

108TH CONGRESS
2D SESSION

S. 2170

To establish the Weather Modification Operations and Research Board and outline its duties and responsibilities.

IN THE SENATE OF THE UNITED STATES

MARCH 4, 2004

Mrs. HUTCHISON introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish the Weather Modification Operations and Research Board and outline its duties and responsibilities.

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 “Weather Modification
5 Research and Technology Transfer Authorization Act”.

6 **SEC. 2. PURPOSE.**

7 It is the purpose of this Act to develop and implement
8 a comprehensive and coordinated national weather modi-
9 fication policy and a national cooperative Federal and

1 State program of weather modification research and devel-
2 opment.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) BOARD.—The term “board” means the
6 Weather Modification Advisory and Research Board.

7 (2) EXECUTIVE DIRECTOR.—The term “execu-
8 tive director” means the executive director of the
9 Weather Modification Advisory and Research Board.

10 (3) RESEARCH AND DEVELOPMENT.—The term
11 “research and development” means theoretical anal-
12 ysis, explorations, experimentation, and the exten-
13 sion of investigative findings and theories of sci-
14 entific or technical nature into practical application
15 for experimental and demonstration purposes, in-
16 cluding the experimental production and testing of
17 models, devices, equipment, materials, and processes.

18 (4) WEATHER MODIFICATION.—The term
19 “weather modification” means changing or control-
20 ling, or attempting to change or control, by artificial
21 methods the natural development of atmospheric
22 cloud forms or precipitation forms which occur in
23 the troposphere.

1 **SEC. 4. WEATHER MODIFICATION ADVISORY AND RE-**
2 **SEARCH BOARD ESTABLISHED.**

3 (a) IN GENERAL.—There is established in the De-
4 partment of Commerce the Weather Modification Advisory
5 and Research Board.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The board shall consist of
8 11 members appointed by the Secretary of Com-
9 merce, of whom—

10 (A) at least 1 shall be a representative of
11 the American Meteorological Society;

12 (B) at least 1 shall be a representative of
13 the American Society of Civil Engineers;

14 (C) at least 1 shall be a representative of
15 the National Academy of Sciences;

16 (D) at least 1 shall be a representative of
17 the National Center for Atmospheric Research
18 of the National Science Foundation;

19 (E) at least 2 shall be representatives of
20 the National Oceanic and Atmospheric Admin-
21 istration of the Department of Commerce;

22 (F) at least 1 shall be a representative of
23 institutions of higher education or research in-
24 stitutes; and

1 (G) at least 1 shall be a representative of
2 a State that is currently supporting operational
3 weather modification projects.

4 (2) SERVICE AS MEMBERS.—A member of the
5 board shall serve at the pleasure of the Secretary of
6 Commerce.

7 (3) VACANCIES.—Any vacancy on the board
8 shall be filled in the same manner as the original ap-
9 pointment.

10 (b) ADVISORY COMMITTEES.—The board may estab-
11 lish advisory committees to advise the board and to make
12 recommendations to the board concerning legislation, poli-
13 cies, administration, research, and other matters.

14 (c) INITIAL MEETING.—Not later than 30 days after
15 the date on which all members of the board have been
16 appointed, the board shall hold its first meeting.

17 (d) MEETINGS.—The board shall meet at the call of
18 the Chair.

19 (e) QUORUM.—A majority of the members of the
20 board shall constitute a quorum, but a lesser number of
21 members may hold hearings.

22 (f) CHAIR AND VICE CHAIR.—The board shall select
23 a Chair and Vice Chair from among its members.

1 **SEC. 5. DUTIES OF THE BOARD.**

2 (a) PROMOTION OF RESEARCH AND DEVELOP-
3 MENT.—In order to assist in expanding the theoretical
4 and practical knowledge of weather modification, the
5 board shall promote and fund research and development,
6 studies, and investigations with respect to—

7 (1) improved forecast and decision-making tech-
8 nologies for weather modification operations, includ-
9 ing tailored computer workstations and software and
10 new observation systems with remote sensors; and

11 (2) assessments and evaluations of the efficacy
12 of weather modification, both purposeful (including
13 cloud-seeding operations) and inadvertent (including
14 downwind effects and anthropogenic effects).

15 (b) FINANCIAL ASSISTANCE.—Unless the use of the
16 money is restricted or subject to any limitations provided
17 by law, the board shall use amounts in the Weather Modi-
18 fication Research and Development Fund—

19 (1) to pay its expenses in the administration of
20 this Act, and

21 (2) to provide for research and development
22 with respect to weather modifications by grants to,
23 or contracts or cooperative arrangements, with pub-
24 lic or private agencies.

1 (c) REPORT.—The board shall provide the Secretary
2 with a report of its findings and research results bienni-
3 ally.

4 **SEC. 6. POWERS OF THE BOARD.**

5 (a) STUDIES, INVESTIGATIONS AND HEARINGS.—
6 The board may make any studies or investigations, obtain
7 any information, and hold any hearings necessary or prop-
8 er to administer or enforce this Act or any rules or orders
9 issued under this Act.

10 (b) PERSONNEL.—The board may hire an executive
11 director and other support staff, as provided by the appro-
12 priations act, necessary to perform duties and functions
13 under this Act.

14 (c) COOPERATION WITH OTHER AGENCIES.—The
15 board may cooperate with public or private agencies to
16 promote the purposes of this Act.

17 (d) COOPERATIVE AGREEMENTS.—The board may
18 enter into cooperative agreements with the agencies of the
19 United States, States of the United States and their coun-
20 ties and cities, or with any private or public agencies or
21 organizations for conducting weather modification activi-
22 ties or cloud-seeding operations.

23 (e) CONDUCT AND CONTRACTS FOR RESEARCH AND
24 DEVELOPMENT.—The executive director, with approval of
25 the board, may conduct and may contract for research and

1 development activities relating to the purposes of this sec-
2 tion.

3 **SEC. 7. COOPERATION WITH THE WEATHER MODIFICATION**
4 **OPERATIONS AND RESEARCH BOARD.**

5 Agencies of the United States and other public or pri-
6 vate agencies and institutions that receive research funds
7 from the United States are directed to the extent possible
8 to give full support and cooperation to the board and to
9 initiate independent research and development programs
10 that address weather modifications.

11 **SEC. 8. FUNDING.**

12 (a) IN GENERAL.—There is established within the
13 Treasury of the United States the Weather Modification
14 Research and Development Fund, which shall consist of
15 amounts appropriated pursuant to subsection (b) or re-
16 ceived by the board under subsection (c).

17 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to the board for the pur-
19 poses of carrying out the provisions of this Act
20 \$10,000,000 for each of fiscal years 2004 through 2013.
21 Any sums appropriated under this subsection shall remain
22 available, without fiscal year limitation, until expended.

23 (c) GIFTS.—The board may accept, use, and dispose
24 of gifts or donations of services or property.

1 **SEC. 9. EFFECTIVE DATE.**

2 The provisions of this Act shall apply on and after
3 October 1, 2003.

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