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[Report No. 108–407]

To establish a national ocean policy, to set forth the missions of the National Oceanic and Atmospheric Administration, to ensure effective interagency coordination, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 13, 2004

Mr. HOLLINGS (for himself, Mr. STEVENS, Mr. INOUE, Mr. GREGG, Mr. BREAUX, Mrs. BOXER, Mr. LAUTENBERG, and Mr. AKAKA) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

NOVEMBER 10, 2004

Reported under authority of the order of the Senate of October 11, 2004, by
Mr. MCCAIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To establish a national ocean policy, to set forth the missions of the National Oceanic and Atmospheric Administration, to ensure effective interagency coordination, 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 Ocean Policy
3 and Leadership Act”.

4 **SEC. 2. TABLE OF CONTENTS.**

5 The table of contents for this Act is as follows:

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

TITLE I—NATIONAL OCEAN POLICY

Sec. 101. Findings.
Sec. 102. Purposes.
Sec. 103. Policy.

**TITLE II—NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION**

Sec. 201. Establishment.
Sec. 202. Functions and Purposes.
Sec. 203. National Oceanic and Atmospheric Administration.
Sec. 204. Responsibilities of the Administrator.
Sec. 205. Powers of the Administrator.
Sec. 206. Enforcement.
Sec. 207. Regional capabilities.
Sec. 208. Intergovernmental coordination.
Sec. 209. International consultation and coordination.
Sec. 210. Report on oceanic and atmospheric conditions and trends.
Sec. 211. Conforming amendments and appeals.
Sec. 212. Savings provision.
Sec. 213. Transition.

TITLE III—FEDERAL COORDINATION AND ADVICE

Sec. 301. Council on Ocean Stewardship.
Sec. 302. Membership.
Sec. 303. Functions of Council.
Sec. 304. National priorities for coordination.
Sec. 305. Employees.
Sec. 306. Biennial report to Congress.
Sec. 307. Presidential panel of advisors on oceans and climate.
Sec. 308. Federal program recommendations.
Sec. 309. Implementation.
Sec. 310. No effect on other authorities.

6 **SEC. 3. DEFINITIONS.**

7 In this Act:

1 (1) ADMINISTRATOR.—The term “Adminis-
2 trator” means the Administrator of NOAA.

3 (2) COASTAL REGION.—The term “coastal re-
4 gion” means the coastal zone as defined in section
5 304 of the Coastal Zone Management Act of 1972
6 (16 U.S.C. 1453) and coastal watershed areas that
7 have significant impact on such coastal zones.

8 (3) NOAA.—The term “NOAA” means the Na-
9 tional Oceanic and Atmospheric Administration.

10 (4) OCEANS.—The term “ocean” includes
11 coastal areas; the Great Lakes; the seabed; subsoil;
12 and waters of the territorial sea of the United
13 States; the waters of the exclusive economic zone of
14 the United States; the waters of the high seas; and
15 the seabed and subsoil of and beyond the Outer Con-
16 tinental Shelf marine environment; and the natural
17 resources therein.

18 (5) PERSON.—The term “person” has the
19 meaning given that term by section 1 of title 1,
20 United States Code, but also means any State, polit-
21 ical subdivision of a State, or agency or officer
22 thereof.

23 (6) STATE.—The term “State” means any
24 State of the United States; the District of Columbia;
25 the Commonwealth of Puerto Rico; the Virgin Is-

lands, Guam, American Samoa, or any other Commonwealth, territory, or possession of the United States.

TITLE I—NATIONAL OCEAN POLICY

SEC. 101. FINDINGS.

The Congress finds the following:

(1) Covering more than two-thirds of the Earth's surface, the oceans play a critical role in the global water cycle and in regulating climate, sustain a large part of Earth's biodiversity, provide an important source of food and a wealth of other natural products, act as a frontier for scientific exploration, are critical to national and economic security, and provide a vital means of transportation. The coastal regions of the United States have remarkably high biological productivity and contribute approximately 50 percent of the gross domestic product of the United States.

(2) The oceans and the atmosphere are susceptible to change as a direct and indirect result of human activities, and such changes can significantly impact the ability of the oceans and atmosphere to provide the benefits upon which the Nation depends. Changes in ocean and atmospheric processes could

1 affect global climate patterns; ecosystem produc-
2 tivity; health; and biodiversity; environmental qual-
3 ity; national security; economic competitiveness;
4 availability of energy; vulnerability to natural haz-
5 ards; and transportation safety and efficiency.

6 ~~(3)~~ Ocean resources are not infinite, and
7 human pressure on them is increasing. One half of
8 the Nation's population lives within 50 miles of the
9 coast. If population trends continue as expected,
10 coastal development and urbanization impacts, which
11 can be substantially greater than population impacts
12 alone, will present serious environmental, energy,
13 and water challenges and increase our vulnerability
14 to coastal hazards.

15 ~~(4)~~ Emissions of greenhouse gases and aerosols
16 due to human activities continue to alter the oceans
17 and atmosphere in ways that are expected to affect
18 the climate, with adverse impacts on human health
19 and the Nation's economic and environmental secu-
20 rity. In some coastal regions, air deposition contrib-
21 utes between 30–50 percent of pollutant loadings to
22 such areas. Improved understanding of such factors
23 and ideas for mitigating any adverse impacts are ur-
24 gently needed.

1 (5) There are enormous opportunities for
2 science and technology to uncover new sources of en-
3 ergy, food, and pharmaceuticals from the oceans,
4 and to increase general understanding of the planet
5 including its atmosphere and climate. Realization of
6 such benefits is jeopardized by a variety of activities
7 and practices that have reduced the health and pro-
8 ductivity of ocean and atmospheric systems, includ-
9 ing pollution, unsustainable harvesting practices, in-
10 creasing coastal development, and proliferation of
11 harmful and invasive marine species.

12 (6) Threats to the oceans and atmosphere are
13 exacerbated by the legal and geographic fragmenta-
14 tion of authority within the Federal government.
15 Over half of the existing 15 departments and several
16 independent agencies conduct activities and pro-
17 grams relating to ocean and atmosphere, including
18 climate change activities. Efforts to understand and
19 effectively address emerging ocean and atmospheric
20 problems, including through existing coordination
21 mechanisms, have not been adequate.

22 (7) Improving and coordinating Federal govern-
23 ance will require close partnerships with States, tak-
24 ing into account their public trust responsibilities,
25 economic and ecological interests in ocean resources,

1 and the role of State and local governments in im-
2 plementation of ocean policies; and managing use of
3 coastal lands and ocean resources.

4 (8) Effective enforcement of the laws to protect
5 and enhance the marine environment; coastal secu-
6 rity; and the Nation's natural resources; particularly
7 through marine safety, fisheries enforcement, aids to
8 navigation, and hazardous materials spill response
9 activities is needed to ensure achievement of man-
10 agement goals; and priority should be given to in-
11 creasing marine enforcement and compliance
12 through coordinated Federal and State actions.

13 (9) It is the continuing mission of the Federal
14 Government to create, foster, and maintain condi-
15 tions, incentives, and programs that will further and
16 assure the sustainable and effective conservation;
17 management, and protection of the oceans and at-
18 mosphere, in order to fulfill the responsibility of
19 each generation as trustee in protecting, and ensur-
20 ing that, such resources will be available to meet the
21 needs of future generations of Americans.

22 (10) This policy and mission can best be carried
23 out and realized by formal establishment of a
24 strengthened and expanded lead Federal civilian
25 agency dedicated to ocean and atmospheric matters;

1 and by undertaking the functions, programs, and ac-
2 tivities of the Federal Government with respect to
3 the conservation, management, and protection of the
4 oceans and atmosphere, including monitoring, fore-
5 casting, and assessment, in a coordinated manner
6 and in accordance with a national ocean policy.

7 **SEC. 102. PURPOSES.**

8 The purposes of this Act are—

9 (1) to set forth a national policy relating to
10 oceans and atmosphere, and, through an organic act,
11 formally to establish the National Oceanic and At-
12 mospheric Administration as the lead Federal agen-
13 cy concerned with ocean and atmospheric matters;

14 (2) to establish in the National Oceanic and At-
15 mospheric Administration, by statute, the authori-
16 ties, functions, and powers relating to the conserva-
17 tion, management, and protection of the oceans and
18 atmosphere which have previously been established
19 by statute or reorganization plan;

20 (3) to set forth the duties and responsibilities of
21 the Administration, and the principal officers of the
22 Administration;

23 (4) to establish a mechanism for Federal lead-
24 ership and coordinated action on national ocean and

1 atmospheric priorities that are essential to the eco-
 2 nomic and environmental security of the Nation; and
 3 ~~(5) to enhance Federal partnerships with the~~
 4 State and local governments with respect to ocean
 5 activities, include management of ocean resources
 6 and identification of appropriate opportunities for
 7 policy-making and decision making at the State and
 8 local level.

9 **SEC. 103. POLICY.**

10 It is the policy of the United States to establish and
 11 maintain for the benefit of the Nation a coordinated, com-
 12 prehensive, and long-range national program of ocean and
 13 atmospheric research, conservation, management, edu-
 14 cation, monitoring, and assessment that will—

15 ~~(1) recognize the linkage of ocean, land, and at-~~
 16 mospheric systems, including the linkage of those
 17 systems with respect to climate change;

18 ~~(2) protect life and property against natural~~
 19 and manmade hazards, including protection through
 20 weather and marine forecasts and warnings;

21 ~~(3) protect, maintain, and restore the long-term~~
 22 health, productivity, and diversity of the ocean envi-
 23 ronment, including its natural resources and to pre-
 24 vent pollution of the ocean environment;

1 (4) ensure responsible and sustainable use of
2 fishery resources and other ocean and coastal re-
3 sources held in the public trust, using ecosystem-
4 based management and a precautionary and adapt-
5 ive approach;

6 (5) assure sustainable coastal development
7 based on responsible State and community manage-
8 ment and planning, and reflecting the economic and
9 environmental values of ocean resources;

10 (6) develop improved scientific information and
11 use of the best scientific information available to
12 make decisions concerning natural, social, and eco-
13 nomic processes affecting ocean and atmospheric en-
14 vironments;

15 (7) enhance sustainable ocean-related and
16 coastal-dependent commerce and transportation, bal-
17 ancing multiple uses of the ocean environment;

18 (8) provide for continued investment in and im-
19 provement of technologies for use in ocean and cli-
20 mate-related activities, including investments and
21 technologies designed to promote national economic,
22 environmental, and food security;

23 (9) expand human knowledge of marine and at-
24 mospheric environments and ecosystems, including
25 the role of the oceans in climate and global environ-

1 mental change, the interrelationships of ocean health
2 and human health, and the advancement of edu-
3 cation and training in fields related to ocean, coast-
4 al, and climate-related activities;

5 (10) facilitate a collaborative approach that en-
6 courages the participation of a diverse group of
7 stakeholders and the public in ocean and atmos-
8 pheric science and policy, including persons from
9 under-represented groups;

10 (11) promote close cooperation among all gov-
11 ernment agencies and departments, academia, non-
12 governmental organizations, private sector and
13 stakeholders based on this policy to ensure coherent,
14 accountable, and effective planning, regulation, and
15 management of activities affecting oceans and at-
16 mosphere, including climate;

17 (12) promote governance and management of
18 the nation's ocean resources through a partnership
19 of the Federal Government with States, territories,
20 and Commonwealths that reflects their public trust
21 responsibilities and interest in ocean environmental,
22 cultural, historic, and economic resources; and

23 (13) preserve the role of the United States as
24 a global leader in ocean, atmospheric, and climate-
25 related activities, and the cooperation in the national

1 interest by the United States with other nations and
2 international organizations in ocean and climate-re-
3 lated activities.

4 **TITLE II—NATIONAL OCEANIC**
5 **AND ATMOSPHERIC ADMINIS-**
6 **TRATION**

7 **SEC. 201. ESTABLISHMENT.**

8 There is established an agency which shall be known
9 as the National Oceanic and Atmospheric Administration,
10 which shall be the civilian agency principally responsible
11 for providing oceanic, weather, and atmospheric services
12 and supporting research, conservation, management, and
13 education to the nation. The National Oceanic and Atmos-
14 pheric Administration established under this Act shall suc-
15 ceed the National Oceanic and Atmospheric Administra-
16 tion established on October 3, 1970, in Reorganization
17 Plan No. 4 of 1970 and shall continue the activities of
18 that agency as it was in existence on the day before the
19 effective date of this Act.

20 **SEC. 202. FUNCTIONS AND PURPOSES.**

21 (a) IN GENERAL.—NOAA shall be responsible for the
22 following functions, through which it shall carry out the
23 policy of this Act in a coordinated, integrated, and eco-
24 system-based manner for the benefit of the Nation:

(2) Observation, monitoring, assessment, forecasting, prediction, operations and exploration for ocean and atmospheric environments including weather, climate, navigation and marine resources.

(3) Research, education and outreach, technical assistance, and technology development and innovation activities relating to ocean and atmospheric environments including basic scientific research and activities that support other agency functions and missions.

(b) **TRANSFER OF FUNCTIONS.**—There shall be transferred to the Administrator any authority established by law that, before the date of enactment of this Act, was vested in the Secretary of Commerce and pertains to the functions, responsibilities, or duties of NOAA under subsection (a).

20 SEC. 203. NATIONAL OCEANIC AND ATMOSPHERIC ADMIN-
21 ISTRATION.

22 ~~(a) ADMINISTRATOR.—~~

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1 by the President, by and with the advice and consent
2 of the Senate.

3 ~~(2) COMPENSATION.—~~The Administrator shall
4 be compensated at the rate provided for level II of
5 the Executive Schedule under section 5314 of title
6 5, United States Code.

7 ~~(3) QUALIFICATIONS.—~~The Administrator shall
8 have a broad background, professional knowledge,
9 and substantial experience in oceanic or atmospheric
10 affairs, including any field relating to marine or at-
11 mospheric science and technology, biological
12 sciences, engineering, as well as education, econom-
13 ics, governmental affairs, planning, law, or inter-
14 national affairs.

15 ~~(4) AUTHORITY.—~~The Administrator shall
16 carry out all functions transferred to the Adminis-
17 trator by this Act and shall have authority and con-
18 trol over all personnel, programs, and activities of
19 NOAA.

20 ~~(b) DEPUTY ADMINISTRATOR.—~~There shall be a
21 Deputy Administrator, who shall be appointed by the
22 President, by and with the advice and consent of the Sen-
23 ate, based on the individual's professional qualifications
24 and without regard to political affiliation. The Deputy Ad-
25 ministrator shall have a broad background, professional

1 knowledge, and substantial experience in oceanic or atmos-
 2 pheric policy or programs, including science, technology,
 3 and education. The Deputy Administrator shall serve as
 4 an adviser to the Administrator on program and policy
 5 issues, including crosscutting program areas such as re-
 6 search, technology, and education and shall perform such
 7 functions and exercise such powers as the Administrator
 8 may prescribe. The Deputy Administrator shall act as Ad-
 9 ministrator during the absence or disability of the Admin-
 10 istrator in the event of a vacancy in the office of Adminis-
 11 trator. The Deputy Administrator shall be the Administra-
 12 tor's first assistant for purposes of subchapter III of chap-
 13 ter 33 of title 5, United States Code, and shall be com-
 14 pensated at the rate provided for level IV of the Executive
 15 Schedule under section 5315 of title 5, United States
 16 Code.

17 (c) ASSOCIATE ADMINISTRATOR FOR OCEAN MAN-
 18 AGEMENT AND OPERATIONS.—There shall be in NOAA an
 19 Associate Administrator for Ocean Management and Op-
 20 erations, who shall be appointed by the President, by and
 21 with the advice and consent of the Senate. The Associate
 22 Administrator for Ocean Management and Operations
 23 shall have a broad background, professional knowledge,
 24 and substantial experience in oceanic or atmospheric pol-
 25 icy or programs, and shall perform such duties and exer-

1 cise such powers as the Administrator shall from time to
 2 time designate. The Associate Administrator shall be com-
 3 pensated at the rate provided for level V of the Executive
 4 Schedule under section 5315 of title 5, United States
 5 Code.

6 (d) ASSOCIATE ADMINISTRATOR FOR CLIMATE AND
 7 ATMOSPHERE.— There shall be in NOAA an Associate
 8 Administrator for Climate and Atmosphere, who shall be
 9 appointed by the President, by and with the advice and
 10 consent of the Senate. The Associate Administrator for
 11 Climate and Atmosphere shall have a broad background,
 12 professional knowledge, and substantial experience in oee-
 13 anic or atmospheric policy or programs, and shall perform
 14 such duties and exercise such powers as the Administrator
 15 shall from time to time designate. The Associate Adminis-
 16 trator shall be compensated at the rate provided for level
 17 V of the Executive Schedule under section 5315 of title
 18 5, United States Code.

19 (e) CHIEF OPERATING OFFICER.—There shall be a
 20 Chief Operating Officer of NOAA, who shall assume the
 21 responsibilities held by the Deputy Undersecretary of
 22 Commerce prior to enactment of this Act. The Chief Oper-
 23 ating Officer shall be responsible for ensuring the timely
 24 and effective implementation of NOAA's purposes and au-
 25 thorities and shall provide resource, budget, and manage-

1 ment support to the Office of the Administrator. The
 2 Chief Operating Officer shall be responsible for all aspects
 3 of NOAA operations and management, including budget,
 4 financial operations, information services, facilities,
 5 human resources, procurements, and associated services.
 6 The Chief Operating Officer shall be a Senior Executive
 7 Service position authorized under section 3133 of title 5,
 8 United States Code.

9 (f) ASSISTANT ADMINISTRATORS.—There shall be in
 10 NOAA at least 3, but no more than 4, Assistant Adminis-
 11 trators. The Assistant Administrators shall perform such
 12 programmatic and policy functions as the Administrator
 13 shall from time to time assign or delegate, and shall have
 14 background, professional knowledge, and substantial expe-
 15 rience in 1 or more of the following aspects of ocean and
 16 atmospheric affairs:

17 (1) Resource management, protection, and res-
 18 toration.

19 (2) Operations, forecasting, and services (in-
 20 cluding weather and climate).

21 (3) Science, technology, and education.

22 (g) GENERAL COUNSEL.—There shall be in NOAA
 23 a General Counsel appointed by the President upon rec-
 24 ommendation by the Administrator. The General Counsel
 25 shall serve as the chief legal officer for all legal matters

1 which may arise in connection with the conduct of the
2 functions of NOAA.

3 ~~(h) COMMISSIONED OFFICERS.—~~

4 (1) The Administrator shall designate an officer
5 or officers to be responsible for oversight of NOAA's
6 vessel and aircraft fleets and for the administration
7 of NOAA's commissioned officer corps under section
8 228 of the National Oceanic and Atmospheric Ad-
9 ministration Commissioned Officer Corps Act of
10 2002 (~~33~~ U.S.C. 3028).

11 (2) The Commissioned Officer Corps of the Na-
12 tional Oceanic and Atmospheric Administration es-
13 tablished by Reorganization Plan No. 4 of October
14 3, 1970, is the Commissioned Officer Corps of
15 NOAA established under this Act.

16 (3) All statutes that applied to officers of the
17 Commissioned Officers Corps of NOAA on the day
18 before the date of enactment of this Act apply to of-
19 ficers of the Corps on and after such date.

20 (4) There are authorized to be on the lineal list
21 of the Commissioned Officers Corps of NOAA at
22 least 350 officers, plus any additional officers nec-
23 essary to support NOAA's missions and the oper-
24 ation and maintenance of NOAA's ships and air-
25 craft.

1 (5) The President may appoint in NOAA, by
2 and with the advice and consent of the Senate, 2
3 commissioned officers to serve at any one time as
4 the designated heads of 2 principal constituent orga-
5 nizational entities of NOAA, or the President may
6 designate 1 such officer as the head of such an orga-
7 nizational entity and the other as the head of the
8 commissioned corps of NOAA. Any such designation
9 shall create a vacancy on the active list and the offi-
10 cer while serving under this subsection shall have
11 the rank, pay, and allowances of a rear admiral
12 (upper half).

13 (6) Any commissioned officer of NOAA who has
14 served under paragraph (5) and is retired while so
15 serving or is retired after the completion of such
16 service while serving in a lower rank or grade, shall
17 be retired with the rank, pay, and allowances au-
18 thorized by law for the highest grade and rank held
19 by him, but any such officer, upon termination of his
20 appointment in a rank above that of captain, shall,
21 unless appointed or assigned to some other position
22 for which a higher rank or grade is provided, revert
23 to the grade and number he would have occupied
24 had he not served in a rank above that of captain

1 and such officer shall be an extra number in that
2 grade.

3 (i) ~~NAVAL DEPUTY.~~—The Secretary of the Navy may
4 detail a Naval Deputy to the Administrator. This position
5 shall be filled on an additional duty basis by the Oceanog-
6 rapher of the Navy. The Naval Deputy shall—

7 (1) act as a liaison between the Administrator
8 and the Secretary of the Navy in order to avoid du-
9 plication between Federal oceanographic and atmos-
10 pheric activities; and

11 (2) ensure coordination and joint planning by
12 NOAA and the Navy on research, meteorological,
13 oceanographic, and geospatial information services
14 and programs of mutual organizational interest.

15 **SEC. 204. RESPONSIBILITIES OF THE ADMINISTRATOR.**

16 In addition to administering and carrying out all ac-
17 tivities, programs, functions and duties, and exercising
18 those powers, that are assigned, delegated, or transferred
19 to the Administrator by this Act, any other statute, or
20 the President, the responsibilities of the Administrator in-
21 clude—

22 (1) management, conservation, protection, and
23 restoration of ocean resources, including—

1 (A) living marine resources (including fish-
 2 eries, vulnerable species and habitats, and ma-
 3 rine biodiversity);

4 (B) ocean areas (including marine sanc-
 5 tuaries, estuarine reserves, and other managed
 6 areas);

7 (C) marine aquaculture;

8 (D) protection of ocean environments from
 9 threats to human and ecosystem health, includ-
 10 ing pollution and invasive species;

11 (E) sustainable management, beneficial
 12 use, protection, and development of coastal re-
 13 gions; and

14 (F) mitigation of impacts of natural and
 15 man-made hazards including climate change;

16 (2) partnering with and supporting State and
 17 local communities in undertaking management, con-
 18 servation, protection, and restoration of ocean re-
 19 sources described in subsection (1);

20 (3) observation, analysis, processing, and com-
 21 munication of comprehensive data and information
 22 concerning the State of—

23 (A) the upper and lower atmosphere;

24 (B) the oceans and resources thereof; and

25 (C) the earth and near space environment;

1 (4) collection, storage, analysis, and provision of
2 reliable scientific information relating to weather (in-
3 cluding space weather); climate, air quality, water,
4 navigation, marine resources, and ecosystems that
5 can be used as a basis for sound management, pol-
6 icy, and public safety decisions;

7 (5) broadly based data, observing, monitoring,
8 and information activities, programs and systems re-
9 lating to oceanic and atmospheric monitoring and
10 prediction, weather forecasting, and storm warning,
11 including satellite-based and in-situ data collection
12 and associated services;

13 (6) weather forecasting, storm warnings, and
14 other responsibilities of the Secretary of Commerce
15 and the National Weather Service under Reorganiza-
16 tion Plan No. 2 of 1965, Reorganization Plan No.
17 4 of 1970, sections 3 and 4 of the Act of October
18 1, 1890 (15 U.S.C. 312 and 313) and the Weather
19 Service Modernization Act (15 U.S.C. 313 note),
20 and all other statutes, rules, plans, and orders in
21 pari materia;

22 (7) providing navigation and assessment oper-
23 ations and services, including maps and charts for
24 the safety of marine and air navigation, maintaining
25 a network of geographic reference coordinates for

1 geodetic control, and observing, charting, mapping,
2 and measuring the marine environment and ocean
3 resources;

4 (8) developing and improving geodetic and map-
5 ping methods and studies of geophysical phenomena
6 such as crustal movement, earth tides, and ocean
7 circulation, including estuarine areas;

8 (9) collecting, disseminating, and maintaining
9 on a continuing basis information relating to the
10 status, trends, health, use, and protection of the
11 oceans and the atmosphere, to all interested parties,
12 including through an integrated ocean observing sys-
13 tem and national and regional ecosystem-based in-
14 formation management systems;

15 (10) administering, operating, and maintaining
16 satellite and in-situ systems that can monitor global
17 and regional atmospheric weather conditions, climate
18 and related oceanic, solar, hydrological, and other
19 environmental conditions, collect information re-
20 quired for research on weather, climate, and related
21 environmental matters, and monitor the extent of
22 human-induced changes in the lower and upper at-
23 mosphere and the related environment;

24 (11) collecting, analyzing, and disseminating
25 environmental information, in support of environ-

1 mental research and development, including data in
2 the fields of climatology, atmospheric sciences,
3 oceanography, biology, geology, geophysics, solar-ter-
4 restrial relationships, and the relationship among
5 oceans, climate, and human health;

6 (12) undertaking a comprehensive, integrated,
7 and ecosystem-based program of ocean, climate, and
8 atmospheric research related to, and supportive of
9 the missions of NOAA and which uses research
10 products, new findings, and methodologies to develop
11 the most current scientific advice for ecosystem-
12 based management;

13 (13) conducting environmental research and de-
14 velopment activities that are necessary to advance
15 the Nation's ocean, atmospheric, engineering and
16 technology expertise, including the development and
17 operation of observing platforms such as ships, air-
18 craft, satellites, data buoys, manned or unmanned
19 research submersibles, underwater laboratories or
20 platforms, and improved instruments and calibration
21 methods, and the advancement of undersea diving
22 techniques;

23 (14) conducting a continuing program of ocean
24 exploration, discovery and conservation of significant
25 undersea resources, including cultural resources, to

1 benefit, inform, and inspire the American people, in-
2 cluding communication of such knowledge to policy-
3 makers and the public;

4 (15) developing and implementing, in coopera-
5 tion with other agencies and entities as appropriate,
6 national ocean and atmospheric education, technical
7 assistance, extension services, and outreach pro-
8 grams designed to increase literacy concerning ocean
9 and atmospheric issues; develop a diverse work force;
10 and enhance stewardship of ocean and atmospheric
11 resources and environments;

12 (16) ensuring the execution and implementation
13 of national ocean, atmospheric, and environmental
14 policy goals through a variety of ocean and atmos-
15 pheric programs;

16 (17) undertaking activities involving the inte-
17 gration of domestic and international policy relating
18 to the oceans and the atmosphere; including the pro-
19 vision of technical advice to the President on inter-
20 national negotiations involving ocean resources,
21 ocean technologies, and climate matters;

22 (18) providing for, encouraging, and assisting
23 public participation in the development and imple-
24 mentation of ocean and atmospheric policies and
25 programs;

1 ~~(19) conducting, supporting, and coordinating~~
 2 ~~efforts to enhance public awareness of the National~~
 3 ~~Oceanic and Atmospheric Administration, its pur-~~
 4 ~~poses, programs, activities and the results thereof,~~
 5 ~~including education and outreach to the public,~~
 6 ~~teachers, students, and ocean resource managers;~~

7 ~~(20) partnering with other government agen-~~
 8 ~~cies, States, academia, and the private sector, via co-~~
 9 ~~operative agreements or other formal or informal ar-~~
 10 ~~rangements, to improve the acquisition of data and~~
 11 ~~information and the implementation of management,~~
 12 ~~monitoring, research, exploration, education, and~~
 13 ~~other programs;~~

14 ~~(21) partnering with other Federal agencies~~
 15 ~~and with States and communities to address the~~
 16 ~~issues of land-based activities and their impact on~~
 17 ~~the ocean environment; and~~

18 ~~(22) coordination with other Federal agencies~~
 19 ~~having related responsibilities.~~

20 **SEC. 205. POWERS OF THE ADMINISTRATOR.**

21 ~~(a) DELEGATION.—Unless otherwise prohibited by~~
 22 ~~law or reserved by the Secretary of Commerce, the respon-~~
 23 ~~sibilities of the Administrator may be delegated by the Ad-~~
 24 ~~ministrator to other officials in NOAA, and may be redele-~~
 25 ~~gated as authorized by the Administrator.~~

1 (b) REGULATIONS.—The Administrator is authorized
 2 to issue, amend, and rescind such rules and regulations
 3 as are necessary or appropriate to carry out the respon-
 4 sibilities and functions of the Administrator. The promul-
 5 gation of such rules and regulations shall be governed by
 6 the provisions of chapter 5 of title 5, United States Code.

7 (c) CONTRACTS.—The Administrator is authorized,
 8 without regard to section 3324(a) and (b) of title 31,
 9 United States Code, to enter into and perform such con-
 10 tracts, leases, grants, cooperative agreements, or other
 11 transactions (without regard to chapter 63 of title 31,
 12 United States Code); as may be necessary to carry out
 13 NOAA's purposes and authorities, on terms the Adminis-
 14 trator deems appropriate, with Federal agencies, instru-
 15 mentalities, and laboratories, State and local governments,
 16 including territories or possessions, Native American tribes
 17 and organizations, international organizations, foreign
 18 governments, educational institutions, nonprofit organiza-
 19 tions, commercial organizations, and other public and pri-
 20 vate persons or entities.

21 (d) GIFTS AND DONATIONS.—

22 (1) IN GENERAL.—Notwithstanding section
 23 1342 of title 31, United States Code, and subject to
 24 such conditions and covenants the Administrator

1 deems appropriate, the Administrator is authorized
2 to accept, hold, administer, and utilize—

3 (A) gifts, bequests or donations of services,
4 money or property, real or personal (including
5 patents and rights thereunder), mixed, tangible
6 or intangible, or any interest therein;

7 (B) contributions of funds; and

8 (C) funds from Federal agencies, instru-
9 mentalities, and laboratories, State and local
10 governments, Native American tribes and orga-
11 nizations, international organizations, foreign
12 governments, educational institutions, nonprofit
13 organizations, commercial organizations, and
14 other public and private persons or entities.

15 ~~(2) USE, OBLIGATION, AND EXPENDITURE.—~~

16 The Administrator may use property and services
17 accepted by NOAA under paragraph (1) to carry out
18 the mission and purposes of NOAA. Amounts ac-
19 cepted by NOAA under paragraph (1) shall be avail-
20 able for obligation by NOAA, and be available for
21 expenditure by NOAA to carry out mission and pur-
22 poses of NOAA.

23 ~~(c) FACILITIES AND PERSONNEL.—~~The Adminis-
24 trator may use, with their consent, and with or without
25 reimbursement, the services, equipment, personnel, and

1 facilities of Federal agencies, instrumentalities and labora-
 2 tories, State and local governments, Native American
 3 tribes and organizations, international organizations, for-
 4 eign governments, educational institutions, nonprofit orga-
 5 nizations, commercial organizations, and other public and
 6 private persons or entities.

7 (f) INFORMATION.—The Administrator shall provide
 8 for the most practicable and widest appropriate dissemina-
 9 tion of information concerning NOAA, its purposes, pro-
 10 grams, activities and the results thereof, including author-
 11 ity to conduct education, technical assistance and outreach
 12 to the public, teachers, students, and ocean and coastal
 13 resource managers.

14 (g) ACQUISITION AND CONSTRUCTION.—The Admin-
 15 istrator may—

16 (1) acquire (by purchase, lease, condemnation,
 17 or otherwise), lease, sell, or convey, services, money
 18 or property, real or personal (including patents and
 19 rights thereunder), mixed, tangible or intangible, or
 20 any interest therein; and

21 (2) construct, improve, repair, operate, main-
 22 tain or dispose of real or personal property, includ-
 23 ing buildings, facilities, and land.

1 **SEC. 206. ENFORCEMENT.**

2 (a) **AUTHORITY.**—The Administrator shall have the
3 authority to enforce the applicable provisions of any Act,
4 the enforcement of which is, in whole or in part, assigned,
5 delegated, or transferred to the Administrator, and any
6 term of a license, permit, regulation, or order issued pur-
7 suant thereto. The Administrator may designate any per-
8 son, officer, or agency to exercise his authority under this
9 title.

10 (b) **USE OF STATE PERSONNEL.**—

11 (1) **IN GENERAL.**—The Administrator may—

12 (A) utilize by agreement, with or without
13 reimbursement, the personnel, services, and fa-
14 cilities of any State agency to the extent the
15 Administrator deems it necessary and appro-
16 priate for effective enforcement of any law for
17 which the Administrator has enforcement au-
18 thority; and

19 (B) designate such personnel to exercise
20 the enforcement authority of the Administrator
21 under subsection (a).

22 (2) **STATUS AND POWERS.**—Any personnel des-
23 igned by the Administrator under paragraph
24 (1)(B)—

25 (A) shall not be deemed to be Federal em-
26 ployees (except as provided in subparagraph

1 ~~(D))~~ and shall not be subject to the provisions
2 of law relating to Federal employment, includ-
3 ing those relating to hours of work, competitive
4 examination, rates of compensation, and Fed-
5 eral employee benefits, but may be considered
6 to be eligible for compensation for work-related
7 injuries under subchapter III of chapter 81 of
8 title 5, United States Code, sustained while act-
9 ing pursuant to such designation;

10 ~~(B)~~ shall be considered to be investigative
11 or law enforcement officers of the United States
12 for purposes of the tort claim provisions of title
13 28, United States Code;

14 ~~(C)~~ may, to the extent specified by the Ad-
15 ministrator, search, seize, arrest, and exercise
16 any other law enforcement functions or authori-
17 ties described in this title where such authori-
18 ties are made applicable by this or other law to
19 employees, officers, or other persons designated
20 or employed by the Administrator; and

21 ~~(D)~~ shall be considered to be officers or
22 employees of the Department of Commerce for
23 purposes of sections 111 and 1114 of title 18,
24 United States Code.

1 ~~(c) COOPERATIVE ENFORCEMENT AGREEMENTS.—~~

2 The Administrator may enter into cooperative agreements
 3 with State authorities to ensure coordinated enforcement
 4 of State and Federal laws and by such agreements assume
 5 enforcement authority under State law when the Adminis-
 6 trator and State authorities deem it to be appropriate.
 7 When so authorized, the Administrator or the Administra-
 8 tor's designee may function as a State law enforcement
 9 officer within the scope of the delegation, except that Fed-
 10 eral law shall control the resolution of any conflict con-
 11 cerning the employee status of any Federal officer while
 12 enforcing State law.

13 **SEC. 207. REGIONAL CAPABILITIES.**

14 The Administrator of The National Oceanic and At-
 15 mospheric Administration shall—

16 ~~(1)~~ organize agency activities and programs
 17 around common eco-regional boundaries identified
 18 through a process established by the Council on
 19 Ocean Stewardship, based upon recommendations of
 20 the Report of the U.S. Commission on Ocean Policy,
 21 so as to—

22 ~~(A)~~ enhance inter- and intra-agency co-
 23 operation;

24 ~~(B)~~ maximize Federal capabilities in such
 25 region;

1 (C) develop coordinated, ecosystem-based
2 management and research programs;

3 (D) develop research partnerships with
4 States and academia;

5 (E) substantially improve the ability of the
6 public to contact and work with all relevant fed-
7 eral agencies; and

8 (F) maximize opportunities to work in
9 partnership with States in order to facilitate
10 eco-regional management and enhance State
11 and local capacity to manage issues on an eco-
12 regional basis.

13 (2) work with other Federal agencies, including
14 the Environmental Protection Agency, the U.S. Fish
15 and Wildlife Service, U.S. Army Corps of Engineers,
16 and State agencies to—

17 (A) encourage similar eco-regional organi-
18 zation and, if appropriate, co-location of related
19 programs and facilities to achieve goals of para-
20 graph (1); and

21 (B) in planning and implementing eco-re-
22 gional activities to encourage early cooperation,
23 coordination, and integration across the Federal
24 agencies and with relevant State programs, and

1 to assure applicable Federal and State ocean
2 policies.

3 ~~(3)~~ NOAA shall in consultation with the States,
4 develop regional information programs as rec-
5 ommended by the U.S. Commission on Ocean Policy,
6 including—

7 (A) coordinated research strategies;

8 (B) integrated ocean and atmospheric
9 monitoring and observation activities; and

10 (C) establishment of service centers and
11 coordinators to support development of innova-
12 tive tools, technologies, training, and technical
13 assistance to facilitate the implementation of
14 ecosystem-based management.

15 **SEC. 208. INTERGOVERNMENTAL COORDINATION.**

16 (a) AVOIDANCE OF DUPLICATIVE REQUIREMENTS.—

17 In administering the provisions of this Act, the Adminis-
18 trator shall consult and coordinate with the head of any
19 Federal department or agency having authority to issue
20 any license, lease, or permit to engage in an activity rela-
21 tion to the functions of the Administrator for purposes
22 of assuring that inconsistent or duplicative requirements
23 are not imposed upon any applicant for or holder of any
24 such license, lease, or permit.

1 (b) AVOIDANCE OF INCONSISTENT AND CONFLICTING
 2 ACTIVITIES AND POLICIES.—To identify and resolve in-
 3 consistent or conflicting Federal oceanic and atmospheric
 4 activities and policies, the Administrator shall—

5 (1) consult and coordinate with the head of any
 6 Federal department or agency on the activities and
 7 policies of that department or agency related to the
 8 functions of the Administrator;

9 (2) request of the head of any Federal depart-
 10 ment or agency clarification and justification of
 11 those activities and policies that the Administrator
 12 determines are inconsistent or conflicting with his
 13 functions; and

14 (3) issue, as the Administrator deems appro-
 15 priate, reports to the President, the Council on
 16 Ocean Stewardship, the head of any Federal depart-
 17 ment or agency, and to Congress concerning incon-
 18 sistent or conflicting activities and policies of any
 19 Federal department or agency relating to ocean and
 20 atmospheric activities, including recommendations
 21 on how to reconcile inconsistent and conflicting Fed-
 22 eral oceanic and atmospheric activities and policies
 23 throughout the Federal government.

24 (c) CONSULTATION WITH ADMINISTRATOR.—The
 25 head of any Federal department or agency and all other

1 Federal officials having responsibilities related to the func-
 2 tions of the Administrator shall consult with the Adminis-
 3 trator when the subject matter of action or activities de-
 4 scribed in this Act are directly involved, to assure that
 5 all such activities are well coordinated.

6 (d) COORDINATION WITH STATES.— The Adminis-
 7 trator shall ensure that NOAA programs work with the
 8 States (including territories and possessions) to encourage
 9 early cooperation, coordination, and integration of State
 10 and Federal ocean and atmospheric programs, including
 11 planning and implementing eco-regional activities.

12 (e) OFFICE OF INTERGOVERNMENTAL AFFAIRS.—
 13 The Administrator shall establish an office of intergovern-
 14 mental affairs to assist in implementing this section and
 15 to facilitate planning of joint programs between NOAA
 16 line offices and other Federal agencies, including the De-
 17 partment of Defense.

18 **SEC. 209. INTERNATIONAL CONSULTATION AND COOPERA-**
 19 **TION.**

20 (a) COOPERATION WITH SECRETARY OF STATE.—
 21 The Administrator shall cooperate to the fullest prac-
 22 ticable extent with the Secretary of State in providing rep-
 23 resentation at all meetings and conferences relating to ac-
 24 tions or activities described in this Act in which represent-

1 atives of the United States and foreign countries partici-
 2 pate.

3 (b) CONSULTATION WITH ADMINISTRATOR.—The
 4 Secretary of State and all other officials having respon-
 5 sibilities for agreements, treaties, or understanding with
 6 foreign nations and international bodies shall consult with
 7 the Administrator when the subject matter or activities
 8 described in this Act are involved, with a view to assuring
 9 that such interests are adequately represented.

10 **SEC. 210. REPORT ON OCEANIC AND ATMOSPHERIC CONDI-**
 11 **TIONS AND TRENDS.**

12 Beginning not later than 12 months after the date
 13 of enactment of this Act, the Administrator shall, in con-
 14 sultation with relevant Federal and State agencies, submit
 15 to the Congress a biennial report on:

16 (1) the status and condition of the Nation's
 17 ocean and atmospheric environments (including with
 18 respect to climate change);

19 (2) current and foreseeable trends in the qual-
 20 ity, management and utilization of such environ-
 21 ments; and

22 (3) the effects of those trends on the social,
 23 economic, ecological, and other requirements of the
 24 Nation.

1 **SEC. 211. CONFORMING AMENDMENTS AND REPEALS.**

2 (a) REORGANIZATION PLAN NO. 4.—Reorganization
3 Plan No. 4 of 1970 (5 U.S.C. App.) is repealed.

4 (b) REFERENCES TO NOAA.—Any reference to the
5 National Oceanic and Atmospheric Administration, the
6 Under Secretary of Commerce for Oceans and Atmosphere
7 (either by that title or by the title of the Administrator
8 of NOAA), or any other official of the National Oceanic
9 and Atmospheric Administration, in any law, rule, regula-
10 tion, certificate, directive, instruction, or other official
11 paper in force on the effective date of this Act shall be
12 deemed to refer and apply to the National Oceanic and
13 Atmospheric Administration established in this Act, or the
14 position of Administrator established in this Act, respec-
15 tively.

16 (c) REFERENCES TO NOAA AS WITHIN THE DE-
17 PARTMENT OF COMMERCE.—

18 (1) Section 407 of Public Law 99-659 (15
19 U.S.C. 1503b) is repealed.

20 (2) Section 12 of the Act of February 14, 1903
21 (15 U.S.C. 1511) is amended by striking paragraph
22 (1) and redesignating paragraphs (2) through (6) as
23 paragraphs (1) through (5), respectively.

24 (d) CONFORMING AMENDMENT TO TITLE 5.—Sec-
25 tion 5315 of title 5, United States Code, is amended by

1 striking “Assistant Secretaries of Commerce (11).” and
 2 inserting “Assistant Secretaries of Commerce (10).”.

3 **SEC. 212. SAVINGS PROVISION.**

4 All rules and regulations, determinations, standards,
 5 contracts, certifications, authorizations, appointments,
 6 delegations, results and findings of investigations, or other
 7 actions duly issued, made, or taken by or pursuant to or
 8 under the authority of any statute which resulted in the
 9 assignment of functions or activities to the Secretary, the
 10 Department of Commerce, the Under Secretary, the Ad-
 11 ministrator or any other officer of NOAA, in effect imme-
 12 diately before the date of enactment of this Act shall con-
 13 tinue in full force and effect after the date of enactment
 14 of this Act until modified or rescinded.

15 **SEC. 213. TRANSITION.**

16 (a) **EFFECTIVE DATE.**—The provisions of title II of
 17 this Act shall become effective 2 years from the date of
 18 enactment of this Act.

19 (b) **REORGANIZATION.**—The Administrator of
 20 NOAA, in consultation with the Assistant Administrator
 21 for Program Planning and Integration, shall no later than
 22 18 months after the date of enactment of this Act, submit
 23 a plan and budget proposal to Congress setting forth a
 24 proposal for program and agency reorganization that
 25 will—

- 1 (1) meet the requirements of title II;
- 2 (2) reflect the recommendations of the U.S.
- 3 Commission on Ocean Policy, particularly with re-
- 4 spect to ecosystem-based science and management
- 5 and additional budgetary requirements; and
- 6 (3) provide integrated oceanic and atmospheric
- 7 programs and services for the benefit of the Nation.

8 **TITLE III—FEDERAL**

9 **COORDINATION AND ADVICE**

10 **SEC. 301. COUNCIL ON OCEAN STEWARDSHIP.**

11 There is established in the Executive Office of the
12 President a Council on Ocean Stewardship.

13 **SEC. 302. MEMBERSHIP.**

14 (a) **MEMBERSHIP.**—The Council shall be composed of
15 at least 3 but no more than 5 members who shall be ap-
16 pointed by the President to serve at the pleasure of the
17 President, by and with the advice and consent of the Sen-
18 ate.

19 (b) **CHAIRMAN.**—The President shall designate 1 of
20 the members of the Council to serve as Chairman.

21 (c) **QUALIFICATIONS.**—Each member shall be a per-
22 son who, as a result of training, experience, and attach-
23 ments, is exceptionally well qualified—

- 24 (1) to analyze and interpret ocean and atmos-
- 25 pheric trends and information of all kinds;

1 (2) to appraise programs and activities of the
2 Federal Government in the light of the policy set
3 forth in title I;

4 (3) to be conscious of and responsive to the sci-
5 entific, environmental, ecosystem, economic, social,
6 aesthetic and cultural needs and interests of the Na-
7 tion; and

8 (4) to formulate and recommend national poli-
9 cies to promote the improvement and the quality of
10 the ocean and atmospheric environments, including
11 as those environments relate to practices on land.

12 **SEC. 303. FUNCTIONS OF COUNCIL.**

13 (a) COORDINATION AND ADVICE.—The Council—

14 (1) shall coordinate ocean and atmospheric ac-
15 tivities among Federal agencies and departments,
16 particularly focusing on the policy set forth in title
17 I of this Act and national priorities identified in sec-
18 tion 304, while minimizing duplication, including en-
19 suring other ocean-related agencies work together at
20 the operation, program, and research levels in co-
21 operation with NOAA;

22 (2) shall provide a forum for improving Federal
23 interagency planning, budget and program coordina-
24 tion, administration, outreach, and cooperation on
25 such programs and activities;

1 (3) shall ensure that all Federal agencies en-
2 gaged in ocean and atmospheric activities adopt and
3 implement the principle of ecosystem-based manage-
4 ment and take necessary steps to improve regional
5 coordination and delivery of services around common
6 eco-regional boundaries;

7 (4) shall review and evaluate the various pro-
8 grams and activities of the Federal Government in
9 light of the policy set forth in title I of this Act and
10 national priorities identified in section 304 for the
11 purpose of determining the extent to which such pro-
12 grams and activities are effective and contributing to
13 the achievement of such policy and the overall health
14 of ocean and atmospheric environment, including
15 marine ecosystems;

16 (5) shall conduct an annual review and analysis
17 of funding proposed for ocean and atmospheric re-
18 search and management in all Federal agency budg-
19 ets, and provide budget recommendations to the
20 President, the agencies, and the Office of Manage-
21 ment and Budget that will achieve the policies set
22 forth in title I and address the national priorities
23 identified in section 304, improve coordination, co-
24 operation, and effectiveness of such activities, elimi-

1 nate unnecessary overlap, and identify areas of high-
2 est priority for funding and support;

3 (6) shall identify progress made by Federal
4 ocean and atmospheric programs toward achieving
5 the goals of—

6 (A) providing more effective protection and
7 restoration of marine ecosystems;

8 (B) improving predictions of climate
9 change and variability (weather), including their
10 effects on coastal communities and the nation;

11 (C) improving the safety and efficiency of
12 marine operations;

13 (D) more effectively mitigating the effects
14 of natural hazards;

15 (E) reducing public health risks from
16 ocean and atmospheric sources;

17 (F) ensuring sustainable use of resources;
18 and

19 (G) improving national and homeland secu-
20 rity;

21 (7) shall promote efforts to increase and en-
22 hance partnerships with coastal and Great Lakes
23 States and other non-federal entities to support en-
24 hanced regional research, resource and hazards man-

1 agement, education and outreach, and marine eco-
 2 system protection, maintenance, and restoration;

3 (8) shall identify statutory and regulatory
 4 redundancies or omissions and develop strategies to
 5 resolve conflicts, fill gaps, and address new and
 6 emerging ocean and atmospheric issues for national
 7 and regional benefit;

8 (9) shall emphasize the development and sup-
 9 port of partnerships among government agencies
 10 and nongovernmental organizations, academia, and
 11 the private sector including regional partnerships;

12 (10) shall expand research, education, and out-
 13 reach efforts by all Federal agencies undertaking
 14 ocean and atmospheric activities; and

15 (11) may establish a Federal Coordinating
 16 Committee on Oceans, chaired by the Council chair-
 17 man, to carry out the coordination of ocean and at-
 18 mospheric programs and priorities required under
 19 this Act.

20 (b) CONSULTATION.—In exercising its powers, func-
 21 tions, and duties under this Act, the Council shall—

22 (1) consult with the Administrator and with the
 23 Presidential Panel of Advisers on Oceans and Cli-
 24 mate established under this Act to ensure input

1 from potentially affected States, territories, and
 2 Commonwealths, the public and other stakeholders;

3 ~~(2) work in close consultation and cooperation~~
 4 ~~with the Council on Environmental Quality, the Of-~~
 5 ~~fice of Science and Technology Policy, the Council of~~
 6 ~~Economic Advisers, and other offices within the Ex-~~
 7 ~~ecutive Office of the President;~~

8 ~~(3) utilize the expertise and coordinating capa-~~
 9 ~~bilities of the National Ocean Science Committee~~
 10 ~~(and any ocean-related committees formed under the~~
 11 ~~Council) with respect to ocean and atmospheric~~
 12 ~~science, technology, and education matters, including~~
 13 ~~development of a national research strategy; and~~

14 ~~(4) utilize, to the fullest extent possible, the~~
 15 ~~services, facilities, and information (including statis-~~
 16 ~~tical information) of public and private agencies and~~
 17 ~~organization, and individuals, in order that duplica-~~
 18 ~~tion of effort and expense may be avoided, thus as-~~
 19 ~~suming that the Council's activities will not unneces-~~
 20 ~~sarily overlap or conflict with similar activities au-~~
 21 ~~thorized by law and performed by NOAA and other~~
 22 ~~established agencies.~~

23 ~~(c) REVIEWS AND REPORTS.—The Council shall—~~

24 ~~(1) prepare the biennial report required by sec-~~
 25 ~~tion 306 of this title; and~~

1 (2) make and furnish such studies, reports
 2 thereon, and recommendations with respect to mat-
 3 ters of policy and legislation as the President may
 4 request.

5 **SEC. 304. NATIONAL PRIORITIES FOR COORDINATION.**

6 The Council, in coordination with the National Ocean
 7 Science Committee, shall ensure that the Federal agencies
 8 conducting ocean and atmospheric activities give the fol-
 9 lowing areas priority attention and develop coordinated
 10 Federal budgets, programs, and operations that will mini-
 11 mize duplication and foster improved services and other
 12 benefits to the Nation:

13 (1) Prevention, management and control of
 14 nonpoint source pollution including regional or wa-
 15 tershed strategies.

16 (2) An integrated ocean and coastal observing
 17 system and an associated earth observing system.

18 (3) Ecosystem-based management, protection,
 19 and restoration of ocean and atmospheric resources
 20 and environments, including management-oriented
 21 research, technical assistance and organization of
 22 programs and activities along common eco-regional
 23 boundaries.

24 (4) Ocean education and outreach.

1 (5) Regionally-based coastal land protection,
2 conservation, maintenance, and restoration.

3 (6) Enhanced research and technology develop-
4 ment on crosscutting areas, including—

5 (A) oceans and human health;

6 (B) social science and economics;

7 (C) atmospheric monitoring and climate
8 change;

9 (D) marine ecosystems, marine biodiver-
10 sity, and ocean exploration;

11 (E) marine and atmospheric hazards, in-
12 cluding sea level rise and geological events; and

13 (F) marine aquaculture.

14 (7) Characterization and mapping of the coastal
15 zone, coastal State waters, the territorial sea, the
16 Exclusive Economic Zone and outer continental
17 shelf, including ocean resources.

18 **SEC. 305. EMPLOYEES.**

19 (a) ASSISTANCE FROM FEDERAL AGENCIES.—

20 (1) IN GENERAL.—For the purpose of carrying
21 out the functions of the Council, each Federal agen-
22 cy or department that conducts oceanic or atmos-
23 pheric activities shall furnish any assistance re-
24 quested by the Council.

1 ~~(2) FORMS OF ASSISTANCE.~~—Assistance fur-
 2 nished by Federal agencies and departments under
 3 paragraph ~~(1)~~ may include—

4 ~~(A)~~ detailing employees to the Council to
 5 perform such functions, consistent with the pur-
 6 poses of this section, as the Chairman of the
 7 Council may assign to them; and

8 ~~(B)~~ undertaking, upon request of the
 9 Chairman of the Council, such special studies
 10 for the Council as are necessary to carry out its
 11 functions.

12 ~~(3) PERSONNEL MANAGEMENT.~~—The Chairman
 13 of the Council shall have the authority to make per-
 14 sonnel decisions regarding any employees detailed to
 15 the Council.

16 ~~(b) EMPLOYMENT OF PERSONNEL, EXPERTS, AND~~
 17 ~~CONSULTANTS.~~—The Council may—

18 ~~(1)~~ employ such officers and employees as may
 19 be necessary to carry out its functions under this
 20 title;

21 ~~(2)~~ employ and fix the compensation of such ex-
 22 perts and consultants as may be necessary for the
 23 carrying out of its functions under this chapter, in
 24 accordance with section 3109 of title 5, United

1 States Code, (without regard to the last sentence
2 thereof); and

3 ~~(3) accept and employ voluntary and uncompen-~~
4 ~~sated services in furtherance of the purposes of the~~
5 ~~Council notwithstanding section 1342 of title 31,~~
6 ~~United States Code.~~

7 **SEC. 306. BIENNIAL REPORT TO CONGRESS.**

8 (a) IN GENERAL.—Beginning not later than 18
9 months after the date of enactment of this Act, the Presi-
10 dent, through the Council, shall submit to the Congress
11 a biennial report on Federal ocean and atmospheric pro-
12 grams, priorities, and accomplishments which shall in-
13 clude—

14 (1) a comprehensive description of the ocean
15 and atmospheric programs and accomplishments of
16 all agencies and departments of the United States;

17 (2) an evaluation of such programs and accom-
18 plishments in terms of the national ocean policy set
19 forth in this Act and the national priorities identi-
20 fied in section 304, specifying progress made with
21 respect to the goals set forth in section 303(c)(3);

22 ~~(3) a report on progress in improving Federal~~
23 ~~and State coordination on ocean and atmospheric ac-~~
24 ~~tivities, including coordination efforts required in~~
25 ~~this Act;~~

1 (4) an analysis of the Federal budget allocated
2 to such programs including estimates of the funding
3 requirements of each such agency or department for
4 such programs during the succeeding ~~5-to-10~~ fiscal
5 years;

6 ~~(5) recommendations for remedying deficiencies;~~
7 and for improving organization, effectiveness, and
8 outreach of Federal ocean and atmospheric pro-
9 grams and services, on a regional and national basis;
10 including support for State and local efforts that le-
11 verage public, nongovernmental, and private sector
12 involvement; and

13 ~~(6) recommendations for legislative or other ac-~~
14 tion.

15 (b) ~~PRESIDENTIAL TRANSMITTAL.~~—The President
16 shall transmit the biennial report pursuant to this section
17 to the Speaker of the House of Representatives and the
18 President of the Senate not later than December 31 of
19 the year in which it is due.

20 (c) ~~AGENCY COOPERATION.~~—Each Federal agency
21 and department shall cooperate by providing such data
22 and information without cost as may be requested by the
23 Council for the purpose of this section. Each Federal
24 agency and department shall provide services and per-
25 sonnel on a cost reimbursable basis at the request of the

1 Chairman of the Council for the purpose of accomplishing
 2 the requirements of this section.

3 **SEC. 307. PRESIDENTIAL PANEL OF ADVISERS ON OCEANS**
 4 **AND CLIMATE.**

5 (a) **ESTABLISHMENT; PURPOSE.**—The President
 6 shall establish a Presidential Panel of Advisers on Oceans
 7 and Climate. The purpose of the Presidential Panel shall
 8 be—

9 (1) to advise and assist the President and the
 10 Chairman of the Ocean Stewardship Council in iden-
 11 tifying and fostering policies to protect, manage, and
 12 restore ocean and atmospheric environments and re-
 13 sources, both on a regional and national basis; and

14 (2) to undertake a continuing review, on a se-
 15 lective basis, of priority issues relating to national
 16 ocean and atmospheric policy (including climate
 17 change), conservation and management of ocean en-
 18 vironments and resources, and the status of the
 19 ocean and atmospheric science and service programs
 20 of the United States.

21 (b) **MEMBERSHIP.**—

22 (1) **IN GENERAL.**—The Presidential Panel shall
 23 consist of not more than 25 members, one of whom
 24 shall be the Chairman of the Council on Ocean
 25 Stewardship, and 24 of whom shall be nonfederal

1 members appointed by the President, including at
 2 least one representative nominated by a Governor
 3 from each of the coastal regions identified in the Re-
 4 port of the U.S. Commission on Ocean Policy and
 5 representatives of the States and various stake-
 6 holders.

7 (2) CHAIR.—The Chairman of the Council on
 8 Ocean Stewardship shall co-chair the Presidential
 9 Panel with a nonfederal member designated by the
 10 President.

11 (c) APPOINTMENT AND QUALIFICATIONS.—The
 12 members of the Presidential Panel shall be appointed by
 13 the President for 3-year terms from among individuals
 14 with diverse perspectives and expertise in 1 or more of
 15 the disciplines or fields associated with ocean and atmos-
 16 pheric policy, including—

17 (1) marine-related State and local government
 18 functions;

19 (2) ocean and coastal resource conservation and
 20 management;

21 (3) atmospheric or ocean science, engineering,
 22 and technology;

23 (4) the marine industry (including recreation
 24 and tourism);

25 (5) climate change;

1 (6) atmospheric or coastal hazards; and

2 (7) other fields appropriate for consideration of
3 matters of oceanic or atmospheric policy.

4 (d) ~~VACANCIES.~~—An individual appointed to fill a va-
5 cancy occurring before the expiration of the term for which
6 his or her predecessor was appointed shall be appointed
7 only for the remainder of such term. No individual may
8 be reappointed to the Presidential Panel for more than
9 1 additional 3-year term. A member may serve after the
10 date of the expiration of the term of office for which ap-
11 pointed until his or her successor has taken office.

12 (e) ~~COMPENSATION.~~—Each member of the Presi-
13 dential Panel shall, while serving on business of the Com-
14 mission, be entitled to receive compensation at a rate not
15 to exceed a daily rate to be determined by the President
16 consistent with other Federal advisory boards. Federal
17 and State officials serving on the Commission and serving
18 in their official capacity shall not receive compensation in
19 addition to their Federal or State salaries for their time
20 on the Commission. Members of the Presidential Panel
21 may be compensated for reasonable travel expenses while
22 performing their duties as members.

23 (f) ~~MEETINGS.~~—The Presidential Panel shall meet at
24 least twice per year, or as prescribed by the President.

25 (g) ~~REPORTS.~~—

1 (1) IN GENERAL.—The Presidential Panel shall
 2 submit an annual report to the President and to the
 3 Congress setting forth an assessment, on a selective
 4 basis, of the status of the Nation's ocean activities,
 5 and shall submit such other reports as may from
 6 time to time be requested by the President or the
 7 Congress. The Presidential Panel shall submit its
 8 annual report on or before June 30 of each year, be-
 9 ginning 2 years after the date of enactment of this
 10 Act.

11 (2) COMMENT AND REVIEW BY COUNCIL.—
 12 Each annual report shall also be submitted to the
 13 Chairman of the Council on Ocean Stewardship who
 14 shall, in consultation with the Administrator of the
 15 National Oceanic and Atmospheric Administration
 16 within 60 days after receipt thereof, transmit his or
 17 her comments and recommendations to the Presi-
 18 dent and to the Congress.

19 **SEC. 308. FEDERAL PROGRAM RECOMMENDATIONS.**

20 Not later than 3 years after the issuance of the final
 21 report of the Commission on Ocean Policy established by
 22 section 3 of the Oceans Act of 2000, the President, in
 23 consultation with the Administrator, and considering the
 24 recommendations of the Commission on Ocean Policy, the
 25 Ocean Stewardship Council, and the Presidential Panel of

1 Advisers on Oceans and Coasts, shall submit to the Con-
2 gress recommendations—

3 (1) for the transfer of relevant oceanic or at-
4 mospheric programs, functions, services, and associ-
5 ated resources to the National Oceanic and Atmos-
6 pheric Administration from any other Federal agen-
7 cy;

8 (2) for consolidation or elimination of oceanic
9 or atmospheric programs, functions, services, or re-
10 sources within or among Federal agencies if their
11 consolidation or elimination would not undermine
12 policy goals set forth in this Act; and

13 (3) regarding Federal reorganization, including
14 elevation of NOAA to departmental status or the es-
15 tablishment of a new department that would provide
16 increased national attention and resources to oceanic
17 and atmospheric needs and priorities.

18 **SEC. 309. IMPLEMENTATION.**

19 Not later than 18 months after the date of enactment
20 of this Act, the Administrator shall—

21 (1) promulgate such regulations as may be nec-
22 essary or appropriate to implement this title; and

23 (2) submit to the Congress detailed rec-
24 ommendations on technical and conforming amend-

1 ments to Federal law necessary to carry out this
2 title and the amendments made by this title.

3 **SEC. 310. NO EFFECT ON OTHER AUTHORITIES.**

4 ~~Except as explicitly provided in this Act, nothing in~~
5 ~~this Act or the amendments made by this Act shall be~~
6 ~~construed to modify the authority of the Administrator~~
7 ~~under any other provision of law.~~

8 **SECTION 1. SHORT TITLE.**

9 *This Act may be cited as the “Fritz Hollings National*
10 *Ocean Policy and Leadership Act”.*

11 **SEC. 2. TABLE OF CONTENTS.**

12 *The table of contents for this Act is as follows:*

Sec. 1. Short title.

Sec. 2. Table of contents.

Sec. 3. Definitions.

TITLE I—NATIONAL OCEAN POLICY

Sec. 101. Findings.

Sec. 102. Purposes.

Sec. 103. Policy and implementation.

**TITLE II—NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION**

Sec. 201. Establishment.

Sec. 202. Functions and purposes.

Sec. 203. National Oceanic and Atmospheric Administration.

Sec. 204. Powers and authorities.

Sec. 205. Enforcement.

Sec. 206. Relationship to Secretary of Commerce.

Sec. 207. NOAA plan and budget.

Sec. 208. Research plan.

Sec. 209. Science Advisory Board.

Sec. 210. Conforming amendments, repeals, and transition.

Sec. 211. Report on oceanic and atmospheric conditions and trends.

Sec. 212. Implementation.

Sec. 213. Savings provision.

TITLE III—FEDERAL COORDINATION AND ADVICE

SUBTITLE A—COUNCIL ON OCEAN STEWARDSHIP

Sec. 301. *Establishment of Council.*

Sec. 302. *Membership.*

Sec. 303. *Functions of the Council.*

Sec. 304. *Council employees.*

Sec. 305. *Biennial report to Congress.*

Sec. 306. *Presidential panel of advisers on oceans, atmosphere, and climate change.*

Sec. 307. *Authorization of appropriations.*

SUBTITLE B—INTERAGENCY SCIENCE COORDINATION

Sec. 321. *National Ocean Science Committee.*

Sec. 322. *National strategy for ocean science, education, and technology.*

SUBTITLE C—FEDERAL PROGRAMS

Sec. 341. *Federal program recommendations.*

Sec. 342. *No effect on other authorities.*

1 **SEC. 3. DEFINITIONS.**

2 *In this Act:*

3 (1) *ADMINISTRATOR.*—The term “Adminis-
4 trator” means the Administrator of NOAA.

5 (2) *COASTAL REGION.*—The term “coastal re-
6 gion” means the coastal zone as defined in section
7 304 of the Coastal Zone Management Act of 1972 (16
8 U.S.C. 1453) and coastal watershed areas that have
9 significant impact on such coastal zones.

10 (3) *NOAA.*—The term “NOAA” means the Na-
11 tional Oceanic and Atmospheric Administration.

12 (4) *OCEAN; OCEANIC.*—The term “ocean” in-
13 cludes coastal regions, the Great Lakes, the seabed,
14 subsoil, and waters of the territorial sea of the United
15 States, the waters of the exclusive economic zone of the
16 United States, the waters of the high seas, and the

1 seabed and subsoil of and beyond the Outer Conti-
 2 nental Shelf marine environment, and the natural re-
 3 sources therein; and “oceanic” is the adjectival form
 4 of such term.

5 (5) *PERSON*.—The term “person” has the mean-
 6 ing given that term by section 1 of title 1, United
 7 States Code, but also means any State, political sub-
 8 division of a State, or agency or officer thereof.

9 (6) *STATE*.—The term “State” means any State
 10 of the United States, the District of Columbia, the
 11 Commonwealth of Puerto Rico, the Virgin Islands,
 12 Guam, American Samoa, or any other Common-
 13 wealth, territory, or possession of the United States.

14 (7) *SECRETARY*.—The term “Secretary” means
 15 the Secretary of Commerce.

16 ***TITLE I—NATIONAL OCEAN*** 17 ***POLICY***

18 ***SEC. 101. FINDINGS.***

19 *The Congress finds the following:*

20 (1) *Covering more than two-thirds of the Earth’s*
 21 *surface, the oceans play a critical role in the global*
 22 *water cycle and in regulating climate, sustain a large*
 23 *part of Earth’s biodiversity, provide an important*
 24 *source of food and a wealth of other natural products,*
 25 *act as a frontier for scientific exploration, are critical*

1 to national and economic security, and provide a
2 vital means of transportation. The coastal regions of
3 the United States have remarkably high biological
4 productivity and contribute approximately 50 percent
5 of the gross domestic product of the United States.

6 (2) The oceans and the atmosphere, and related
7 earth systems, are susceptible to change as a direct
8 and indirect result of human activities, and such
9 changes can significantly impact the ability of the
10 oceans and atmosphere to provide the benefits upon
11 which the Nation depends. Changes in ocean and at-
12 mospheric processes could affect global climate pat-
13 terns, ecosystem productivity, health, and biodiver-
14 sity, environmental quality, national security, eco-
15 nomic competitiveness, availability of energy, vulner-
16 ability to natural hazards, and transportation safety
17 and efficiency.

18 (3) Ocean resources are not infinite, and human
19 pressure on them is increasing. One half of the Na-
20 tion's population lives within 50 miles of the coast.
21 If population trends continue as expected, coastal de-
22 velopment and urbanization impacts, which can be
23 substantially greater than population impacts alone,
24 will present serious environmental, energy, and water

1 *challenges and increase our vulnerability to coastal*
2 *hazards.*

3 (4) *Emissions of greenhouse gases and aerosols*
4 *due to human activities continue to alter the oceans*
5 *and atmosphere in ways that are expected to affect*
6 *the climate, with adverse impacts on human health*
7 *and the Nation's economic and environmental secu-*
8 *urity. In some coastal regions, air deposition contrib-*
9 *utes between 30 to 50 percent of pollutant loadings to*
10 *such areas. Improved understanding of such factors*
11 *and ideas for mitigating any adverse impacts are ur-*
12 *gently needed.*

13 (5) *There are enormous opportunities for science*
14 *and technology to uncover new sources of energy, food,*
15 *and pharmaceuticals from the oceans, and to increase*
16 *general understanding of the planet including its at-*
17 *mosphere and climate. Realization of such benefits is*
18 *jeopardized by a variety of activities and practices*
19 *that have reduced the health and productivity of*
20 *ocean and atmospheric systems, including pollution,*
21 *unsustainable harvesting practices, increasing coastal*
22 *development, and proliferation of harmful and*
23 *invasive marine species.*

24 (6) *Threats to the oceans and the atmosphere,*
25 *and related earth systems, are exacerbated by the legal*

1 *and geographic fragmentation of authority within the*
2 *Federal government. Over half of the existing 15 de-*
3 *partments and several independent agencies conduct*
4 *activities and programs relating to ocean and atmos-*
5 *phere, including climate change activities. Efforts to*
6 *understand and effectively address emerging ocean*
7 *and atmospheric problems, including through existing*
8 *coordination mechanisms, have not been adequate.*

9 *(7) Improving and coordinating Federal govern-*
10 *ance will require close partnerships with States, tak-*
11 *ing into account their public trust responsibilities,*
12 *economic and ecological interests in ocean resources,*
13 *and the role of State and local governments in imple-*
14 *mentation of ocean policies, and managing use of*
15 *coastal lands and ocean resources.*

16 *(8) Effective enforcement of the laws to protect*
17 *and enhance the marine environment, coastal secu-*
18 *rity, and the Nation's natural resources, particularly*
19 *through marine safety, fisheries enforcement, aids to*
20 *navigation, and hazardous materials spill response*
21 *activities is needed to ensure achievement of manage-*
22 *ment goals, and priority should be given to increasing*
23 *marine enforcement and compliance through coordi-*
24 *nated Federal and State actions.*

1 (9) *It is the continuing mission of the Federal*
2 *Government to create, foster, and maintain condi-*
3 *tions, incentives, and programs that will further and*
4 *assure the sustainable and effective conservation,*
5 *management, and protection of the oceans and atmos-*
6 *phere, in order to fulfill the responsibility of each gen-*
7 *eration as trustee in protecting, and ensuring that,*
8 *such resources will be available to meet the needs of*
9 *future generations of Americans.*

10 (10) *This policy and mission can best be carried*
11 *out and realized by formal establishment of a*
12 *strengthened and expanded lead Federal civilian*
13 *agency with responsibility and resources necessary to*
14 *implement the policy and mission and which is dedi-*
15 *cated to ocean and atmospheric matters, and by un-*
16 *dertaking the functions, programs, and activities of*
17 *the Federal Government with respect to the conserva-*
18 *tion, management, and protection of the oceans and*
19 *atmosphere, including monitoring, forecasting, and*
20 *assessment, in a coordinated manner and in accord-*
21 *ance with a national ocean policy.*

22 **SEC. 102. PURPOSES.**

23 *The purposes of this Act are—*

24 (1) *to set forth a national policy relating to*
25 *oceans and atmosphere, and, through an organic act,*

1 *formally to establish the National Oceanic and At-*
2 *mospheric Administration as the lead Federal agency*
3 *concerned with ocean and atmospheric matters;*

4 *(2) to establish in the National Oceanic and At-*
5 *mospheric Administration, by statute, the authorities,*
6 *functions, and powers relating to the conservation,*
7 *management, and protection of the oceans and atmos-*
8 *phere, including those previously established by stat-*
9 *ute or reorganization plan;*

10 *(3) to set forth the duties and responsibilities of*
11 *the Administration, and the principal officers of the*
12 *Administration;*

13 *(4) to establish a mechanism for Federal leader-*
14 *ship and coordinated action and regular consultation*
15 *and coordination with the States and other stake-*
16 *holders on national ocean and atmospheric policies*
17 *and priorities that are essential to the economic and*
18 *environmental security of the Nation; and*

19 *(5) to enhance Federal partnerships with the*
20 *State and local governments and other stakeholders*
21 *with respect to ocean and atmospheric programs and*
22 *activities, including management of ocean resources*
23 *and identification of appropriate opportunities for*
24 *policy-making and decision-making at the state and*
25 *local level.*

1 **SEC. 103. POLICY AND IMPLEMENTATION.**

2 (a) *POLICY.*—*It is the policy of the United States to*
3 *establish and maintain for the benefit of the Nation a co-*
4 *ordinated, comprehensive, and long-range national pro-*
5 *gram of ocean and atmospheric research, conservation,*
6 *management, education, monitoring, and assessment that*
7 *will—*

8 (1) *recognize the linkage of ocean, land, and at-*
9 *mospheric systems, including the linkage of those sys-*
10 *tems with respect to climate change;*

11 (2) *protect life and property against natural and*
12 *manmade hazards, including protection through*
13 *weather and marine forecasts and warnings;*

14 (3) *protect, maintain, and restore the long-term*
15 *health, productivity, and diversity of the ocean envi-*
16 *ronment, including its natural resources and to pre-*
17 *vent pollution of the ocean environment;*

18 (4) *ensure long-term responsible and sustainable*
19 *use of fishery resources and other ocean and coastal*
20 *resources held in the public trust, using ecosystem-*
21 *based management and an adaptive approach;*

22 (5) *assure sustainable coastal development based*
23 *on responsible State and community management*
24 *and planning, and reflecting the economic and envi-*
25 *ronmental values of ocean resources;*

1 (6) *develop improved scientific information and*
2 *use of the best scientific information available to*
3 *make decisions concerning natural, social, and eco-*
4 *nommic processes affecting ocean and atmospheric envi-*
5 *ronments;*

6 (7) *enhance sustainable ocean-related and coast-*
7 *al-dependent commerce and transportation, balancing*
8 *multiple uses of the ocean environment;*

9 (8) *provide for continued investment in and im-*
10 *provement of technologies for use in ocean and cli-*
11 *mate-related activities, including investments and*
12 *technologies designed to promote national economic,*
13 *environmental, and food security;*

14 (9) *expand human knowledge of marine and at-*
15 *mospheric environments and ecosystems, including the*
16 *role of the oceans in climate and global environmental*
17 *change, the interrelationships of ocean health and*
18 *human health, and the advancement of education and*
19 *training in fields related to ocean, coastal, and cli-*
20 *mate-related activities;*

21 (10) *facilitate a collaborative approach that en-*
22 *courages the participation of a diverse group of stake-*
23 *holders and the public in ocean and atmospheric*
24 *science and policy, including persons from under-rep-*
25 *resented groups;*

1 (11) *promote close cooperation among all govern-*
 2 *ment agencies and departments, academia, non-*
 3 *governmental organizations, private sector, and stake-*
 4 *holders based on this policy to ensure coherent, ac-*
 5 *countable, and effective planning, regulation, and*
 6 *management of activities affecting oceans and atmos-*
 7 *phere, including climate;*

8 (12) *promote governance and management of the*
 9 *nations ocean resources through a partnership of the*
 10 *Federal Government with States, territories, and*
 11 *Commonwealths that reflects their sovereign and pub-*
 12 *lic trust responsibilities and interest in ocean envi-*
 13 *ronmental, cultural, historic, and economic resources;*
 14 *and*

15 (13) *preserve the role of the United States as a*
 16 *global leader in ocean, atmospheric, and climate-re-*
 17 *lated activities, and promote cooperation in the na-*
 18 *tional interest by the United States with other na-*
 19 *tions and international organizations in ocean and*
 20 *climate-related activities.*

21 (b) *IMPLEMENTATION.—The President, under guid-*
 22 *ance from the Council on Ocean Stewardship, and acting*
 23 *through the Administrator of the National Oceanic and At-*
 24 *mospheric Administration and other agencies with oceanic*
 25 *and atmospheric responsibilities, shall implement programs*

1 *and activities that carry out the policy set forth in sub-*
2 *section (a).*

3 ***TITLE II—NATIONAL OCEANIC***
4 ***AND ATMOSPHERIC ADMINIS-***
5 ***TRATION***

6 ***SEC. 201. ESTABLISHMENT.***

7 *There is established an administration in the Depart-*
8 *ment of Commerce, to be known as the National Oceanic*
9 *and Atmospheric Administration, which shall be the civil-*
10 *ian agency principally responsible for providing oceanic,*
11 *weather, atmospheric, and climate services and supporting*
12 *research, conservation, management, and education to the*
13 *nation. The National Oceanic and Atmospheric Adminis-*
14 *tration established under this Act shall succeed the National*
15 *Oceanic and Atmospheric Administration established on*
16 *October 3, 1970, in Reorganization Plan No. 4 of 1970 and*
17 *shall continue the activities of that agency as it was in ex-*
18 *istence on the day before the date of enactment of this Act.*

19 ***SEC. 202. FUNCTIONS AND PURPOSES.***

20 *(a) IN GENERAL.—NOAA shall be responsible for the*
21 *following functions, through which it shall carry out the*
22 *policy set forth in section 103(a) in a coordinated, inte-*
23 *grated, and ecosystem-based manner for the benefit of the*
24 *Nation:*

1 (1) *Management, conservation, protection, and*
 2 *restoration of ocean resources, including living ma-*
 3 *rine resources, habitats and ocean ecosystems;*

4 (2) *Observation, monitoring, assessment, fore-*
 5 *casting, prediction, operations and exploration for*
 6 *ocean and atmospheric environments including*
 7 *weather, climate, navigation and marine resources;*
 8 *and*

9 (3) *Research, education and outreach, technical*
 10 *assistance, technology development, and innovation*
 11 *activities relating to ocean and atmospheric environ-*
 12 *ments including basic and applied scientific research*
 13 *and activities that support other agency functions*
 14 *and missions.*

15 (b) *STATE AND FEDERAL COORDINATION.—The Ad-*
 16 *ministrator shall ensure that NOAA programs and activi-*
 17 *ties work with State and Federal programs to encourage*
 18 *early cooperation, coordination, and integration of State*
 19 *and Federal coastal, oceanic, and atmospheric programs,*
 20 *including the planning and implementation of regional and*
 21 *ecosystem-based activities.*

22 (c) *INTERNATIONAL COORDINATION.—The Adminis-*
 23 *trator shall cooperate to the fullest extent practicable with*
 24 *the Secretary of State in providing representation at all*
 25 *meetings and conferences relating to actions or activities*

1 *described in this Act in which representatives of the United*
 2 *States and foreign countries participate. The Secretary of*
 3 *State and any other officer of the United States with re-*
 4 *sponsibility for agreements, treaties, or understandings*
 5 *with foreign nations and international organizations shall*
 6 *consult with the Administrator whenever the subject matter*
 7 *or activity involved is a subject matter or activity described*
 8 *in this Act with a view to assuring that the interests of*
 9 *the United States are adequately represented.*

10 (d) *PARTNERSHIPS.*—*The Administrator shall pro-*
 11 *mote, support, and enter in partnership with academia, in-*
 12 *dustry, conservation groups, educators, and other interested*
 13 *persons to improve the effectiveness of NOAA programs and*
 14 *activities and enhance public awareness and understanding*
 15 *of NOAA science, service, and stewardship missions.*

16 **SEC. 203. NATIONAL OCEANIC AND ATMOSPHERIC ADMINIS-**
 17 **TRATION.**

18 (a) *ADMINISTRATOR.*—

19 (1) *APPOINTMENT.*—*The Administrator is the*
 20 *head of NOAA. The Administrator shall be appointed*
 21 *by the President, by and with the advice and consent*
 22 *of the Senate, and shall be compensated at the rate*
 23 *now or hereafter provided for Level II of the Execu-*
 24 *tive Schedule Pay Rates (5 U.S.C. 5313). The term*
 25 *of office of any individual appointed after the date of*

1 *enactment of this Act to serve as Administrator is 5*
 2 *years.*

3 (2) *QUALIFICATIONS.—The Administrator*
 4 *shall—*

5 (A) *be a citizen of the United States;*

6 (B) *not be a member of the armed forces (as*
 7 *defined in section 101(a)(4) of title 10, United*
 8 *States Code); and*

9 (C) *have the professional qualifications and*
 10 *experience necessary to carry out the missions*
 11 *and purposes of the Administration.*

12 (3) *AUTHORITY.—The Administrator shall be re-*
 13 *sponsible for the exercise of all powers and the dis-*
 14 *charge of all duties of the Administration, and shall*
 15 *have authority and control over all personnel and ac-*
 16 *tivities thereof.*

17 (b) *DEPUTY ADMINISTRATOR.—The Administrator*
 18 *shall have a Deputy Administrator, who shall perform such*
 19 *duties and functions as the Administrator shall prescribe.*
 20 *The Deputy Administrator shall be appointed by the Presi-*
 21 *dent, by and with the advice and consent of the Senate,*
 22 *based on the individual's professional qualifications and*
 23 *without regard to political affiliation, and shall be com-*
 24 *pensated at the rate provided for Level III of the Executive*
 25 *Schedule Pay Rates (5 U.S.C. 5314). The Deputy Adminis-*

1 *trator shall be the Administrator's first assistant for pur-*
 2 *poses of subchapter III of chapter 33 of title 5, United*
 3 *States Code.*

4 (c) *CHIEF OPERATING OFFICER.*—*There shall be a*
 5 *Chief Operating Officer of NOAA, who shall assume the re-*
 6 *sponsibilities held by the Deputy Under Secretary of Com-*
 7 *merce for Oceans and Atmosphere prior to enactment of this*
 8 *Act. The Chief Operating Officer shall be a Senior Executive*
 9 *Service position authorized under section 3133 of title 5,*
 10 *United States Code.*

11 (d) *ASSOCIATE ADMINISTRATORS.*—*There shall be 3*
 12 *Associate Administrators, appointed by the Administrator,*
 13 *who shall be responsible for each of the functions established*
 14 *by section 202(a). The Associate Administrators shall have*
 15 *the qualifications and experience necessary to fulfill the re-*
 16 *quirements of the position and shall be compensated at the*
 17 *rate provided for Level IV of the Executive Schedule Pay*
 18 *Rates (5 U.S.C. 5315).*

19 (e) *ASSISTANT ADMINISTRATORS.*—*There shall be in*
 20 *NOAA Assistant Administrators, who shall perform such*
 21 *duties and exercise such powers as the Administrator may*
 22 *prescribe.*

23 (f) *GENERAL COUNSEL.*—*There shall be in NOAA a*
 24 *General Counsel appointed by the President upon rec-*
 25 *ommendation by the Administrator. The General Counsel*

1 *shall serve as the chief legal officer for all legal matters*
2 *which may arise in connection with the conduct of the func-*
3 *tions of NOAA.*

4 *(g) COMMISSIONED OFFICERS.—*

5 *(1) The Administrator shall designate an officer*
6 *or officers to be responsible for oversight of NOAA's*
7 *vessel and aircraft fleets and for the administration*
8 *of NOAA's commissioned officer corps under section*
9 *228 of the National Oceanic and Atmospheric Admin-*
10 *istration Commissioned Officer Corps Act of 2002 (33*
11 *U.S.C. 3028).*

12 *(2) The Commissioned Officer Corps of the Na-*
13 *tional Oceanic and Atmospheric Administration es-*
14 *tablished by Reorganization Plan No. 4 of October 3,*
15 *1970, is the Commissioned Officer Corps of NOAA es-*
16 *tablished under this Act.*

17 *(3) All statutes that applied to officers of the*
18 *Commissioned Officers Corps of NOAA on the day be-*
19 *fore the date of enactment of this Act apply to officers*
20 *of the Corps on and after such date.*

21 *(4) There are authorized to be on the lineal list*
22 *of the Commissioned Officers Corps of NOAA at least*
23 *350 officers, plus any additional officers necessary to*
24 *support NOAA's missions and the operation and*
25 *maintenance of NOAA's ships and aircraft.*

1 (5) *The President may appoint in NOAA, by*
 2 *and with the advice and consent of the Senate, 2 com-*
 3 *missioned officers to serve at any one time as the des-*
 4 *ignated heads of 2 principal constituent organiza-*
 5 *tional entities of NOAA, or the President may des-*
 6 *ignate 1 such officer as the head of such an organiza-*
 7 *tional entity and the other as the head of the commis-*
 8 *sioned corps of NOAA. Any such designation shall*
 9 *create a vacancy on the active list and the officer*
 10 *while serving under this subsection shall have the*
 11 *rank, pay, and allowances of a rear admiral (upper*
 12 *half).*

13 (6) *Any commissioned officer of NOAA who has*
 14 *served under paragraph (5) and is retired while so*
 15 *serving or is retired after the completion of such serv-*
 16 *ice while serving in a lower rank or grade, shall be*
 17 *retired with the rank, pay, and allowances authorized*
 18 *by law for the highest grade and rank held by him,*
 19 *but any such officer, upon termination of his ap-*
 20 *pointment in a rank above that of captain, shall, un-*
 21 *less appointed or assigned to some other position for*
 22 *which a higher rank or grade is provided, revert to*
 23 *the grade and number he would have occupied had he*
 24 *not served in a rank above that of captain and such*
 25 *officer shall be an extra number in that grade.*

1 (h) *NAVAL DEPUTY.*—*The Secretary of the Navy,*
 2 *through the Oceanographer of the Navy, may detail a Naval*
 3 *Deputy to the Administration on an additional duty basis.*

4 **SEC. 204. POWERS AND AUTHORITIES.**

5 *In addition to any other authority provided to the Ad-*
 6 *ministrator by law or by delegation from the Secretary, the*
 7 *Administrator shall have the following authorities with re-*
 8 *spect to NOAA and the implementation of this Act:*

9 (1) *Authorities that, immediately prior to the en-*
 10 *actment of this Act, were vested by law in NOAA, or*
 11 *in the Secretary with respect to NOAA, including*
 12 *under Reorganization Plan No. 2 of 1965, Reorga-*
 13 *nization Plan No. 4 of 1970 (5 U.S.C. App.), and sec-*
 14 *tions 3 and 4 of the Act of October 1, 1890 (15 U.S.C.*
 15 *312 and 313).*

16 (2) *Authority to promulgate rules and regula-*
 17 *tions as necessary or appropriate.*

18 (3) *Without regard to section 3324(a) and (b) of*
 19 *title 31, United States Code, authority to enter into*
 20 *and perform such contracts, leases, grants, cooperative*
 21 *agreements, or other transactions (without regard to*
 22 *chapter 63 of that title), as may be necessary to carry*
 23 *out NOAA's purposes and authorities, on terms it*
 24 *deems appropriate, with Federal agencies, instrumen-*
 25 *talities and laboratories, State and local governments,*

1 *Native American tribes and organizations, inter-*
2 *national organizations, foreign governments, edu-*
3 *cational institutions, nonprofit organizations, com-*
4 *mercial organizations, and other public and private*
5 *persons or entities. The authority conferred on the*
6 *Administrator by this paragraph does not include the*
7 *authority to contract for services that are an inher-*
8 *ently governmental function (as defined in section 5*
9 *of the Federal Activities Inventory Reform Act of*
10 *1998 (31 U.S.C. 501 note).*

11 *(4) Authority to accept from any source, hold,*
12 *administer, invest, dispose of and utilize gifts, be-*
13 *quests, or devises of services, money, securities or*
14 *property (whether real, personal, intellectual or of*
15 *any other kind) or any interest therein, and the in-*
16 *come therefrom or the proceeds upon disposition there-*
17 *of, without regard to section 1342 of title 31, United*
18 *States Code, and such money, income, or proceeds*
19 *shall be available to NOAA for obligation and expend-*
20 *iture to carry out the purposes of NOAA under this*
21 *Act.*

22 *(5) Authority to use, with their consent, and*
23 *with or without reimbursement, the services, equip-*
24 *ment, personnel, and facilities of Federal agencies, in-*
25 *strumentalities and laboratories, State and local gov-*

ernments, international organizations, foreign governments, educational institutions, non-profit organizations, commercial organizations, Native American tribes and organizations, and other public and private persons or entities.

(6) Authority to disseminate information and conduct education, technical assistance, and outreach in direct support of programs and authorities provided by law, and functions and purposes described in section 202.

(7) Authority to—

(A) acquire (by purchase, lease, or otherwise), lease, invest, sell, dispose of, or convey services, money, securities or property (whether real, personal, intellectual or of any other kind) or interest therein; and

(B) construct, improve, repair, operate, maintain and dispose of real or personal property, including but not limited to buildings, facilities, and land.

(8) Authority to—

(A) procure the services of experts or consultants (or of organizations of experts or consultants) as described in and in accordance with the first two sentences of section 3109(b) of title

1 5, United States Code, and when determined nec-
2 essary by the Under Secretary, without regard to
3 the time limitation in the first sentence of sec-
4 tion 3109(b), at respective daily rates of pay for
5 individuals which are not more than the daily
6 equivalent of the rate of basic pay then currently
7 paid for Level III of the Executive Schedule of
8 section 5313 of title 5, United States Code, and
9 pay in connection with such services travel ex-
10 penses of individuals, including transportation
11 and per diem in lieu of subsistence while such
12 individuals are traveling from their homes or
13 places of business to official duty stations and
14 return as may be authorized by law;

15 (B) install, repair, and maintain telephones
16 and telephone wiring and pay telephone service
17 tolls or other charges with respect to residences
18 owned or leased by the United States Govern-
19 ment and, to the extent necessary to implement
20 this Act, other private residences, without regard
21 to section 1348 of title 31, United States Code;

22 (C) purchase or hire passenger motor vehi-
23 cles as necessary for the implementation of this
24 Act when carrying out official duties; and

1 (D) expend appropriations for official re-
 2 ception and representation.

3 **SEC. 205. ENFORCEMENT.**

4 (a) *AUTHORITY.*—The Administrator shall have the
 5 authority to enforce the applicable provisions of any Act,
 6 the enforcement of which is, in whole or in part, assigned,
 7 delegated, or transferred to the Administrator, and any
 8 term of a license, permit, regulation, or order issued pursu-
 9 ant thereto. The Administrator may designate any person,
 10 officer, or agency to exercise his authority under this title.

11 (b) *USE OF STATE PERSONNEL.*—

12 (1) *IN GENERAL.*—The Administrator may—

13 (A) utilize by agreement, with or without
 14 reimbursement, the personnel, services, and fa-
 15 cilities of any State agency to the extent the Ad-
 16 ministrator deems it necessary and appropriate
 17 for effective enforcement of any law for which the
 18 Administrator has enforcement authority; and

19 (B) designate such personnel to exercise the
 20 enforcement authority of the Administrator
 21 under subsection (a).

22 (2) *STATUS AND POWERS.*—Any personnel des-
 23 igned by the Administrator under paragraph
 24 (1)(B)—

1 (A) shall not be deemed to be Federal em-
2 ployees (except as provided in subparagraph
3 (D)) and shall not be subject to the provisions of
4 law relating to Federal employment, including
5 those relating to hours of work, competitive ex-
6 amination, rates of compensation, and Federal
7 employee benefits, but may be considered to be el-
8 igible for compensation for work-related injuries
9 under subchapter III of chapter 81 of title 5,
10 United States Code, sustained while acting pur-
11 suant to such designation;

12 (B) shall be considered to be investigative or
13 law enforcement officers of the United States for
14 purposes of the tort claim provisions of title 28,
15 United States Code;

16 (C) may, to the extent specified by the Ad-
17 ministrator, search, seize, arrest, and exercise
18 any other law enforcement functions or authori-
19 ties described in this title where such authorities
20 are made applicable by this or other law to em-
21 ployees, officers, or other persons designated or
22 employed by the Administrator; and

23 (D) shall be considered to be officers or em-
24 ployees of the Department of Commerce for pur-

1 poses of sections 111 and 1114 of title 18, United
2 States Code.

3 (c) *COOPERATIVE ENFORCEMENT AGREEMENTS.*—The
4 Administrator may enter into cooperative agreements with
5 State authorities to ensure coordinated enforcement of State
6 and Federal laws and by such agreements assume enforce-
7 ment authority under State law when the Administrator
8 and State authorities deem it to be appropriate. When so
9 authorized, the Administrator or the Administrator’s des-
10 ignee may function as a State law enforcement officer with-
11 in the scope of the delegation, except that Federal law shall
12 control the resolution of any conflict concerning the em-
13 ployee status of any Federal officer while enforcing State
14 law.

15 **SEC. 206. RELATIONSHIP TO SECRETARY OF COMMERCE.**

16 In carrying out its functions, NOAA shall be subject
17 to the policy direction of the Secretary of Commerce, but
18 otherwise shall retain responsibility for decisions regarding
19 the management and administration of its operation and
20 shall exercise independent control of its budget allocation,
21 formulation, and expenditures, personnel decisions and
22 processes, procurement, and other administrative and man-
23 agement functions in accordance with this title and appli-
24 cable provisions of law. The responsibility shall include sub-
25 mission of annual budget requests by NOAA to the Director

1 *of the Office of Management and Budget, who shall provide*
 2 *for examination of the budget and programs of NOAA with-*
 3 *in national resource programs.*

4 **SEC. 207. NOAA PLAN AND BUDGET.**

5 *(a) PLAN AND BUDGET.—Not later than 9 months*
 6 *after the date of enactment of this Act, the Administrator*
 7 *shall submit to Congress a plan and budget setting forth*
 8 *a proposal for program and agency reorganization that*
 9 *fully considers the recommendations of the U.S. Commis-*
 10 *sion on Ocean Policy and that will provide improved serv-*
 11 *ices to the Nation. The plan shall provide for—*

12 *(1) implementation of title I and this title;*

13 *(2) improved effectiveness of NOAA programs,*
 14 *operations, and budget in accordance with the func-*
 15 *tions and purposes described in section 202;*

16 *(3) a coherent, transparent, and accountable*
 17 *management and budgetary structure for all agency*
 18 *functions and purposes;*

19 *(4) ecosystem-based science and management, in-*
 20 *cluding regional information programs;*

21 *(5) organization of research, operations and serv-*
 22 *ices in a manner that supports both regional and na-*
 23 *tional needs;*

1 (6) *support for development of regulatory, man-*
 2 *agement, and incentive-based approaches designed to*
 3 *integrate multiple statutory mandates;*

4 (7) *ensuring crosscutting activities among mis-*
 5 *sions, in cooperation with the activities of other Fed-*
 6 *eral and State agencies, and transfer of products and*
 7 *services among the 3 agency functions set forth in sec-*
 8 *tion 202(a);*

9 (8) *maximizing opportunities to work in part-*
 10 *nership with States and other stakeholders to promote*
 11 *ecosystem-based science and management, develop ef-*
 12 *fective education and outreach efforts, and enhance*
 13 *capacity to manage issues on an eco-regional basis;*
 14 *and*

15 (9) *the maintenance and replacement of facili-*
 16 *ties, vessels, aircraft, and major equipment required*
 17 *to perform and support NOAA missions.*

18 (b) *CONSULTATION AND PUBLIC COMMENT.—The plan*
 19 *shall be developed in consultation with interested parties,*
 20 *including representatives of the States, academia, industry,*
 21 *conservation organizations, and labor organizations cer-*
 22 *tified as the exclusive representatives of Administration em-*
 23 *ployees pursuant to chapter 71 of title 5, United States*
 24 *Code. The draft plan shall be published in the Federal Reg-*

1 *ister for public notice and comment at least 60 days prior*
 2 *to final submission to Congress.*

3 **SEC. 208. RESEARCH PLAN.**

4 *The Administrator of the National Oceanic and At-*
 5 *mospheric Administration shall develop a 20-year inte-*
 6 *grated research plan for the agency setting forth its sci-*
 7 *entific goals and priorities, as well as programmatic ac-*
 8 *tions to carry out those goals and priorities. The research*
 9 *plan shall provide for exploration of the ocean environment,*
 10 *development of methods and instruments to study and mon-*
 11 *itor the oceans and atmosphere, the conduct of basic and*
 12 *applied ocean and atmospheric research, including climate*
 13 *change, and education and training and public outreach*
 14 *activities. The plan shall—*

15 *(1) articulate goals, priorities, and pro-*
 16 *grammatic actions for the agency in 5-year phases;*

17 *(2) identify linkages between Administration re-*
 18 *search activities and missions;*

19 *(3) identify how Administration laboratories,*
 20 *joint institutes, cooperative institutes, joint centers,*
 21 *and the extramural research and education commu-*
 22 *nity will participate and assist in achieving the goals*
 23 *of the plan;*

24 *(4) consider the recommendations of relevant re-*
 25 *ports prepared by the National Research Council and*

1 *international scientific institutions and organiza-*
 2 *tions;*

3 (5) *be developed in consultation with pro-*
 4 *grammatic offices, the extramural research and edu-*
 5 *cation community, States, and interested members of*
 6 *the public; and*

7 (6) *be revised or updated every 5-to-7 years.*

8 **SEC. 209. SCIENCE ADVISORY BOARD.**

9 (a) *IN GENERAL.*—*There shall be within the Adminis-*
 10 *tration a Science Advisory Board, which shall provide such*
 11 *scientific advice as may be requested by the Administrator*
 12 *or the Congress.*

13 (b) *PURPOSE.*—*The purpose of the Science Advisory*
 14 *Board is to advise the Administrator and, upon request,*
 15 *the Congress on long-range and short-range strategies for*
 16 *research, education, and the application of science to re-*
 17 *source management and environmental assessment and pre-*
 18 *diction.*

19 (c) *MEMBERS.*—

20 (1) *IN GENERAL.*—*The Science Advisory Board*
 21 *shall consist of not more than 15 members appointed*
 22 *by the Administrator to ensure a balanced representa-*
 23 *tion among eminent scientists, engineers, educators,*
 24 *resource managers and science and ocean resource*

1 *policy experts reflecting the full breadth of the Admin-*
2 *istration's areas of responsibility.*

3 (2) *TERMS OF SERVICE.*—*Members shall be ap-*
4 *pointed for 3-year terms, renewable once, and shall*
5 *serve at the discretion of the Administrator. An indi-*
6 *vidual serving a term as a member of the Science Ad-*
7 *visory Board on the date of enactment of this Act*
8 *may complete that term, and may be reappointed*
9 *once for another term of 3 years unless the term being*
10 *served on such date of enactment is the second term*
11 *served by that individual. Vacancy appointments*
12 *shall be for the remainder of the unexpired term of the*
13 *vacancy, and an individual so appointed may subse-*
14 *quently be appointed for 2 full 3-year terms if the re-*
15 *mainder of the unexpired term is less than one year.*

16 (3) *CHAIRPERSON.*—*The Administrator shall*
17 *designate a chairperson from among the members of*
18 *the Board.*

19 (4) *APPOINTMENT.*—*Members of the Science Ad-*
20 *visory Board shall be appointed as special Govern-*
21 *ment employees, within the meaning given such term*
22 *in section 202(a) of title 18, United States Code.*

23 (5) *CRITERIA FOR SELECTION.*—*The Adminis-*
24 *trator shall develop and apply standard criteria, in*
25 *accordance with applicable Department of Commerce*

1 *guidance, for the selection of members of the Science*
 2 *Advisory Board.*

3 *(d) ADMINISTRATIVE PROVISIONS.—*

4 *(1) REPORTING.—The Science Advisory Board*
 5 *shall report to the Administrator and the appropriate*
 6 *requesting party.*

7 *(2) ADMINISTRATIVE SUPPORT.—The Adminis-*
 8 *trator shall provide administrative support to the*
 9 *Science Advisory Board.*

10 *(3) MEETINGS.—The Science Advisory Board*
 11 *shall meet at least twice each year, and at other times*
 12 *at the call of the Administrator or the Chairperson.*

13 *(4) COMPENSATION AND EXPENSES.—A member*
 14 *of the Science Advisory Board shall not be com-*
 15 *pensated for service on such board, but upon request*
 16 *by the member may be allowed travel expenses, in-*
 17 *cluding per diem in lieu of subsistence, in accordance*
 18 *with subchapter I of chapter 57 of title 5, United*
 19 *States Code.*

20 *(5) SUBCOMMITTEES.—The Science Advisory*
 21 *Board may establish such subcommittees of its mem-*
 22 *bers as may be necessary. The Science Advisory*
 23 *Board may establish task forces and working groups*
 24 *consisting of Board members and outside experts as*
 25 *may be necessary.*

1 (e) *EXPIRATION*.—Section 14 of the Federal Advisory
 2 Committee Act (5 U.S.C. App.) shall not apply to the
 3 Science Advisory Board.

4 **SEC. 210. CONFORMING AMENDMENTS, REPEALS, AND**
 5 **TRANSITION.**

6 (a) *Reorganization Plan No. 4 of 1970 (5 U.S.C. App.*
 7 *1) is repealed.*

8 (b) *Any reference, in any law, rule, regulation, direc-*
 9 *tive, or instruction, or certificate or other official document,*
 10 *in force immediately prior to enactment of this Act—*

11 (1) *to the National Oceanic and Atmospheric*
 12 *Administration shall be deemed to refer and apply to*
 13 *the National Oceanic and Atmospheric Administra-*
 14 *tion established by section 201 of this title;*

15 (2) *to the Under Secretary of Commerce for*
 16 *Oceans and Atmosphere, or to the Administrator of*
 17 *the National Oceanic and Atmospheric Administra-*
 18 *tion, shall be deemed to refer and apply to the Ad-*
 19 *ministrator of the National Oceanic and Atmospheric*
 20 *Administration to whom subsection 203(a) of this Act*
 21 *refers; and*

22 (3) *to any other position in NOAA shall be*
 23 *deemed to refer and apply to that same position in*
 24 *the National Oceanic and Atmospheric Administra-*
 25 *tion established by section 201 of this title.*

1 (c) Section 407 of Public Law 99–659 (100 Stat. 3739)
 2 is amended by striking subsection (a) (15 U.S.C. 1503b)
 3 and subsection (b) (15 U.S.C. 1507c).

4 **SEC. 211. REPORT ON OCEANIC AND ATMOSPHERIC CONDI-**
 5 **TIONS AND TRENDS.**

6 Beginning not later than 12 months after the date of
 7 enactment of this Act, the Administrator shall, in consulta-
 8 tion with relevant Federal and State agencies, submit to
 9 the Congress a biennial report, in a consistent format, on—

10 (1) the status and condition of the Nation’s
 11 ocean and atmospheric environments (including with
 12 respect to climate change);

13 (2) current and foreseeable trends in the quality,
 14 management and utilization of such environments;
 15 and

16 (3) the effects of those trends on the social, eco-
 17 nomic, ecological, and other requirements of the Na-
 18 tion.

19 **SEC. 212. IMPLEMENTATION.**

20 Not later than 18 months after the date of enactment
 21 of this Act, the Administrator shall—

22 (1) promulgate such regulations as may be nec-
 23 essary or appropriate to implement this Act; and

24 (2) submit to the Congress detailed recommenda-
 25 tions on technical and conforming amendments to

1 *Federal law necessary to carry out this title and the*
 2 *amendments made by this Act.*

3 **SEC. 213. SAVINGS PROVISION.**

4 *All rules and regulations, determinations, standards,*
 5 *contracts, certifications, authorizations, appointments, col-*
 6 *lective bargaining agreements, delegations, results and find-*
 7 *ings of investigations, or other actions duly issued, made,*
 8 *or taken by or pursuant to or under the authority of any*
 9 *statute which resulted in the assignment of functions or ac-*
 10 *tivities to the Secretary, the Department of Commerce, the*
 11 *Under Secretary of Commerce for Oceans and Atmosphere,*
 12 *the Administrator or any other officer of NOAA, in effect*
 13 *immediately before the date of enactment of this Act shall*
 14 *continue in full force and effect after the date of enactment*
 15 *of this Act until modified or rescinded.*

16 **TITLE III—FEDERAL**
 17 **COORDINATION AND ADVICE**

18 **SUBTITLE A—COUNCIL ON OCEAN STEWARDSHIP**

19 **SEC. 301. ESTABLISHMENT OF COUNCIL.**

20 *There is established in the Executive Office of the*
 21 *President a Council on Ocean Stewardship.*

22 **SEC. 302. MEMBERSHIP.**

23 *(a) MEMBERSHIP.—The Council shall be composed of*
 24 *at least 3 but no more than 5 members who shall be ap-*

1 *pointed by the President to serve at the pleasure of the*
2 *President, by and with the advice and consent of the Senate.*

3 (b) *QUALIFICATIONS.—Each member shall be an indi-*
4 *vidual who, as a result of training, experience, and attach-*
5 *ments, is exceptionally well-qualified—*

6 (1) *to analyze and interpret ocean and atmos-*
7 *pheric trends and information of all kinds;*

8 (2) *to appraise programs and activities of the*
9 *Federal Government in light of the policy set forth in*
10 *section 103 of this Act;*

11 (3) *to be conscious of and responsive to the sci-*
12 *entific, environmental, ecosystem, economic, social,*
13 *aesthetic, and cultural needs and interests of the Na-*
14 *tion; and*

15 (4) *to formulate and recommend national poli-*
16 *cies to promote the improvement and the quality of*
17 *the ocean and atmospheric environments, including*
18 *as those environments relate to practices on land.*

19 (c) *CHAIRMAN.—The President shall designate 1 of the*
20 *members of the Council to serve as Chairman.*

21 (d) *COMPENSATION OF MEMBERS.—Members of the*
22 *Council shall serve full time. The Chairman of the Council*
23 *shall be compensated at the rate provided for Level II of*
24 *the Executive Schedule Pay Rates (5 U.S.C. 5313). The*
25 *other members of the Council shall be compensated at the*

1 *rate provided for Level IV of the Executive Schedule Pay*
 2 *Rates (5 U.S.C. 5315).*

3 **SEC. 303. FUNCTIONS OF THE COUNCIL.**

4 (a) *COORDINATION AND ADVICE.—The Council shall—*

5 (1) *provide a forum for improving Federal inter-*
 6 *agency planning, budget and program coordination,*
 7 *administration, outreach, and cooperation, particu-*
 8 *larly on crosscutting programs and activities that re-*
 9 *quire coordinated Federal action, such as nonpoint*
 10 *source pollution, ecosystem-based conservation and*
 11 *management, ocean education, and monitoring, re-*
 12 *search and technology development for oceans and at-*
 13 *mosphere;*

14 (2) *gather timely and authoritative information*
 15 *concerning the conditions and trends in the quality of*
 16 *the ocean and atmospheric environment both current*
 17 *and prospective, analyze and interpret such informa-*
 18 *tion for the purpose of determining whether such con-*
 19 *ditions and trends are interfering, or are likely to*
 20 *interfere, with the achievement of the policy set forth*
 21 *in section 103 of this Act, and compile and submit*
 22 *to the President studies relating to such conditions*
 23 *and trends;*

24 (3) *review and appraise the various programs*
 25 *and activities of the Federal Government in the light*

1 *of the policy set forth in section 103 of this Act for*
2 *the purpose of determining the extent to which such*
3 *programs and activities are effective and contributing*
4 *to the achievement of such policy, and make rec-*
5 *ommendations to the President with respect thereto;*

6 (4) *identify statutory and regulatory*
7 *redundancies or omissions and develop strategies to*
8 *resolve conflicts, fill gaps, and address new and*
9 *emerging ocean and atmospheric issues for national*
10 *and regional benefit;*

11 (5) *develop and issue recommendations and*
12 *guidance for establishing mechanisms to assure the*
13 *coordination of Federal ocean, coastal and atmos-*
14 *pheric programs and activities at the regional level*
15 *that complement and enhance existing regional and*
16 *State initiatives, encourage early cooperation and in-*
17 *tegration across Federal agencies and with relevant*
18 *State programs, support effective regional ecosystem*
19 *management and science at the Federal, State and*
20 *local level, and further the policy set forth in section*
21 *103 of this Act;*

22 (6) *expand research, education, and outreach ef-*
23 *forts by all Federal agencies undertaking ocean and*
24 *atmospheric activities; and*

1 (7) *conduct an annual review and analysis of*
 2 *funding proposed for ocean and atmospheric research*
 3 *and management in all Federal agency budgets, and*
 4 *provide budget recommendations to the President, the*
 5 *agencies, and the Office of Management and Budget*
 6 *that will achieve the policies set forth in section 103,*
 7 *improve coordination, cooperation, and effectiveness*
 8 *of such activities, eliminate unnecessary overlap, and*
 9 *identify areas of highest priority for funding and*
 10 *support.*

11 (b) *CONSULTATION.—In exercising its powers, func-*
 12 *tions, and duties under this Act, the Council shall—*

13 (1) *consult with the Administrator and the*
 14 *States, and with such representatives of science, in-*
 15 *dustry, agriculture, labor, conservation organizations,*
 16 *local governments and other groups, as it deems ad-*
 17 *visable; and*

18 (2) *utilize, to the fullest extent possible, the serv-*
 19 *ices, facilities, and information (including statistical*
 20 *information) of public and private agencies and orga-*
 21 *nizations, and individuals, in order that duplication*
 22 *of effort and expense may be avoided, thus assuring*
 23 *that the Council's activities will not unnecessarily*
 24 *overlap or conflict with similar activities authorized*
 25 *by law and performed by established agencies.*

1 (c) *REVIEWS AND REPORTS.*—*The Council shall—*

2 (1) *prepare the biennial report required by sec-*
3 *tion 305 of this title; and*

4 (2) *make and furnish such studies, reports there-*
5 *on, and recommendations with respect to matters of*
6 *policy and legislation as the President may request.*

7 **SEC. 304. COUNCIL EMPLOYEES.**

8 (a) *ASSISTANCE FROM FEDERAL AGENCIES.*—

9 (1) *IN GENERAL.*—*For the purpose of carrying*
10 *out the functions of the Council, each Federal agency*
11 *or department that conducts oceanic or atmospheric*
12 *activities shall furnish any assistance requested by the*
13 *Council.*

14 (2) *FORMS OF ASSISTANCE.*—*Assistance fur-*
15 *nished by Federal agencies and departments under*
16 *paragraph (1) may include—*

17 (A) *detailing employees to the Council to*
18 *perform such functions, consistent with the pur-*
19 *poses of this section, as the Chairman of the*
20 *Council may assign to them; and*

21 (B) *undertaking, upon request of the Chair-*
22 *man of the Council, such special studies for the*
23 *Council as are necessary to carry out its func-*
24 *tions.*

1 (3) *PERSONNEL MANAGEMENT.*—*The Chairman*
 2 *of the Council shall have the authority to make per-*
 3 *sonnel decisions regarding any employees detailed to*
 4 *the Council.*

5 (b) *EMPLOYMENT OF PERSONNEL, EXPERTS, AND CON-*
 6 *SULTANTS.*—*The Council may—*

7 (1) *employ such officers and employees as may*
 8 *be necessary to carry out its functions under this*
 9 *title;*

10 (2) *employ and fix the compensation of such ex-*
 11 *perts and consultants as may be necessary for the car-*
 12 *rying out of its functions under this chapter, in ac-*
 13 *cordance with section 3109 of title 5, United States*
 14 *Code, (without regard to the last sentence thereof);*
 15 *and*

16 (3) *accept and employ voluntary and uncompen-*
 17 *sated services in furtherance of the purposes of the*
 18 *Council notwithstanding section 1342 of title 31,*
 19 *United States Code.*

20 **SEC. 305. BIENNIAL REPORT TO CONGRESS.**

21 (a) *IN GENERAL.*—*Beginning not later than 18*
 22 *months after the date of enactment of this Act, the Presi-*
 23 *dent, through the Council, shall submit to the Congress a*
 24 *biennial report on Federal ocean and atmospheric pro-*

1 *grams, priorities, and accomplishments which shall in-*
2 *clude—*

3 *(1) a comprehensive description of the ocean and*
4 *atmospheric programs and accomplishments of all*
5 *agencies and departments of the United States;*

6 *(2) an evaluation of such programs and accom-*
7 *plishments in terms of the national ocean policy set*
8 *forth in section 103 of this Act;*

9 *(3) a report on progress in improving Federal*
10 *and State coordination on ocean and atmospheric ac-*
11 *tivities, including implementation of Mechanisms to*
12 *support coordination at the regional ecosystem level*
13 *and other coordination efforts required in this Act;*

14 *(4) an analysis of the Federal budget allocated to*
15 *such programs including estimates of the funding re-*
16 *quirements of each such agency or department for*
17 *such programs during the succeeding 10 fiscal years;*

18 *(5) recommendations for remedying deficiencies,*
19 *and for improving organization, effectiveness, and*
20 *outreach of Federal ocean and atmospheric programs*
21 *and services, on a regional and national basis, in-*
22 *cluding support for State and local efforts that lever-*
23 *age public, nongovernmental, and private sector in-*
24 *volvement; and*

1 (6) *recommendations for legislative or other ac-*
 2 *tion.*

3 (b) *PRESIDENTIAL TRANSMITTAL.—The President*
 4 *shall transmit the biennial report pursuant to this section*
 5 *to the Speaker of the House of Representatives and the*
 6 *President of the Senate not later than December 31 of the*
 7 *year in which it is due.*

8 (c) *AGENCY COOPERATION.—Each Federal agency and*
 9 *department shall cooperate by providing such data and in-*
 10 *formation without cost as may be requested by the Council*
 11 *for the purpose of this section. Each Federal agency and*
 12 *department shall provide services and personnel on a cost*
 13 *reimbursable basis at the request of the Chairman of the*
 14 *Council for the purpose of accomplishing the requirements*
 15 *of this section.*

16 **SEC. 306. PRESIDENTIAL PANEL OF ADVISERS ON OCEANS,**
 17 **ATMOSPHERE, AND CLIMATE CHANGE.**

18 (a) *ESTABLISHMENT.—The President may establish a*
 19 *Presidential Panel of Advisers on Oceans, Atmosphere, and*
 20 *Climate Change. The purpose of the Presidential Panel shall*
 21 *be—*

22 (1) *to advise and assist the President and the*
 23 *Chairman of the Ocean Stewardship Council in iden-*
 24 *tifying and fostering policies to protect, manage, and*

1 *restore ocean and atmospheric environments and re-*
 2 *sources, both on a regional and national basis; and*

3 *(2) to undertake a continuing review, on a selec-*
 4 *tive basis, of priority issues relating to national ocean*
 5 *and atmospheric policy (including climate change),*
 6 *conservation and management of ocean environments*
 7 *and resources, and the status of the ocean and atmos-*
 8 *pheric science and service programs of the United*
 9 *States.*

10 *(b) MEMBERSHIP.—*

11 *(1) IN GENERAL.—The Presidential Panel shall*
 12 *consist of not more than 25 members, one of whom*
 13 *shall be the Chairman of the Council on Ocean Stew-*
 14 *ardship, and 24 of whom shall be nonfederal members*
 15 *appointed by the President, including at least one*
 16 *representative nominated by a Governor from each of*
 17 *the coastal regions identified in the Report of the U.S.*
 18 *Commission on Ocean Policy and representatives of*
 19 *the States and various stakeholders. The President*
 20 *shall appoint members to serve 3-year terms.*

21 *(2) CHAIR.—The Chairman of the Council on*
 22 *Ocean Stewardship shall co-chair the Presidential*
 23 *Panel with a nonfederal member designated by the*
 24 *President.*

1 **SEC. 307. AUTHORIZATION OF APPROPRIATIONS.**

2 *There are authorized to be appropriated to carry out*
 3 *the functions of the Council established by section 301 not*
 4 *to exceed \$4,000,000 for fiscal year 2005, \$4,120,000 for*
 5 *fiscal year 2006, \$4,244,000 for fiscal year 2007, \$4,371,000*
 6 *for fiscal year 2008, \$4,502,000 for fiscal year 2009, and*
 7 *\$4,637,000 for fiscal year 2010.*

8 **SUBTITLE B—INTERAGENCY SCIENCE COORDINATION**

9 **SEC. 321. NATIONAL OCEAN SCIENCE COMMITTEE.**

10 *(a) COMMITTEE.—The Chair of the National Science*
 11 *and Technology Council, in consultation with the Chair of*
 12 *the Council on Ocean Stewardship, shall establish a Na-*
 13 *tional Ocean Science Committee.*

14 *(b) MEMBERSHIP.—The Committee shall be composed*
 15 *of the following members:*

16 *(1) The Administrator of the National Oceanic*
 17 *and Atmospheric Administration.*

18 *(2) The Secretary of the Navy.*

19 *(3) The Director of the National Science Foun-*
 20 *dation.*

21 *(4) The Administrator of the National Aero-*
 22 *navitics and Space Administration.*

23 *(5) The Under Secretary of Energy for Energy,*
 24 *Science, and Environment.*

25 *(6) The Administrator of the Environmental*
 26 *Protection Agency.*

1 (7) *The Under Secretary of Homeland Security*
2 *for Science and Technology.*

3 (8) *The Commandant of the Coast Guard.*

4 (9) *The Director of the United States Geological*
5 *Survey.*

6 (10) *The Director of the Minerals Management*
7 *Service.*

8 (11) *The Commanding General of the Army*
9 *Corps of Engineers.*

10 (12) *The Director of the National Institutes of*
11 *Health.*

12 (13) *Under Secretary of Agriculture for Re-*
13 *search, Education, and Economics.*

14 (14) *The Assistant Secretary of State for Oceans*
15 *and International Environmental and Scientific Af-*
16 *airs.*

17 (15) *The Director of the Defense Advanced Re-*
18 *search Projects Agency.*

19 (16) *The Director of the Office of Science and*
20 *Technology Policy.*

21 (17) *The Director of the Office of Management*
22 *and Budget.*

23 (18) *The leadership of such other Federal agen-*
24 *cies and departments as the chair and vice chairs of*
25 *the Committee deem appropriate.*

1 (c) *CHAIR AND VICE CHAIRS.*—*The chair and vice*
 2 *chairs of the Committee shall be appointed every 2 years*
 3 *by a selection subcommittee of the Committee composed of,*
 4 *at a minimum, the Administrator of the National Oceanic*
 5 *and Atmospheric Administration, the Director of the Na-*
 6 *tional Science Foundation, and the Secretary of the Navy.*
 7 *The term of office of the chair and vice chairs shall be 2*
 8 *years. A person who has previously served as chair or vice*
 9 *chair may be reappointed.*

10 (d) *RESPONSIBILITIES.*—*The Committee shall—*

11 (1) *serve as the primary source of advice and*
 12 *support on ocean science for the National Science and*
 13 *Technology Council and the Council on Ocean Stew-*
 14 *ardship and assist in carrying out the functions of*
 15 *the Council as they relate to such matters, including*
 16 *budgetary analyses;*

17 (2) *serve as the committee on ocean science for*
 18 *the Council and carry out its functions under section*
 19 *401 of the National Science and Technology Policy,*
 20 *Organization, and Priorities Act of 1976 (42 U.S.C.*
 21 *6651) that relate to ocean sciences;*

22 (3) *improve cooperation among Federal depart-*
 23 *ments and agencies with respect to ocean science*
 24 *budgets, programs, operations, facilities and per-*
 25 *sonnel;*

1 (4) *provide a forum for development of the strat-*
 2 *egy and oversee its implementation;*

3 (5) *suggest policies and procedures and provide*
 4 *support for interagency ocean science programs;*

5 (6) *oversee the implementation of an integrated*
 6 *and sustained ocean and coastal observing system;*

7 (7) *establish interagency subcommittees and*
 8 *working groups as appropriate to develop comprehen-*
 9 *sive and balanced Federal programs and approaches*
 10 *to ocean science needs;*

11 (8) *coordinate United States government activi-*
 12 *ties with those of other nations and with inter-*
 13 *national ocean observing efforts, research and tech-*
 14 *nology and education; and*

15 (9) *carry out such other activities as the Council*
 16 *may require.*

17 **SEC. 322. NATIONAL STRATEGY FOR OCEAN SCIENCE, EDU-**
 18 **CATION, AND TECHNOLOGY.**

19 (a) *IN GENERAL.*—*The Chair of the National Science*
 20 *and Technology Council, through the Committee, shall de-*
 21 *velop a National Strategy for Ocean Science, Education*
 22 *and Technology. The Chair shall submit the strategy to the*
 23 *Congress within one year after the date of enactment of this*
 24 *title, and a revised strategy shall be submitted at least once*
 25 *every three years thereafter. The initial strategy shall be*

1 *based on the recommendations of the United States Com-*
 2 *mission on Ocean Policy and shall establish, for the 10-*
 3 *year period beginning in the year the strategy is submitted,*
 4 *the scientific goals and priorities for research, technology,*
 5 *education, outreach, and operations which most effectively*
 6 *advance knowledge and provide usable information for*
 7 *ocean policy decisions.*

8 (b) *SPECIFIC ACTIONS.—The strategy shall—*

9 (1) *provide for a doubling of the Federal invest-*
 10 *ment in ocean science research over 5 years and for*
 11 *additional investments in education and outreach,*
 12 *technology development, and ocean exploration;*

13 (2) *identify and address relevant programs and*
 14 *activities of the members of the Committee that con-*
 15 *tribute to the goals and priorities, setting forth the*
 16 *role of and funding for each such member in imple-*
 17 *menting the strategy;*

18 (3) *establish mechanisms for accelerating the*
 19 *transition of—*

20 (A) *commercial or military technologies and*
 21 *data to civilian research, education, and oper-*
 22 *ations applications; and*

23 (B) *technologies and tools developed by gov-*
 24 *ernment and university scientists to operations,*

1 *including both governmental and non-govern-*
 2 *mental uses;*

3 *(4) consider and use, as appropriate, reports and*
 4 *studies conducted by Federal agencies and depart-*
 5 *ments, the National Research Council, or other enti-*
 6 *ties; and*

7 *(5) make recommendations for the coordination*
 8 *of Federal ocean science activities with those of*
 9 *States, regional entities, other nations, and inter-*
 10 *national organizations.*

11 *(c) ELEMENTS.—The strategy shall include the fol-*
 12 *lowing elements:*

13 *(1) Global measurements on all relevant spatial*
 14 *and time scales.*

15 *(2) Partnerships among Federal agencies, states,*
 16 *academia, industries, and other members of the ocean*
 17 *science community.*

18 *(3) Oceanographic facility support, including the*
 19 *procurement, maintenance and operation of observing*
 20 *and research platforms, such as ships and aircraft,*
 21 *laboratories, and related infrastructure.*

22 *(4) Focused research initiatives and competitive*
 23 *research grants.*

24 *(5) Technology and sensor development, includ-*
 25 *ing the transition of such technologies to operations.*

1 (6) *Workforce and professional development in-*
 2 *cluding traineeships, scholarships, fellowships and in-*
 3 *ternships.*

4 (7) *Ocean science education coordination and es-*
 5 *tablishment of mechanisms to improve ocean literacy*
 6 *and contribute to public awareness of the condition*
 7 *and importance of the oceans.*

8 (8) *Information management systems that allow*
 9 *analysis of data from varied sources to produce infor-*
 10 *mation readily usable by policymakers and stake-*
 11 *holders.*

12 (d) *PUBLIC PARTICIPATION.—In developing the strat-*
 13 *egy, the Committee shall consult with the Advisory Panel,*
 14 *academic, State, industry, and conservation groups and*
 15 *representatives. Not later than 90 days before the Chair of*
 16 *the Council submits the strategy, or any revision thereof,*
 17 *to the Congress, a summary of the proposed strategy or revi-*
 18 *sion shall be published in the Federal Register for a public*
 19 *comment period of not less than 60 days.*

20 *SUBTITLE C—FEDERAL PROGRAMS*

21 **SEC. 341. FEDERAL PROGRAM RECOMMENDATIONS.**

22 *Not later than 2 years after the issuance of the final*
 23 *report of the Commission on Ocean Policy established by*
 24 *section 3 of the Oceans Act of 2000, the President, in con-*
 25 *sultation with the Administrator and the Ocean Steward-*

1 ship Council, shall submit to the Congress recommendations
 2 on, and a plan and proposed schedule for—

3 (1) the transfer of relevant oceanic or atmos-
 4 pheric programs, functions, services, and associated
 5 resources to the National Oceanic and Atmospheric
 6 Administration from any other Federal agency;

7 (2) consolidation or elimination of oceanic or at-
 8 mospheric programs, functions, services, or resources
 9 within or among Federal agencies if their consolida-
 10 tion or elimination would not undermine policy goals
 11 set forth in this Act; and

12 (3) reorganization, including establishment of
 13 NOAA as an independant agency, elevation of NOAA
 14 to departmental status, or the establishment of a new
 15 department that would provide increased national at-
 16 tention and resources to oceanic and atmospheric
 17 needs and priorities and promote an integrated eco-
 18 system and watershed-based approach.

19 **SEC. 342. NO EFFECT ON OTHER AUTHORITIES.**

20 Except as explicitly provided in this Act, nothing in
 21 this Act or the amendments made by this Act shall be con-
 22 strued to modify the authority of the Administrator or the
 23 National Weather Service under any other provision of law.

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108TH CONGRESS
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S. 2647

[Report No. 108-407]

A BILL

To establish a national ocean policy, to set forth the missions of the National Oceanic and Atmospheric Administration, to ensure effective inter-agency coordination, and for other purposes.

NOVEMBER 10, 2004

Reported with an amendment