302 for fiscal year 2007, and
23 \$109,378,071 for fiscal year 2008, to remain available
24 until expended.

1 **SEC. 101. NATIONAL WEATHER SERVICE.**

2 (a) *OPERATIONS, RESEARCH, AND FACILITIES.*—*There*
 3 *are authorized to be appropriated to the Secretary to enable*
 4 *the National Oceanic and Atmospheric Administration to*
 5 *carry out the operations, research, and facilities activities*
 6 *of the National Weather Service \$745,100,000 for fiscal year*
 7 *2004 and \$819,610,000 for fiscal year 2005, to remain*
 8 *available until expended.*

9 (b) *PROCUREMENT, ACQUISITION, AND CONSTRU-*
 10 *CTION.*—*There are authorized to be appropriated to the Sec-*
 11 *retary to enable the National Oceanic and Atmospheric Ad-*
 12 *ministration to carry out the procurement, acquisition, and*
 13 *construction activities of the National Weather Service*
 14 *\$99,081,000 for fiscal year 2004 and \$102,053,000 for fiscal*
 15 *year 2005, to remain available until expended.*

16 **SEC. 102. OCEANIC AND ATMOSPHERIC RESEARCH.**

17 (a) *OPERATIONS, RESEARCH, AND FACILITIES.*—

18 (1) *IN GENERAL.*—*There are authorized to be ap-*
 19 *propriated to the Secretary to enable the National*
 20 *Oceanic and Atmospheric Administration to carry*
 21 *out the oceanic and atmospheric research operations,*
 22 *research, and facilities environmental research and*
 23 *development activities of the Office of Oceanic and At-*
 24 *mospheric Research \$411,902,000 for fiscal year 2004*
 25 *and \$453,092,200 for fiscal year 2005.*

1 (b) *PROCUREMENT, ACQUISITIONS, AND CONSTRUC-*
 2 *TION.—There are authorized to be appropriated to the Sec-*
 3 *retary to enable the National Oceanic and Atmospheric ad-*
 4 *ministration to carry out the oceanic and atmospheric re-*
 5 *search procurement, acquisition, and construction environ-*
 6 *mental research and development activities of the Office of*
 7 *Oceanic and Atmospheric Research \$14,084,000 for fiscal*
 8 *year 2004 and \$14,506,000 for fiscal year 2005.*

9 **SEC. 103. NATIONAL ENVIRONMENTAL SATELLITE, DATA,**
 10 **AND INFORMATION SERVICE.**

11 (a) *OPERATIONS, RESEARCH, AND FACILITIES.—*

12 (1) *IN GENERAL.—There are authorized to be ap-*
 13 *propriated to the Secretary to enable the National*
 14 *Oceanic and Atmospheric Administration to carry*
 15 *out the operations, research, and facilities environ-*
 16 *mental research and development and related activi-*
 17 *ties of the National Environmental Satellite, Data*
 18 *and Information Service \$150,317,000 for fiscal year*
 19 *2004 and \$154,827,000 for fiscal year 2005, to re-*
 20 *main available until expended.*

21 (b) *PROCUREMENT, ACQUISITION, AND CONSTRUC-*
 22 *TION.—There are authorized to be appropriated to the Sec-*
 23 *retary to enable the National Oceanic and Atmospheric Ad-*
 24 *ministration to carry out the procurement, acquisition, and*
 25 *construction environmental research and development and*

1 *related activities of the National Environmental Satellite,*
 2 *Data, and Information Service. \$698,204,000 for fiscal year*
 3 *2004 and \$768,024,400 for fiscal year 2005, to remain*
 4 *available until expended.*

5 **SEC. 104. NATIONAL OCEAN SERVICE.**

6 *(a) OPERATIONS, RESEARCH, AND FACILITIES.—There*
 7 *are authorized to be appropriated to the Secretary to enable*
 8 *the National Oceanic and Atmospheric Administration to*
 9 *carry out operations, research and facilities activities of the*
 10 *National Ocean Service \$501,050,000 for fiscal year 2004*
 11 *and \$551,155,000 for fiscal year 2005.*

12 *(b) PROCUREMENT, ACQUISITION, AND CONSTRU-*
 13 *CTION.—There are authorized to be appropriated to the Sec-*
 14 *retary to enable the National Oceanic and Atmospheric Ad-*
 15 *ministration to carry out the procurement, acquisition, and*
 16 *construction activities of the National Ocean Service*
 17 *\$120,000,000 for fiscal year 2004 and \$132,000,000 for fis-*
 18 *cal year 2005.*

19 **SEC. 105. NATIONAL MARINE FISHERIES SERVICE.**

20 *(a) OPERATIONS, RESEARCH, AND FACILITIES.—There*
 21 *are authorized to be appropriated to the Secretary to enable*
 22 *the National Oceanic and Atmospheric Administration to*
 23 *carry out operations, research and facilities activities of the*
 24 *National Marine Fisheries Service \$731,000,000 for fiscal*

1 year 2004 and \$804,100,000 for fiscal year 2005, to remain
2 available until expended.

3 (b) *PROCUREMENT, ACQUISITION, AND CONSTRU-*
4 *CTION.*—*There are authorized to be appropriated to the Sec-*
5 *retary to enable the National Oceanic and Atmospheric Ad-*
6 *ministration to carry out the procurement, acquisition, and*
7 *construction activities of the National Marine Fisheries*
8 *Service \$14,000,000 for fiscal year 2004 and \$14,420,000*
9 *for fiscal year 2005 to remain available until expended.*

10 (c) *OTHER NECESSARY ACTIONS.*—*There are author-*
11 *ized to be appropriated to the Secretary to enable the Na-*
12 *tional Oceanic and Atmospheric Administration to carry*
13 *out the other necessary activities of the National Marine*
14 *Fisheries Service \$97,181,000 for fiscal year 2004 and*
15 *\$100,096,430 for fiscal year 2005, to remain available until*
16 *expended.*

17 **SEC. 106. OFFICE OF PROGRAM PLANNING AND INTEGRA-**
18 **TION.**

19 There are authorized to be appropriated to the Sec-
20 retary to enable the National Oceanic and Atmospheric
21 Administration to carry out operations, research and fa-
22 cilities activities of the Office of Program Planning and
23 Integration \$2,700,000 for fiscal year 2004, \$2,781,000
24 for fiscal year 2005, \$2,864,430 for fiscal year 2006,

1 \$2,950,362 for fiscal year 2007, and \$3,038,873 for fiscal
 2 year 2008, to remain available until expended.

3 **SEC. 107. PROGRAM SUPPORT.**

4 There are authorized to be appropriated to the Sec-
 5 retary to enable the National Oceanic and Atmospheric
 6 Administration to carry out program support activities
 7 \$296,761,000 for fiscal year 2004, \$305,664,000 for fis-
 8 cal year 2005, \$314,834,000 for fiscal year 2006,
 9 \$324,279,000 for fiscal year 2007, and \$334,007,000 for
 10 fiscal year 2008.

11 **SEC. 108. OFFICE OF MARINE AND AVIATION OPERATIONS.**

12 ~~(a) OPERATIONS, RESEARCH, AND FACILITIES.—~~

13 There are authorized to be appropriated to the Secretary
 14 to enable the National Oceanic and Atmospheric Adminis-
 15 tration to carry out operations, research, and facilities ac-
 16 tivities of the Office of Marine and Aviation Operations
 17 \$109,136,000 for fiscal year 2004, \$112,410,000 for fis-
 18 cal year 2005, \$115,782,000 for fiscal year 2006,
 19 \$119,256,000 for fiscal year 2007, and \$122,834,000 for
 20 fiscal year 2008, to remain available until expended.

21 ~~(b) PROCUREMENT, ACQUISITION, AND CONSTRU-~~

22 ~~TION.—~~There are authorized to be appropriated to the
 23 Secretary to enable the National Oceanic and Atmospheric
 24 Administration to carry out the procurement, acquisition,
 25 and construction activities of the Office of Marine and

1 Aviation Operations \$9,138,000 for fiscal year 2004,
 2 \$9,412,000 for fiscal year 2005, \$9,695,000 for fiscal year
 3 2006, \$9,985,000 for fiscal year 2007, and \$10,285,000
 4 for fiscal year 2008, to remain available until expended.

5 (c) OTHER NECESSARY ACTIONS.—There are author-
 6 ized to be appropriated to the Secretary to enable the Na-
 7 tional Oceanic and Atmospheric Administration to carry
 8 out the other necessary activities of the Office of Marine
 9 and Aviation Operations \$18,043,000 for fiscal year 2004,
 10 \$18,584,000 for fiscal year 2005, \$19,142,000 for fiscal
 11 year 2006, \$19,716,000 for fiscal year 2007, and
 12 \$20,308,000 for fiscal year 2008, to remain available until
 13 expended.

14 (a) OPERATIONS, RESEARCH, AND FACILITIES.—There
 15 are authorized to be appropriated to the Secretary to enable
 16 the National Oceanic and Atmospheric Administration to
 17 carry out operations, research, and facilities activities of
 18 the Office of Marine and Aviation Operations \$115,136,000
 19 for fiscal year 2004 and \$126,649,600 for fiscal year 2005,
 20 to remain available until expended.

21 (b) PROCUREMENT, ACQUISITION, AND CONSTRUC-
 22 TION.—There are authorized to be appropriated to the Sec-
 23 retary to enable the National Oceanic and Atmospheric Ad-
 24 ministration to carry out the procurement, acquisition, and
 25 construction activities of the Office of Marine and Aviation

1 *Operations \$67,338,000 for fiscal year 2004 and*
 2 *\$74,071,800 for fiscal year 2005, to remain available until*
 3 *expended.*

4 **TITLE II—MISCELLANEOUS**

5 **SEC. 201. ESTABLISHMENT OF BUSINESS MANAGEMENT** 6 **FUND.**

7 (a) IN GENERAL.—There is established the Business
 8 Management Fund of the National Oceanic and Atmos-
 9 pheric Administration, which shall be available without fis-
 10 cal year limitation for expense and equipment necessary
 11 for the maintenance and operations of such services and
 12 projects as the Administrator determines may be per-
 13 formed more advantageously when centralized.

14 (b) ANNUAL FINANCIAL REPORTING.—The Adminis-
 15 trator shall maintain a separate schedule of expenditures
 16 and reimbursements for the Fund, and a statement of the
 17 current assets and liabilities of the Fund as of the close
 18 of the completed fiscal year shall be prepared each year.

19 (c) CREDITS TO THE FUND; CAPITALIZATION.—Not-
 20 withstanding section 3302(b) of title 31, United States
 21 Code, the Fund may be credited with advances and reim-
 22 bursements from applicable appropriations of the Admin-
 23 istration and from funds of other agencies or entities for
 24 services furnished pursuant to law. Any inventories, equip-
 25 ment, systems, real property, and other assets over

1 \$25,000, pertaining to the services to be provided by such
 2 funds, either on hand or on order, less the related liabil-
 3 ities or unpaid obligations, shall be used to capitalize the
 4 Business Management Fund.

5 (d) FISCAL OPERATIONAL CRITERIA.—The Fund
 6 shall provide for centralized services at rates which return
 7 in full the cost of salaries and accruing benefits and the
 8 annual costs equal to projected inflation, amortization of
 9 automated data processing software and hardware sys-
 10 tems, and an amount not to exceed 4 percent necessary
 11 to maintain a reasonable operating reserve and fund new
 12 requirements as determined by the Administrator.

13 (e) STARTUP DATE.—The Fund shall become oper-
 14 ational October 1, 2003.

15 **SEC. 202. EXTERNAL RESEARCH PROGRAM.**

16 (a) IN GENERAL.—The Administrator shall submit a
 17 report to the Senate Committee on Commerce, Science,
 18 and Transportation and the House of Representatives
 19 Committee on Science at the same time as the President's
 20 budget request for fiscal year 2005 is submitted to the
 21 Congress for the establishment of a external research pro-
 22 gram within the Office of Oceanic and Atmospheric Re-
 23 search. The report shall include a plan to support funding
 24 levels of \$25,000,000 in fiscal year 2005, \$30,000,000 in

1 fiscal year 2006, \$35,000,000 in fiscal year 2007, and
2 \$40,000,000 in fiscal year 2008.

3 (b) MANAGEMENT PLAN.—The report shall include
4 a management plan for the program the purpose of which
5 shall be to provide funding for merit-based, peer-reviewed
6 research grants and contracts to public and private orga-
7 nizations that will improve the efficiency and coverage of
8 the nation’s operational observing system and accelerate
9 the direct transfer of research results into operational pro-
10 grams at the National Oceanic and Atmospheric Adminis-
11 tration providing operational weather monitoring, anal-
12 ysis, and forecasting services to the Nation. The manage-
13 ment plan shall include a strategy to commit the Adminis-
14 tration to spending 50 percent of new research funds (ex-
15 clusive of adjustments to base) within the external commu-
16 nity via merit-based, peer-reviewed processes.

17 (c) PUBLIC PLANNING PARTICIPATION.—The report
18 shall also include a mechanism for involving the public and
19 private organizations in the planning and execution of the
20 external research program.

21 (d) ANNUAL PROGRESS REPORT.—The Adminis-
22 trator shall provide an annual report to the Senate Com-
23 mittee on Commerce, Science, and Transportation, the
24 House of Representatives Committee on Resources, and
25 the House of Representatives Committee on Science on

1 the progress within the Administration of the transition
 2 of research results into operational products and services.

3 **SEC. 203. HYDROGRAPHIC SERVICE VOLUNTEERS.**

4 Section 303 of the Hydrographic Services Improve-
 5 ment Act of 1998 (33 U.S.C. 892a) is amended by adding
 6 at the end the following:

7 “(d) **AUTHORITY TO ACCEPT VOLUNTEER SERV-**
 8 **ICES.**—To help fulfill the duties of the Administrator, in-
 9 cluding authorities under the Act of 1947, this Act, or
 10 in response to a maritime emergency, the Administrator
 11 may—

12 “(1) establish a volunteer program;

13 “(2) enter into special agreements with quali-
 14 fied organizations to assist in the implementation of
 15 a volunteer program; and

16 “(3) provide funding under the special agree-
 17 ment to the qualified organization for the purposes
 18 of assisting in the administration of the volunteer
 19 programs and for procuring and maintaining insur-
 20 ance or other coverage for the organization and its
 21 members when conducting volunteer activities.

22 “(e) **LEGAL STATUS OF VOLUNTEERS.**—Paragraphs
 23 (1) through (5) of section 7(c) of the Fish and Wildlife
 24 Act of 1956 (16 U.S.C. 742f(c)) shall apply to volunteers
 25 providing services to the Administrator under subsection

1 (c) of this section, except that any reference in that section
 2 to the Secretary of the Interior or the Secretary of Com-
 3 merce shall be deemed to refer to the Administrator.

4 “(f) QUALIFIED ORGANIZATION.—In this section, the
 5 term ‘qualified organization’ means a non-governmental,
 6 not-for-profit organization, determined by the Adminis-
 7 trator to have demonstrated expertise in boating safety
 8 and a commitment to improving the quality of hydro-
 9 graphic services and related oceanographic and meteorolo-
 10 gical information that is made available to mariners.”.

11 **SEC. 204. ESTABLISHMENT OF AN OFFICE OF EDUCATION.**

12 (a) IN GENERAL.—The Administrator shall establish
 13 within the National Oceanic and Atmospheric Administra-
 14 tion an office of Education and shall consider education
 15 to be a central part of the Administration’s mission. The
 16 purpose of the office shall be to coordinate and promote
 17 education missions for all of the Administration’s pro-
 18 grams to better facilitate public awareness of oceanic and
 19 atmospheric systems.

20 (b) AUTHORIZATION OF APPROPRIATIONS.—There
 21 are authorized to be appropriated to the Secretary to en-
 22 able the National Oceanic and Atmospheric Administra-
 23 tion to carry out the Education activities of the Adminis-
 24 tration \$2,300,000 for fiscal year 2004, \$2,369,000 for
 25 fiscal year 2005, \$2,440,070 for fiscal year 2006,

1 \$2,513,272 for fiscal year 2007, and \$2,588,670 for fiscal
 2 year 2008, to remain available until expended.

3 **SEC. 205. NOAA CORPS AUTHORIZED NUMBER OF OFFI-**
 4 **CERS.**

5 Section 215 of the National Oceanic and Atmospheric
 6 Administration Commissioned Officer Corps Act of 2002
 7 (33 U.S.C. 3005) is amended—

8 (1) by striking “285” in paragraph (2) and in-
 9 serting “375”; and

10 (2) by striking “299” in paragraph (3) and in-
 11 serting “375”.

12 **SEC. 206. FEDERAL-STATE PARTNERSHIP OPERATIONS.**

13 (a) *IN GENERAL.*—*The Secretary of Commerce is au-*
 14 *thorized to operate the National Oceanic and Atmospheric*
 15 *Administration marine laboratory in accordance with a*
 16 *memorandum of agreement with the National Oceanic and*
 17 *Atmospheric Administration, the National Institute of*
 18 *Standards and Technology, the State of South Carolina, the*
 19 *Medical University of South Carolina, and the College of*
 20 *Charleston as a partnership for collaborative, interdiscipli-*
 21 *nary marine scientific research.*

22 (b) *IMPLEMENTATION.*—*To carry out subsection (a),*
 23 *the agencies that are partners in the Laboratory may ac-*
 24 *cept, apply for, use, and spend Federal, State, private and*
 25 *grant funds as necessary to further the mission of the Lab-*

1 oratory without regard to the source or of the period of
 2 availability of these funds and may apply for and hold pat-
 3 ents, as well as share personnel, facilities, and property.

4 (c) *USE OF FUNDS.*—Any funds collected or accepted
 5 by any partner may be used—

6 (1) to offset all or portions of its costs, including
 7 overhead, without regard to 31 U.S.C. section
 8 3302(b);

9 (2) to reimburse other participating agencies for
 10 all or portions of their costs; and

11 (3) to fund research and facilities expansion.

12 (d) *OTHER FISCAL PROVISIONS.*—Funds for manage-
 13 ment and operation of the Laboratory may be used to sus-
 14 tain basic laboratory operations for all participating enti-
 15 ties. The Secretary of Commerce is authorized to charge fees
 16 and enter into agreements with Federal, State, private enti-
 17 ties, and other entities, domestic and foreign, to further the
 18 mission of the Laboratory. Any funds collected from such
 19 fees or arrangements shall be used to support cooperative
 20 research, basic operations, and facilities enhancement at the
 21 Laboratory.

22 **SEC. 207. CYCLONE RECONNAISSANCE REVIEW.**

23 (a) *IN GENERAL.*—The Secretary of Commerce and the
 24 Secretary of Defense shall review the management plans for
 25 continued tropical cyclone surveillance and reconnaissance

1 *developed pursuant to section 107 of the National Oceanic*
 2 *and Atmospheric Administration Authorization Act of 1992*
 3 *(15 U.S.C. 313 note) to determine—*

4 *(1) if such plans provide adequate coverage and*
 5 *protection for citizens of the coastal areas of the*
 6 *United States, particularly in the Central and West-*
 7 *ern Pacific region, including an evaluation of whether*
 8 *there has been any reduction in the level, quality,*
 9 *timeliness, sustainability, or area served by the recon-*
 10 *naissance and tracking systems since enactment of*
 11 *that Act;*

12 *(2) the appropriate roles and responsibilities for*
 13 *the Departments of Commerce and Defense with re-*
 14 *spect to this surveillance and reconnaissance pro-*
 15 *gram; and*

16 *(3) any additional fiscal or other resources that*
 17 *would be required to ensure adequate coverage or pre-*
 18 *vent reduction of coverage and services, including cov-*
 19 *erage for the Central and Western Pacific region.*

20 *(b) REPORT.—The Secretaries of Defense and Com-*
 21 *merce shall transmit a report to the Congress within 90*
 22 *days after the date of enactment of this Act with findings*
 23 *and recommendations of the review.*

24 *(c) WEATHER RECONNAISSANCE SQUADRON.—The Ad-*
 25 *ministrator of the National Oceanic and Atmospheric Ad-*

1 *ministration may not accept responsibility for the duties*
2 *or aircraft of the United States Air Force Reserve 53rd*
3 *Weather Reconnaissance Squadron in whole or in part*
4 *until 30 days after the date on which the Secretary of Com-*
5 *merce and the Secretary of Defense transmit to the Congress*
6 *a plan for the continued performance of all current missions*
7 *and the division of such responsibilities and aircraft be-*
8 *tween the Air Force Reserve and the National Oceanic and*
9 *Atmospheric Administration.*

10 **SEC. 208. NEXRAD RADAR FACILITY STUDY.**

11 *The Secretary of Commerce may conduct studies on*
12 *the placement of NEXRAD radar facilities in areas that*
13 *are not currently covered by NEXRAD radar including*
14 *areas in Oregon, Nevada, California, Montana, Idaho, Wyo-*
15 *ming, Utah, Colorado, New Mexico, Arizona, North Dakota,*
16 *Texas, and Alaska. Each study shall identify the location*
17 *for facility placement that would provide the most complete*
18 *coverage for areas not currently covered by NEXRAD*
19 *radar.*

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108TH CONGRESS
1ST SESSION

S. 1401

[Report No. 108-219]

A BILL

To reauthorize the National Oceanic and Atmospheric Administration, and for other purposes.

DECEMBER 9, 2003

Reported with amendments