

Union Calendar No. 80

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**H. R. 1278**

[Report No. 105-66, Parts I and II]

---

---

**A BILL**

To authorize appropriations for the activities of the National Oceanic and Atmospheric Administration for fiscal years 1998 and 1999, and for other purposes.

---

---

JUNE 20, 1997

Reported from the Committee on Resources with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

# Union Calendar No. 80

105<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1278

**[Report No. 105-66, Parts I and II]**

To authorize appropriations for the activities of the National Oceanic and Atmospheric Administration for fiscal years 1998 and 1999, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

APRIL 10, 1997

Mr. CALVERT introduced the following bill; which was referred to the Committee on Science, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

APRIL 22, 1997

Reported from the Committee on Science with an amendment  
[Strike out all after the enacting clause and insert the part printed in *italic*]

APRIL 22, 1997

Referral to the Committee on Resources extended for a period ending not later than June 20, 1997

JUNE 20, 1997

Additional sponsors: Mr. BROWN of California, Ms. JACKSON-LEE of Texas,  
Mr. FOLEY, and Mr. EHLERS

JUNE 20, 1997

Reported from the Committee on Resources with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in boldface roman]

[For text of introduced bill, see copy of bill as introduced on April 10, 1997]

---

## A BILL

To authorize appropriations for the activities of the National Oceanic and Atmospheric Administration for fiscal years 1998 and 1999, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
 2        *tives of the United States of America in Congress assembled,*

3        **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4        (a) *SHORT TITLE.*—*This Act may be cited as the “Na-*  
 5        *tional Oceanic and Atmospheric Administration Authoriza-*  
 6        *tion Act of 1997”.*

7        (b) *TABLE OF CONTENTS.*—

*Sec. 1. Short title; table of contents.*

*Sec. 2. Definitions.*

*TITLE I—ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS*

*Sec. 101. National Weather Service.*

*Sec. 102. Atmospheric research.*

*Sec. 103. National Environmental Satellite, Data, and Information Service.*

*TITLE II—MARINE RESEARCH*

*Sec. 201. National Ocean Service.*

*Sec. 202. Ocean and Great Lakes programs.*

*TITLE III—PROGRAM SUPPORT AND OTHER ACCOUNTS*

*Sec. 301. Program support.*

*Sec. 302. Other accounts.*

*TITLE IV—STREAMLINING OF OPERATIONS*

*Sec. 401. Programs.*

*Sec. 402. Limitations on appropriations.*

*Sec. 403. Disestablishment of the Corps of Commissioned Officers.*

## TITLE V—MISCELLANEOUS

- Sec. 501. Weather data buoys.*  
*Sec. 502. Duties of the National Weather Service.*  
*Sec. 503. Marine services.*  
*Sec. 504. National Oceanographic Partnership Program.*  
*Sec. 505. Limitations.*  
*Sec. 506. Notice.*  
*Sec. 507. Sense of Congress on the Year 2000 problem.*  
*Sec. 508. Buy American.*

1 **SEC. 2. DEFINITIONS.**

2 *For the purposes of this Act, the term—*

3 (1) *“Act of 1890” means the Act entitled “An*  
4 *Act to increase the efficiency and reduce the expenses*  
5 *of the Signal Corps of the Army, and to transfer the*  
6 *Weather Bureau to the Department of Agriculture”,*  
7 *approved October 1, 1890 (26 Stat. 653);*

8 (2) *“Act of 1947” means the Act entitled “An*  
9 *Act to define the functions and duties of the Coast*  
10 *and Geodetic Survey, and for other purposes”, ap-*  
11 *proved August 6, 1947 (33 U.S.C. 883a et seq.);*

12 (3) *“Act of 1970” means the Act entitled “An*  
13 *Act to clarify the status and benefits of commissioned*  
14 *officers of the National Oceanic and Atmospheric Ad-*  
15 *ministration, and for other purposes”, approved De-*  
16 *cember 31, 1970 (33 U.S.C. 857–1 et seq.);*

17 (4) *“Administrator” means the Administrator of*  
18 *the National Oceanic and Atmospheric Administra-*  
19 *tion; and*

20 (5) *“Secretary” means the Secretary of Com-*  
21 *merce.*

1 **TITLE I—ATMOSPHERIC, WEATH-**  
2 **ER, AND SATELLITE PRO-**  
3 **GRAMS**

4 **SEC. 101. NATIONAL WEATHER SERVICE.**

5 (a) *OPERATIONS AND RESEARCH.*—*There are author-*  
6 *ized to be appropriated to the Secretary to enable the Na-*  
7 *tional Oceanic and Atmospheric Administration to carry*  
8 *out the operations and research duties of the National*  
9 *Weather Service, \$458,131,000 for fiscal year 1998 and*  
10 *\$451,074,000 for fiscal year 1999. Such duties include mete-*  
11 *orological, hydrological, and oceanographic public*  
12 *warnings and forecasts, as well as applied research in sup-*  
13 *port of such warnings and forecasts. Of the amounts author-*  
14 *ized under this subsection for each of the fiscal years 1998*  
15 *and 1999, \$3,600,000 shall be for the Tropical Prediction*  
16 *Center/National Hurricane Center.*

17 (b) *SYSTEMS ACQUISITION.*—(1) *There are authorized*  
18 *to be appropriated to the Secretary to enable the National*  
19 *Oceanic and Atmospheric Administration to carry out the*  
20 *public warning and forecast systems duties of the National*  
21 *Weather Service, \$89,713,000 for fiscal year 1998 (includ-*  
22 *ing amounts as provided in subsection (c)) and \$74,453,000*  
23 *for fiscal year 1999. Such duties include the development,*  
24 *acquisition, and implementation of major public warning*  
25 *and forecast systems, including the upgrade of computer fa-*

1 *cilities. None of the funds authorized under this subsection*  
2 *shall be used for the purposes for which funds are authorized*  
3 *under subsection (f).*

4 *(2) Of the amounts authorized under paragraph (1),*  
5 *\$39,591,000 for fiscal year 1998 and \$39,887,000 for fiscal*  
6 *year 1999 shall be for Next Generation Weather Radar*  
7 *(NEXRAD) program management, operations, and mainte-*  
8 *nance.*

9 *(3) Of the amounts authorized under paragraph (1),*  
10 *\$11,377,000 for fiscal year 1998 and \$11,224,000 for fiscal*  
11 *year 1999 shall be for remaining system acquisition, pro-*  
12 *gram management, support contracts, logistic support, and*  
13 *continued product improvement of NEXRAD systems.*

14 *(c) NEW NEXRAD INSTALLATIONS.—Of the amount*  
15 *authorized under subsection (b)(1) for fiscal year 1998,*  
16 *\$15,000,000 shall be for the acquisition and deployment of*  
17 *NEXRAD systems—*

18 *(1) identified as necessary to prevent degrada-*  
19 *tion of weather service caused by gaps in radar cov-*  
20 *erage, in National Weather Service follow-up studies*  
21 *to the Secretary's Report to Congress on Adequacy of*  
22 *NEXRAD Coverage and Degradation of Weather*  
23 *Services Under National Weather Service Moderniza-*  
24 *tion for 32 Areas of Concern, dated October 12, 1995;*  
25 *and*

1           (2) *recommended and approved by the Secretary,*  
2 *including program management, facilities, operations, and*  
3 *maintenance through September 30, 1999.*

4           (d) *ASOS PROGRAM AUTHORIZATION.—Of the sums*  
5 *authorized in subsection (b)(1), \$9,835,000 for fiscal year*  
6 *1998 and \$9,942,000 for fiscal year 1999 are authorized*  
7 *to be appropriated to the Secretary, for the acquisition and*  
8 *deployment of—*

9           (1) *the Automated Surface Observing System*  
10 *(ASOS) and related systems, including multisensor*  
11 *and backup arrays for National Weather Service sites*  
12 *at airports; and*

13           (2) *Automated Meteorological Observing System*  
14 *and Remote Automated Meteorological Observing Sys-*  
15 *tem replacement units;*

16 *and to cover all associated activities, including program*  
17 *management and operations and maintenance.*

18           (e) *COMPUTER FACILITY UPGRADES.—Of the sums au-*  
19 *thorized in subsection (b)(1), \$13,910,000 for fiscal year*  
20 *1998 and \$13,400,000 for fiscal year 1999 are authorized*  
21 *to be appropriated to the Secretary for—*

22           (1) *the continued lease and maintenance of the*  
23 *Cray C-90 supercomputer; and*

24           (2) *the Upgrade of the Central Computer Facil-*  
25 *ity (to provide for payment toward the Cray J-916*

1        *systems buyout, to complete the National Weather*  
2        *Service telecommunications gateway upgrade, and to*  
3        *cover all associated activities, including program*  
4        *management and operations and maintenance).*

5        *(f) AWIPS PROGRAM AUTHORIZATION.—(1) There are*  
6        *to be authorized to be appropriated to the Secretary to en-*  
7        *able the National Oceanic and Atmospheric Administration*  
8        *to carry out the acquisition, deployment, program manage-*  
9        *ment, operation, and maintenance of the Advanced Weather*  
10       *Interactive Processing System (AWIPS), \$116,910,000 for*  
11       *fiscal year 1998 and \$82,029,000 for fiscal year 1999.*

12       *(2)(A) Of the sums authorized in paragraph (1), except*  
13       *as provided in paragraph (3), there are authorized to be*  
14       *appropriated to the Secretary for all fiscal years beginning*  
15       *after September 30, 1997, an aggregate of \$186,300,000, to*  
16       *remain available until expended, to complete the acquisi-*  
17       *tion and deployment of AWIPS and NOAAPort and to*  
18       *cover all associated activities, including program manage-*  
19       *ment and operations and maintenance through September*  
20       *30, 1999.*

21       *(B) Notwithstanding subparagraph (A), \$22,635,000*  
22       *of the amount described in subparagraph (A) for fiscal year*  
23       *1998 shall be derived from the use of unobligated prior year*  
24       *funds appropriated for the Geostationary Operational En-*  
25       *vironmental Satellite program.*



1       (3) *No funds are authorized to be appropriated for any*  
2 *fiscal year under paragraph (1) unless, within 60 days*  
3 *after the submission of the President’s budget request for*  
4 *such fiscal year, the Secretary—*

5           (A) *certifies to the Congress that—*

6               (i) *the systems meet the technical perform-*  
7 *ance specifications included in the system con-*  
8 *tract as in effect on August 11, 1995;*

9               (ii) *the systems can be fully deployed, sited,*  
10 *and operational without requiring further ap-*  
11 *propriations beyond amounts authorized under*  
12 *paragraph (1); and*

13               (iii) *the Secretary does not foresee any*  
14 *delays in the systems deployment and operations*  
15 *schedule; or*

16           (B) *submits to the Congress a report which de-*  
17 *scribes—*

18               (i) *the circumstances which prevent a cer-*  
19 *tification under subparagraph (A);*

20               (ii) *remedial actions undertaken or to be*  
21 *undertaken with respect to such circumstances;*

22               (iii) *the effects of such circumstances on the*  
23 *systems deployment and operations schedule and*  
24 *systems coverage; and*

1                   (iv) a justification for proceeding with the  
2                   program, if appropriate.

3           (g) CONSTRUCTION OF WEATHER FORECAST OF-  
4 FICES.—There are authorized to be appropriated to the Sec-  
5 retary to enable the National Oceanic and Atmospheric Ad-  
6 ministration to carry out construction, repair, and modi-  
7 fication activities relating to new and existing weather fore-  
8 cast offices, \$13,823,000 for fiscal year 1998 and \$8,189,000  
9 for fiscal year 1999. Such activities include planning, de-  
10 sign, and land acquisition related to such offices.

11           (h) NATIONAL CENTERS FOR ENVIRONMENTAL PRE-  
12 DICTION RESTRUCTURING.—There are authorized to be ap-  
13 propriated to the Secretary to enable the National Oceanic  
14 and Atmospheric Administration to carry out restructuring  
15 of the National Meteorological Center into the National  
16 Centers for Environmental Prediction, \$700,000 for fiscal  
17 year 1998 and \$809,000 for fiscal year 1999.

18           (i) FACILITIES.—There are authorized to be appro-  
19 priated to the Secretary, to enable the National Oceanic and  
20 Atmospheric Administration to carry out NEXRAD Weath-  
21 er Service Office maintenance, \$2,950,000 for fiscal year  
22 1998 and \$2,950,000 for fiscal year 1999.

23           (j) WEATHER SERVICE MODERNIZATION.—The Weath-  
24 er Service Modernization Act (15 U.S.C. 313 note) is  
25 amended—

1           (1) *in section 706—*

2                   (A) *by amending subsection (b) to read as*  
3           *follows:*

4           “(b) *CERTIFICATION.—The Secretary may not close,*  
5           *automate, or relocate any field office unless the Secretary*  
6           *has certified to the Committee on Commerce, Science, and*  
7           *Transportation of the Senate and the Committee on Science*  
8           *of the House of Representatives that such action will not*  
9           *result in degradation of service to the affected area. Such*  
10           *certification shall be in accordance with the modernization*  
11           *criteria established under section 704.”;*

12                   (B) *by striking subsections (c), (d), (e), and*  
13           *(f); and*

14                   (C) *by inserting after subsection (b) the fol-*  
15           *lowing new subsections:*

16           “(c) *SPECIAL CIRCUMSTANCES.—The Secretary may*  
17           *not close or relocate any field office which is located at an*  
18           *airport, if the Secretary, in consultation with the Secretary*  
19           *of Transportation and the Committee, determines as a re-*  
20           *sult of the Air Safety Appraisal, completed and signed by*  
21           *the National Weather Service and the Federal Aviation Ad-*  
22           *ministration on December 9, 1996, that such action will*  
23           *result in degradation of service that affects aircraft safety.*

1       “(d) *PUBLIC LIAISON.*—*The Secretary shall maintain*  
2 *for a period of at least two years after the closure of any*  
3 *weather office a program to—*

4               “(1) *provide timely information regarding the*  
5 *activities of the National Weather Service which may*  
6 *affect service to the community, including moderniza-*  
7 *tion and restructuring; and*

8               “(2) *work with area weather service users, in-*  
9 *cluding persons associated with general aviation, civil*  
10 *defense, emergency preparedness, and the news media,*  
11 *with respect to the provision of timely weather*  
12 *warnings and forecasts.”; and*

13               (2) *in section 707—*

14               (A) *by amending subsection (c) to read as*  
15 *follows:*

16       “(c) *DUTIES.*—*The Committee shall advise the Con-*  
17 *gress and the Secretary on—*

18               “(1) *the implementation of the Strategic Plan,*  
19 *annual development of the Plan, and establishment*  
20 *and implementation of modernization criteria; and*

21               “(2) *matters of public safety and the provision*  
22 *of weather services which relate to the comprehensive*  
23 *modernization of the National Weather Service.”; and*

24               (B) *by amending subsection (f) to read as*  
25 *follows:*

1       “(f) *TERMINATION.*—*The Committee shall terminate—*  
2               “(1) *on September 30, 1997; or*  
3               “(2) *90 days after the deadline for public com-*  
4               *ment on the modernization criteria for closure certifi-*  
5               *cation published in the Federal Register pursuant to*  
6               *section 704(b)(2),*  
7       *whichever occurs later.”.*

8       “(k) *BI-AGENCY WORKING GROUP.*—*The National*  
9       *Weather Service is encouraged to follow through on the rec-*  
10       *ommendation contained in the document entitled “Sec-*  
11       *retary’s Report to Congress on Adequacy of NEXRAD Cov-*  
12       *erage and Degradation of Weather Services Under National*  
13       *Weather Service Modernization for 32 Areas of Concern”,*  
14       *dated October 12, 1995, to initiate a dialogue with the Fed-*  
15       *eral Aviation Administration to form a bi-agency working*  
16       *group to assess further the potential for National Weather*  
17       *Service operational use of Federal Aviation Administration*  
18       *weather radar data, and to define engineering consider-*  
19       *ations that would be involved in implementing a data-shar-*  
20       *ing link between the Federal Aviation Administration and*  
21       *the National Weather Service.*

22       “(l) *NEXRAD OPERATIONAL AVAILABILITY AND RELI-*  
23       *ABILITY.*—(1) *The Secretary of Defense, in conjunction with*  
24       *the Administrator, shall take steps to ensure that*  
25       *NEXRADs operated by the Department of Defense that pro-*

1 *vide* primary detection coverage over a portion of their  
2 ranges function as fully committed, reliable elements of the  
3 National Weather Radar Network, operating with the same  
4 standards, quality, and availability as the National Weath-  
5 er Service-operated NEXRADs.

6 (2) NEXRADs operated by the Department of Defense  
7 that provide primary detection coverage over a portion of  
8 their ranges are to be considered as integral parts of the  
9 National Weather Radar Network.

10 **SEC. 102. ATMOSPHERIC RESEARCH.**

11 (a) *CLIMATE AND AIR QUALITY RESEARCH.*—There  
12 are authorized to be appropriated to the Secretary to enable  
13 the National Oceanic and Atmospheric Administration to  
14 carry out its climate and air quality research duties,  
15 \$116,902,000 for fiscal year 1998 and \$118,803,000 for fis-  
16 cal year 1999. Such duties include interannual and sea-  
17 sonal climate research, long-term climate and air quality  
18 research, and high-performance computing and commu-  
19 nications.

20 (b) *ATMOSPHERIC PROGRAMS.*—There are authorized  
21 to be appropriated to the Secretary to enable the National  
22 Oceanic and Atmospheric Administration to carry out its  
23 atmospheric research duties, \$43,456,000 for fiscal year  
24 1998 and \$44,194,000 for fiscal year 1999. Such duties in-  
25 clude research for developing improved prediction capabili-

1 *ties for atmospheric processes, as well as solar-terrestrial*  
2 *research and services.*

3 (c) *ACQUISITION OF DATA.*—*There are authorized to*  
4 *be appropriated to the Secretary to enable the National Oce-*  
5 *anic and Atmospheric Administration to carry out data ac-*  
6 *quisition activities of the Office of Oceanic and Atmospheric*  
7 *Research, \$12,884,000 for fiscal year 1998 and \$12,884,000*  
8 *for fiscal year 1999.*

9 (d) *BOULDER LABORATORY ADMINISTRATIVE SUP-*  
10 *PORT CENTER.*—*There are authorized to be appropriated*  
11 *to the Secretary to enable the National Oceanic and Atmos-*  
12 *pheric Administration to continue the modifications to the*  
13 *Boulder Laboratory in Boulder, Colorado, to meet pro-*  
14 *grammatic requirements, \$1,900,000 for fiscal year 1998*  
15 *and \$9,078,000 for fiscal year 1999.*

16 **SEC. 103. NATIONAL ENVIRONMENTAL SATELLITE, DATA,**  
17 **AND INFORMATION SERVICE.**

18 (a) *SATELLITE OBSERVING SYSTEMS.*—*There are au-*  
19 *thorized to be appropriated to the Secretary to enable the*  
20 *National Oceanic and Atmospheric Administration to carry*  
21 *out its satellite observing systems duties, \$346,344,000 for*  
22 *fiscal year 1998 (reduced by \$12,400,000) and \$522,255,000*  
23 *for fiscal year 1999 (reduced by \$7,000,000), to remain*  
24 *available until expended. Such duties include spacecraft*  
25 *procurement, launch, and associated ground station systems*

1 *involving polar orbiting and geostationary environmental*  
2 *satellites, as well as the operation of such satellites. None*  
3 *of the funds authorized under this subsection shall be used*  
4 *for the purposes for which funds are authorized under sec-*  
5 *tion 105(d) of the National Oceanic and Atmospheric Ad-*  
6 *ministration Authorization Act of 1992 (Public Law 102-*  
7 *567).*

8       **(b) POES PROGRAM AUTHORIZATION.**—*Of the sums*  
9 *authorized in subsection (a), there are authorized to be ap-*  
10 *propriated to the Secretary \$82,905,000 for fiscal year 1998*  
11 *and \$172,684,000 for fiscal year 1999, to remain available*  
12 *until expended, for the procurement and launch of, and sup-*  
13 *porting ground systems for, Polar Orbiting Environmental*  
14 *Satellites (POES), K, L, M, N, and N'.*

15       **(c) NPOESS PROGRAM AUTHORIZATION.**—*Of the*  
16 *sums authorized in subsection (a), there are authorized to*  
17 *be appropriated to the Secretary, \$51,503,000 for fiscal*  
18 *year 1998 and \$35,000,000 for fiscal year 1999, to remain*  
19 *available until expended, for the procurement of the Na-*  
20 *tional Polar-Orbiting Operational Environmental Satellite*  
21 *System (NPOESS), and the procurement and launch of,*  
22 *and supporting ground systems for, such satellites.*

23       **(d) GOES N–Q.**—*Of the sums authorized in subsection*  
24 *(a), there are authorized to be appropriated to the Secretary*  
25 *\$147,819,000 for fiscal year 1998 and \$256,421,000 for fis-*



1 *cal year 1999 to procure up to three Geostationary Oper-*  
2 *ational Environmental NEXT follow-on Satellites (GOES*  
3 *N–Q), instruments, launching, and supporting ground sys-*  
4 *tems.*

5       *(e) OTHER PROGRAMS.—Of the sums authorized in*  
6 *subsection (a), there are authorized to be appropriated to*  
7 *the Secretary \$9,970,000 for fiscal year 1998 and*  
8 *\$5,400,000 for fiscal year 1999, for the Wallops Island*  
9 *backup, product development, and operating adjustment ac-*  
10 *tivities of the Geostationary Operational Environmental*  
11 *Satellite program.*

12       *(f) OCEAN REMOTE SENSING.—Of the sums authorized*  
13 *in subsection (a), there are authorized to be appropriated*  
14 *to the Secretary to enable the National Oceanic and Atmos-*  
15 *pheric Administration to carry out ocean remote sensing*  
16 *activities, \$3,800,000 for fiscal year 1998 and \$3,800,000*  
17 *for fiscal year 1999.*

18       *(g) ENVIRONMENTAL OBSERVING SERVICES.—Of the*  
19 *sums authorized in subsection (a), there are authorized to*  
20 *be appropriated to the Secretary to enable the National Oce-*  
21 *anic and Atmospheric Administration to carry out Envi-*  
22 *ronmental Observing Services, \$50,347,000 for fiscal year*  
23 *1998 and \$48,950,000 for fiscal year 1999.*

24       *(h) ENVIRONMENTAL DATA AND INFORMATION SERV-*  
25 *ICES.—There are authorized to be appropriated to the Sec-*

1 *retary to enable the National Oceanic and Atmospheric Ad-*  
2 *ministration to carry out its environmental data and infor-*  
3 *mation services duties, \$43,835,000 for fiscal year 1998 and*  
4 *\$43,835,000 for fiscal year 1999. Such duties include cli-*  
5 *mate data services, geophysical data services, and environ-*  
6 *mental assessment and information services.*

## 7 **TITLE II—MARINE RESEARCH**

### 8 **SEC. 201. NATIONAL OCEAN SERVICE.**

#### 9 *(a) NAVIGATION SERVICES.—*

10 *(1) MAPPING AND CHARTING.—There are author-*  
11 *ized to be appropriated to the Secretary, to enable the*  
12 *National Oceanic and Atmospheric Administration to*  
13 *carry out mapping and charting activities under the*  
14 *Act of 1947 and any other law involving those activi-*  
15 *ties, \$36,100,000 for fiscal year 1998 and \$36,100,000*  
16 *for fiscal year 1999.*

17 *(2) GEODESY.—There are authorized to be ap-*  
18 *propriated to the Secretary, to enable the National*  
19 *Oceanic and Atmospheric Administration to carry*  
20 *out geodesy activities under the Act of 1947 and any*  
21 *other law involving those activities, \$19,159,000 for*  
22 *fiscal year 1998 and \$19,159,000 for fiscal year 1999.*

23 *(3) TIDE AND CURRENT DATA.—There are au-*  
24 *thorized to be appropriated to the Secretary, to enable*  
25 *the National Oceanic and Atmospheric Administra-*

1        *tion to carry out tide and current observation activi-*  
2        *ties under the Act of 1947 and any other law involv-*  
3        *ing those activities, \$11,000,000 for fiscal year 1998*  
4        *and \$11,187,000 for fiscal year 1999.*

5        *(b) ESTUARINE AND COASTAL ASSESSMENT.—*

6            *(1) IN GENERAL.—There are authorized to be ap-*  
7        *propriated to the Secretary, to enable the National*  
8        *Oceanic and Atmospheric Administration to support*  
9        *estuarine and coastal assessment activities under the*  
10       *Act of 1947 and any other law involving those activi-*  
11       *ties, \$2,674,000 for fiscal year 1998 and \$2,719,000*  
12       *for fiscal year 1999.*

13           *(2) OCEAN ASSESSMENT.—In addition to*  
14       *amounts authorized under paragraph (1), there are*  
15       *authorized to be appropriated to the Secretary, to en-*  
16       *able the National Oceanic and Atmospheric Adminis-*  
17       *tration to carry out the National Status and Trends*  
18       *Program, the Strategic Environmental Assessment*  
19       *Program, and the Hazardous Materials Response and*  
20       *Assessment Program, \$28,425,000 for fiscal year 1998*  
21       *and \$27,840,000 for fiscal year 1999.*

22           *(3) OIL POLLUTION ACT OF 1990.—In addition to*  
23       *amounts authorized under paragraph (1), there are*  
24       *authorized to be appropriated to the Secretary, to en-*  
25       *able the National Oceanic and Atmospheric Adminis-*

1        *tration to carry out Oil Pollution Act of 1990 activi-*  
2        *ties, \$1,000,000 for fiscal year 1998 and \$1,017,000*  
3        *for fiscal year 1999.*

4            (4) *OCEAN SERVICES.*—*In addition to amounts*  
5        *authorized under paragraph (1), there are authorized*  
6        *to be appropriated to the Secretary, to enable the Na-*  
7        *tional Oceanic and Atmospheric Administration to*  
8        *carry out ocean services duties, \$2,800,000 for fiscal*  
9        *year 1998 and \$2,848,000 for fiscal year 1999. Such*  
10       *duties include acquisition of sea-surface and ocean*  
11       *temperature profiles from specially instrumented com-*  
12       *mmercial vessels, and storing and archiving the ac-*  
13       *quired data.*

14           (c) *COASTAL OCEAN PROGRAM.*—*There are authorized*  
15       *to be appropriated to the Secretary, to enable the National*  
16       *Oceanic and Atmospheric Administration to carry out the*  
17       *Coastal Ocean Program, \$15,200,000 for fiscal year 1998*  
18       *and \$15,458,000 for fiscal year 1999.*

19           (d) *ACQUISITION OF DATA.*—*There are authorized to*  
20       *be appropriated to the Secretary, to enable the National*  
21       *Oceanic and Atmospheric Administration to carry out data*  
22       *acquisition activities of the National Ocean Service,*  
23       *\$14,546,000 for fiscal year 1998 and \$14,546,000 for fiscal*  
24       *year 1999.*

1 **SEC. 202. OCEAN AND GREAT LAKES PROGRAMS.**

2       (a) *MARINE PREDICTION RESEARCH.*—*There are au-*  
3 *thorized to be appropriated to the Secretary, to enable the*  
4 *National Oceanic and Atmospheric Administration to carry*  
5 *out marine prediction research activities under the Act of*  
6 *1947, the Act of 1890, and any other law involving those*  
7 *activities, \$17,326,000 for fiscal year 1998 and \$17,620,000*  
8 *for fiscal year 1999.*

9       (b) *UNDERSEA RESEARCH PROGRAM.*—

10           (1) *AUTHORIZATION.*—*There are authorized to be*  
11 *appropriated to the Secretary, to enable the National*  
12 *Oceanic and Atmospheric Administration to carry*  
13 *out the National Undersea Research Program,*  
14 *\$5,400,000 for fiscal year 1998.*

15           (2) *PEER REVIEW.*—*No funds appropriated pur-*  
16 *suant to this Act may be obligated for any grant un-*  
17 *less such grant is competitively awarded and subject*  
18 *to a peer review process established pursuant to the*  
19 *plan submitted under paragraph (3).*

20           (3) *RESTRUCTURING PLAN.*—*By January 15,*  
21 *1998, the Secretary shall submit to the Committee on*  
22 *Science of the House of Representatives and the Com-*  
23 *mittee on Commerce, Science, and Transportation of*  
24 *the Senate a plan for carrying out the National Un-*  
25 *dersea Research Program which includes the National*  
26 *Undersea Research Advisory Council and the Na-*

1        *tional Undersea Research Peer Review Panel which*  
2        *will ensure the quality of scientific research carried*  
3        *out by the Program, the responsiveness of the Pro-*  
4        *gram to the mission needs of the National Oceanic*  
5        *and Atmospheric Administration, and responsiveness*  
6        *of the Program to key national needs in oceano-*  
7        *graphic research.*

8        **TITLE III—PROGRAM SUPPORT**  
9        **AND OTHER ACCOUNTS**

10      **SEC. 301. PROGRAM SUPPORT.**

11            *(a) EXECUTIVE DIRECTION AND ADMINISTRATIVE AC-*  
12      *TIVITIES.—There are authorized to be appropriated to the*  
13      *Secretary, to enable the National Oceanic and Atmospheric*  
14      *Administration to carry out executive direction and admin-*  
15      *istrative activities under the Act of 1970 and any other law*  
16      *involving those activities, \$18,240,000 for fiscal year 1998*  
17      *and \$17,328,000 for fiscal year 1999.*

18            *(b) SYSTEMS ACQUISITION OFFICE.—There are au-*  
19      *thorized to be appropriated to the Secretary, to enable the*  
20      *National Oceanic and Atmospheric Administration to carry*  
21      *out Systems Acquisition Office activities, \$1,423,000 for fis-*  
22      *cal year 1998 and \$1,351,000 for fiscal year 1999.*

23            *(c) CENTRAL ADMINISTRATIVE SUPPORT.—There are*  
24      *authorized to be appropriated to the Secretary, to enable*  
25      *the National Oceanic and Atmospheric Administration to*

1 *carry out central administrative support activities under*  
2 *the Act of 1970 and any other law involving those activities,*  
3 *\$31,350,000 for fiscal year 1998 and \$29,783,000 for fiscal*  
4 *year 1999.*

5       (d) *RETIRED PAY.*—*There are authorized to be appro-*  
6 *priated to the Secretary, for retired pay for retired commis-*  
7 *sioned officers of the National Oceanic and Atmospheric Ad-*  
8 *ministration under the Act of 1970, \$14,000,000 for fiscal*  
9 *year 1998.*

10       (e) *AIRCRAFT SERVICES.*—*There are authorized to be*  
11 *appropriated to the Secretary, to enable the National Oce-*  
12 *anic and Atmospheric Administration to carry out aircraft*  
13 *services activities (including aircraft operations, mainte-*  
14 *nance, and support) under the Act of 1970 and any other*  
15 *law involving those activities, \$9,900,000 for fiscal year*  
16 *1998 and \$9,900,000 for fiscal year 1999.*

17 **SEC. 302. OTHER ACCOUNTS.**

18       (a) *FLEET MAINTENANCE AND PLANNING.*—*There are*  
19 *authorized to be appropriated to the Secretary, to enable*  
20 *the National Oceanic and Atmospheric Administration to*  
21 *carry out fleet maintenance and planning activities,*  
22 *\$11,823,000 for fiscal year 1998 and \$11,823,000 for fiscal*  
23 *year 1999.*

24       (b) *RECOVERIES FROM PRIOR YEARS.*—*The total*  
25 *amount authorized to be appropriated pursuant to this Act*

1 *is reduced by \$25,500,000 for fiscal year 1998 and*  
2 *\$14,000,000 for fiscal year 1999 to reflect the use of prior*  
3 *year balances.*

4       **TITLE IV—STREAMLINING OF**  
5                   **OPERATIONS**

6       **SEC. 401. PROGRAMS.**

7           (a) *PROGRAMS.—No funds are authorized to be appro-*  
8 *priated for the following programs and accounts:*

9                   (1) *Fleet Replacement in the Capital Assets Ac-*  
10 *quisition Account.*

11                   (2) *Federal/State Weather Modification Grants.*

12                   (3) *The Southeast Storm Research Account.*

13                   (4) *National Institute for Environmental Re-*  
14 *newal.*

15                   (5) *National Weather Service non-Federal, non-*  
16 *wildfire Fire Weather Service.*

17                   (6) *National Weather Service Regional Climate*  
18 *Centers.*

19                   (7) *Goddard Science Center.*

20                   (8) *National Weather Service Samoa Weather*  
21 *Forecast Office Repair and Upgrade Account.*

22                   (9) *Dissemination of Weather Charts (Marine*  
23 *Facsimile Service).*

24                   (10) *National Coastal Resources and Develop-*  
25 *ment Institute Account.*



1       (b) *REPORT.*—Not later than 60 days after the date  
2 of the enactment of this Act, the Secretary shall submit to  
3 the Committee on Science of the House of Representatives  
4 and the Committee on Commerce, Science, and Transpor-  
5 tation of the Senate a report certifying that all the pro-  
6 grams listed in subsection (a) will be terminated no later  
7 than September 30, 1997.

8       (c) *REPEAL OF NOAA FLEET MODERNIZATION ACT.*—  
9 The NOAA Fleet Modernization Act (33 U.S.C. 851 note)  
10 is repealed.

11 **SEC. 402. LIMITATIONS ON APPROPRIATIONS.**

12       (a) *MAXIMUM AMOUNTS; OPERATIONS, RESEARCH,*  
13 *AND FACILITIES.*—No more than \$1,039,206,000 for fiscal  
14 year 1998 and \$1,020,131,000 for fiscal year 1999 are au-  
15 thorized to be appropriated to the Secretary by this Act and  
16 any other Act, to enable the National Oceanic and Atmos-  
17 pheric Administration to carry out all activities associated  
18 with Operations, Research, and Facilities for which funds  
19 are authorized by this Act.

20       (b) *MAXIMUM AMOUNTS; CAPITAL ASSETS ACQUISI-*  
21 *TION.*—No more than \$410,808,000 for fiscal year 1998 and  
22 \$548,101,000 for fiscal year 1999 are authorized to be ap-  
23 propriated to the Secretary by this Act and any other Act,  
24 to enable the National Oceanic and Atmospheric Adminis-  
25 tration to carry out all activities associated with Capital

1 *Assets Acquisition for which funds are authorized by this*  
2 *Act.*

3 (c) *REDUCTION IN TRAVEL BUDGET.*—*Of the sums ap-*  
4 *propriated under this Act for Operations, Research, and*  
5 *Facilities, no more than \$20,000,000 for fiscal year 1998*  
6 *and \$20,500,000 for fiscal year 1999 may be used for reim-*  
7 *bursement of travel and related expenses for National Oce-*  
8 *anic and Atmospheric Administration personnel.*

9 **SEC. 403. DISESTABLISHMENT OF THE CORPS OF COMMIS-**  
10 **SIONED OFFICERS.**

11 (a) *NUMBER OF OFFICERS.*—*Notwithstanding section*  
12 *8 of the Act of June 3, 1948 (33 U.S.C. 853g), no commis-*  
13 *sioned officers are authorized for any fiscal year after fiscal*  
14 *year 1997.*

15 (b) *SEVERANCE PAY.*—*Commissioned officers may be*  
16 *separated from the active list of the National Oceanic and*  
17 *Atmospheric Administration. In lieu of separation pay, of-*  
18 *ficers so separated shall be eligible only for severance pay*  
19 *in accordance with the terms and conditions of section 5595*  
20 *of title 5, United States Code, and only to the extent pro-*  
21 *vided in advance in appropriations Acts.*

22 (c) *TRANSFER.*—(1) *Subject to the approval of the Sec-*  
23 *retary of Defense and under terms and conditions specified*  
24 *by the Secretary, commissioned officers subject to subsection*

1 (a) may transfer to the armed services under section 716  
2 of title 10, United States Code.

3 (2) Subject to the approval of the Secretary of Trans-  
4 portation and under terms and conditions specified by the  
5 Secretary, commissioned officers subject to subsection (a)  
6 may transfer to the United States Coast Guard under sec-  
7 tion 716 of title 10, United States Code.

8 (3) Subject to the approval of the Administrator of the  
9 National Oceanic and Atmospheric Administration and  
10 under terms and conditions specified by that Adminis-  
11 trator, a commissioned officer subject to subsection (a) may  
12 be employed by the National Oceanic and Atmospheric Ad-  
13 ministration as a member of the civil service, if the Admin-  
14 istrator considers that individual to be the best available  
15 candidate for the position. No new civil service position  
16 may be created pursuant to this paragraph.

17 (4) The Administrator shall, before December 1, 1997,  
18 transmit to the Committee on Science of the House of Rep-  
19 resentatives and the Committee on Commerce, Science, and  
20 Transportation of the Senate a report listing all officers em-  
21 ployed by the National Oceanic and Atmospheric Adminis-  
22 tration under paragraph (3), a description of their respon-  
23 sibilities as members of the NOAA Corps, and a description  
24 of their responsibilities as civil service employees of the Na-  
25 tional Oceanic and Atmospheric Administration.

1       (d) *REPEALS.*—(1) *The following provisions of law are*  
2 *repealed:*

3           (A) *The Coast and Geodetic Survey Commis-*  
4 *sioned Officers' Act of 1948 (33 U.S.C. 853a–853o,*  
5 *853p–853u).*

6           (B) *The Act of February 16, 1929 (Chapter 221,*  
7 *section 5; 45 Stat. 1187; 33 U.S.C. 852a).*

8           (C) *The Act of January 19, 1942 (Chapter 6; 56*  
9 *Stat. 6).*

10          (D) *Section 9 of Public Law 87–649 (76 Stat.*  
11 *495).*

12          (E) *The Act of May 22, 1917 (Chapter 20, sec-*  
13 *tion 16; 40 Stat. 87; 33 U.S.C. 854 et seq.).*

14          (F) *The Act of December 3, 1942 (Chapter 670;*  
15 *56 Stat. 1038).*

16          (G) *Sections 1 through 5 of Public Law 91–621*  
17 *(84 Stat. 1863; 33 U.S.C. 857–1 et seq.).*

18          (H) *The Act of August 10, 1956 (Chapter 1041,*  
19 *section 3; 70A Stat. 619; 33 U.S.C. 857a).*

20          (I) *The Act of May 18, 1920 (Chapter 190, sec-*  
21 *tion 11; 41 Stat. 603; 33 U.S.C. 864).*

22          (J) *The Act of July 22, 1947 (Chapter 286; 61*  
23 *Stat. 400; 33 U.S.C. 873, 874).*

24          (K) *The Act of August 3, 1956 (Chapter 932; 70*  
25 *Stat. 988; 33 U.S.C. 875, 876).*

1           (L) *All other Acts inconsistent with this sub-*  
2           *section.*

3 *Following the repeal of provisions under this paragraph,*  
4 *all retirement benefits for the NOAA Corps which are in*  
5 *existence on September 30, 1997, shall continue to apply*  
6 *to eligible NOAA Corps officers and retirees.*

7           (2) *The effective date of the repeals under paragraph*  
8 *(1) shall be October 1, 1997.*

9           (e) *ABOLITION.—The Office of the National Oceanic*  
10 *and Atmospheric Administration Corps of Operations and*  
11 *the Commissioned Personnel Center are abolished effective*  
12 *September 30, 1997.*

## 13           **TITLE V—MISCELLANEOUS**

### 14           **SEC. 501. WEATHER DATA BUOYS.**

15           (a) *PROHIBITION.—It shall be unlawful for any unau-*  
16 *thorized person to remove, change the location of, obstruct,*  
17 *willfully damage, make fast to, or interfere with any weath-*  
18 *er data buoy established, installed, operated, or maintained*  
19 *by the National Data Buoy Center.*

20           (b) *CIVIL PENALTIES.—The Administrator is author-*  
21 *ized to assess a civil penalty against any person who vio-*  
22 *lates any provision of this section in an amount of not more*  
23 *than \$10,000 for each violation. Each day during which*  
24 *such violation continues shall be considered a new offense.*

1 *Such penalties shall be assessed after notice and oppor-*  
2 *tunity for a hearing.*

3       (c) *REWARDS.*—*The Administrator may offer and pay*  
4 *rewards for the apprehension and conviction, or for infor-*  
5 *mation helpful therein, of persons found interfering, in vio-*  
6 *lation of law, with data buoys maintained by the National*  
7 *Data Buoy Center; or for information leading to the discov-*  
8 *ery of missing National Weather Service property or the*  
9 *recovery thereof.*

10 **SEC. 502. DUTIES OF THE NATIONAL WEATHER SERVICE.**

11       (a) *IN GENERAL.*—*To protect life and property and*  
12 *enhance the national economy, the Secretary, through the*  
13 *National Weather Service, except as outlined in subsection*  
14 *(b), shall be responsible for—*

15               (1) *forecasts and shall serve as the sole official*  
16 *source of weather and flood warnings;*

17               (2) *the issue of storm warnings;*

18               (3) *the collection, exchange, and distribution of*  
19 *meteorological, hydrological, climatic, and oceano-*  
20 *graphic data and information; and*

21               (4) *the preparation of hydrometeorological guid-*  
22 *ance and core forecast information.*

23       (b) *COMPETITION WITH PRIVATE SECTOR.*—*The Na-*  
24 *tional Weather Service shall not compete, or assist other en-*  
25 *tities to compete, with the private sector when a service not*

1 *specified in subsection (a) is currently provided or can be*  
2 *provided by commercial enterprise, unless the Secretary*  
3 *finds that the private sector is unwilling or unable to pro-*  
4 *vide the services.*

5 *(c) AMENDMENTS.—The Act of 1890 is amended—*

6 *(1) by striking section 3 (15 U.S.C. 313); and*

7 *(2) in section 9 (15 U.S.C. 317), by striking all*  
8 *after “Department of Agriculture” and inserting in*  
9 *lieu thereof a period.*

10 *(d) REPORT.—Not later than 60 days after the date*  
11 *of the enactment of this Act, the Secretary shall submit to*  
12 *the Committee on Science of the House of Representatives*  
13 *and the Committee on Commerce, Science, and Transpor-*  
14 *tation of the Senate a report detailing all National Weather*  
15 *Service activities which do not conform to the requirements*  
16 *of this section and outlining a timetable for their termi-*  
17 *nation.*

18 **SEC. 503. MARINE SERVICES.**

19 *(a) SERVICE CONTRACTS.—Notwithstanding any other*  
20 *provision of law and subject to the availability of appro-*  
21 *priations, the Secretary shall enter into contracts, including*  
22 *multiyear contracts, subject to subsection (c), for the use of*  
23 *vessels to conduct oceanographic research and fisheries re-*  
24 *search, monitoring, enforcement, and management, and to*  
25 *acquire other data necessary to carry out the missions of*

1 *the National Oceanic and Atmospheric Administration. The*  
2 *Secretary shall enter into these contracts unless—*

3           (1) *the cost of the contract is more than the cost*  
4 *(including the cost of vessel operation, maintenance,*  
5 *and all personnel) to the National Oceanic and At-*  
6 *mospheric Administration of obtaining those services*  
7 *on vessels of the National Oceanic and Atmospheric*  
8 *Administration;*

9           (2) *the contract is for more than 7 years; or*

10           (3) *the data is acquired through a vessel agree-*  
11 *ment pursuant to subsection (d).*

12           (b) *VESSELS.—The Secretary may not enter into any*  
13 *contract for the construction, lease-purchase, upgrade, or*  
14 *service life extension of any vessel.*

15           (c) *MULTIYEAR CONTRACTS.—*

16           (1) *IN GENERAL.—Subject to paragraphs (2) and*  
17 *(3), and notwithstanding section 1341 of title 31,*  
18 *United States Code, and section 11 of title 41, United*  
19 *States Code, the Secretary may acquire data under*  
20 *multiyear contracts.*

21           (2) *REQUIRED FINDINGS.—The Secretary may*  
22 *not enter into a contract pursuant to this subsection*  
23 *unless the Secretary finds with respect to that con-*  
24 *tract that there is a reasonable expectation that*  
25 *throughout the contemplated contract period the Sec-*



1        *retary will request from Congress funding for the con-*  
2        *tract at the level required to avoid contract termi-*  
3        *nation.*

4                (3) *REQUIRED PROVISIONS.—The Secretary may*  
5        *not enter into a contract pursuant to this subsection*  
6        *unless the contract includes—*

7                        (A) *a provision under which the obligation*  
8                        *of the United States to make payments under the*  
9                        *contract for any fiscal year is subject to the*  
10                       *availability of appropriations provided in ad-*  
11                       *vance for those payments;*

12                       (B) *a provision that specifies the term of ef-*  
13                       *fectiveness of the contract; and*

14                       (C) *appropriate provisions under which, in*  
15                       *case of any termination of the contract before the*  
16                       *end of the term specified pursuant to subpara-*  
17                       *graph (B), the United States shall only be liable*  
18                       *for the lesser of—*

19                                (i) *an amount specified in the contract*  
20                                *for such a termination; or*

21                                (ii) *amounts that were appropriated*  
22                                *before the date of the termination for the*  
23                                *performance of the contract or for procure-*  
24                                *ment of the type of acquisition covered by*

1                    *the contract and are unobligated on the date*  
2                    *of the termination.*

3            (d) *VESSEL AGREEMENTS.*—*The Secretary shall use*  
4 *excess capacity of University National Oceanographic Lab-*  
5 *oratory System vessels where appropriate and may enter*  
6 *into memoranda of agreement with the operators of these*  
7 *vessels to carry out this requirement.*

8    **SEC. 504. NATIONAL OCEANOGRAPHIC PARTNERSHIP PRO-**  
9                    **GRAM.**

10            *The National Oceanic and Atmospheric Administra-*  
11 *tion is authorized to participate in the National Oceanic*  
12 *Partnership Program established by the National Oceanic*  
13 *Partnership Act (Public Law 104–201).*

14    **SEC. 505. LIMITATIONS.**

15            (a) *PROHIBITION OF LOBBYING ACTIVITIES.*—*None of*  
16 *the funds authorized by this Act shall be available for any*  
17 *activity whose purpose is to influence legislation pending*  
18 *before the Congress, except that this subsection shall not pre-*  
19 *vent officers or employees of the United States or of its de-*  
20 *partments or agencies from communicating to Members of*  
21 *Congress on the request of any Member or to Congress,*  
22 *through the proper channels, requests for legislation or ap-*  
23 *propriations which they deem necessary for the efficient*  
24 *conduct of the public business.*

1       (b) *LIMITATION ON APPROPRIATIONS.*—No sums are  
2 authorized to be appropriated to the Administrator for fis-  
3 cal years 1998 and 1999 for the activities for which sums  
4 are authorized by this Act, unless such sums are specifically  
5 authorized to be appropriated by this Act.

6       (c) *ELIGIBILITY FOR AWARDS.*—

7           (1) *IN GENERAL.*—The Administrator shall ex-  
8 clude from consideration for grant agreements made  
9 by the National Oceanic and Atmospheric Adminis-  
10 tration after fiscal year 1997 any person who received  
11 funds, other than those described in paragraph (2),  
12 appropriated for a fiscal year after fiscal year 1997,  
13 under a grant agreement from any Federal funding  
14 source for a project that was not subjected to a com-  
15 petitive, merit-based award process. Any exclusion  
16 from consideration pursuant to this subsection shall  
17 be effective for a period of 5 years after the person re-  
18 ceives such Federal funds.

19           (2) *EXCEPTION.*—Paragraph (1) shall not apply  
20 to the receipt of Federal funds by a person due to the  
21 membership of that person in a class specified by law  
22 for which assistance is awarded to members of the  
23 class according to a formula provided by law.

24           (3) *DEFINITION.*—For purposes of this sub-  
25 section, the term “grant agreement” means a legal in-

1        *strument whose principal purpose is to transfer a*  
2        *thing of value to the recipient to carry out a public*  
3        *purpose of support or stimulation authorized by a*  
4        *law of the United States, and does not include the ac-*  
5        *quisition (by purchase, lease, or barter) of property or*  
6        *services for the direct benefit or use of the United*  
7        *States Government. Such term does not include a co-*  
8        *operative agreement (as such term is used in section*  
9        *6305 of title 31, United States Code) or a cooperative*  
10       *research and development agreement (as such term is*  
11       *defined in section 12(d)(1) of the Stevenson-Wydler*  
12       *Technology Innovation Act of 1980 (15 U.S.C.*  
13       *3710a(d)(1))).*

14       **SEC. 506. NOTICE.**

15        *(a) NOTICE OF REPROGRAMMING.—If any funds au-*  
16        *thorized by this Act are subject to a reprogramming action*  
17        *that requires notice to be provided to the Appropriations*  
18        *Committees of the House of Representatives and the Senate,*  
19        *notice of such action shall concurrently be provided to the*  
20        *Committees on Science and Resources of the House of Rep-*  
21        *resentatives and the Committee on Commerce, Science, and*  
22        *Transportation of the Senate.*

23        *(b) NOTICE OF REORGANIZATION.—The Administrator*  
24        *shall provide notice to the Committees on Science, Re-*  
25        *sources, and Appropriations of the House of Representa-*

1 *tives, and the Committees on Commerce, Science, and*  
2 *Transportation and Appropriations of the Senate, not later*  
3 *than 15 days before any major reorganization of any pro-*  
4 *gram, project, or activity of the National Oceanic and At-*  
5 *mospheric Administration.*

6 **SEC. 507. SENSE OF CONGRESS ON THE YEAR 2000 PROB-**  
7 **LEM.**

8 *With the year 2000 fast approaching, it is the sense*  
9 *of Congress that the National Oceanic and Atmospheric Ad-*  
10 *ministration should—*

11 *(1) give high priority to correcting all 2-digit*  
12 *date-related problems in its computer systems to en-*  
13 *sure that those systems continue to operate effectively*  
14 *in the year 2000 and beyond;*

15 *(2) assess immediately the extent of the risk to*  
16 *the operations of the National Oceanic and Atmos-*  
17 *pheric Administration posed by the problems referred*  
18 *to in paragraph (1), and plan and budget for achiev-*  
19 *ing Year 2000 compliance for all of its mission-criti-*  
20 *cal systems; and*

21 *(3) develop contingency plans for those systems*  
22 *that the National Oceanic and Atmospheric Adminis-*  
23 *tration is unable to correct in time.*

1 **SEC. 508. BUY AMERICAN.**

2 (a) *COMPLIANCE WITH BUY AMERICAN ACT.*—No  
 3 funds appropriated pursuant to this Act may be expended  
 4 by an entity unless the entity agrees that in expending the  
 5 assistance the entity will comply with sections 2 through  
 6 4 of the Act of March 3, 1933 (41 U.S.C. 10a-10c, popularly  
 7 known as the “Buy American Act”).

8 (b) *SENSE OF CONGRESS.*—In the case of any equip-  
 9 ment or products that may be authorized to be purchased  
 10 with financial assistance provided under this Act, it is the  
 11 sense of Congress that entities receiving such assistance  
 12 should, in expending the assistance, purchase only Amer-  
 13 ican-made equipment and products.

14 (c) *NOTICE TO RECIPIENTS OF ASSISTANCE.*—In pro-  
 15 viding financial assistance under this Act, the Secretary of  
 16 Commerce shall provide to each recipient of the assistance  
 17 a notice describing the statement made in subsection (a)  
 18 by the Congress.

19 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

20 (a) **SHORT TITLE.**—This Act may be cited as  
 21 the “**Oceanographic and Atmospheric Re-**  
 22 **search Authorization Act of 1997”.**

23 (b) **TABLE OF CONTENTS.**—

**Sec. 1. Short title; table of contents.**

**Sec. 2. Definitions.**

**TITLE I—ATMOSPHERIC, WEATHER, AND SATELLITE  
 PROGRAMS**

- Sec. 101. National Weather Service.
- Sec. 102. Atmospheric research.
- Sec. 103. National Environmental Satellite, Data, and Information Service.

**TITLE II—OCEANOGRAPHY AND MARINE RESEARCH**

- Sec. 201. Oceanography and marine research.

**TITLE III—PROGRAM SUPPORT AND OTHER ACCOUNTS**

- Sec. 301. Program support.
- Sec. 302. Recoveries from prior years.

**TITLE IV—STREAMLINING OF OPERATIONS**

- Sec. 401. Programs.
- Sec. 402. Limitations on appropriations.

**TITLE V—MISCELLANEOUS**

- Sec. 501. Weather data buoys.
- Sec. 502. Duties of the National Weather Service.
- Sec. 503. Prohibition of lobbying activities.
- Sec. 504. Notice.
- Sec. 505. Sense of Congress on the Year 2000 problem.
- Sec. 506. Buy American.

1 **SEC. 2. DEFINITIONS.**

2 **For the purposes of this Act, the term—**

3 **(1) “Act of 1890” means the Act enti-**  
 4 **tled “An Act to increase the efficiency**  
 5 **and reduce the expenses of the Signal**  
 6 **Corps of the Army, and to transfer the**  
 7 **Weather Bureau to the Department of Ag-**  
 8 **riculture”, approved October 1, 1890 (26**  
 9 **Stat. 653);**

10 **(2) “Administrator” means the Admin-**  
 11 **istrator of the National Oceanic and At-**  
 12 **mospheric Administration; and**

13 **(3) “Secretary” means the Secretary**  
 14 **of Commerce.**

1 **TITLE I—ATMOSPHERIC, WEATH-**  
2 **ER, AND SATELLITE PRO-**  
3 **GRAMS**

4 **SEC. 101. NATIONAL WEATHER SERVICE.**

5 **(a) OPERATIONS AND RESEARCH.—There are**  
6 **authorized to be appropriated to the Sec-**  
7 **retary to enable the National Oceanic and At-**  
8 **mospheric Administration to carry out the op-**  
9 **erations and research duties of the National**  
10 **Weather Service, \$458,131,000 for fiscal year**  
11 **1998 and \$451,074,000 for fiscal year 1999.**  
12 **Such duties include meteorological,**  
13 **hydrological, and oceanographic public**  
14 **warnings and forecasts, as well as applied re-**  
15 **search in support of such warnings and fore-**  
16 **casts. Of the amounts authorized under this**  
17 **subsection for each of the fiscal years 1998**  
18 **and 1999, \$3,600,000 shall be for the Tropical**  
19 **Prediction Center/National Hurricane Center.**

20 **(b) SYSTEMS ACQUISITION.—(1) There are**  
21 **authorized to be appropriated to the Sec-**  
22 **retary to enable the National Oceanic and At-**  
23 **mospheric Administration to carry out the**  
24 **public warning and forecast systems duties of**  
25 **the National Weather Service, \$89,713,000 for**



1 **fiscal year 1998 (including amounts as pro-**  
2 **vided in subsection (c)) and \$74,453,000 for fis-**  
3 **cal year 1999. Such duties include the devel-**  
4 **opment, acquisition, and implementation of**  
5 **major public warning and forecast systems,**  
6 **including the upgrade of computer facilities.**  
7 **None of the funds authorized under this sub-**  
8 **section shall be used for the purposes for**  
9 **which funds are authorized under subsection**  
10 **(f).**

11 **(2) Of the amounts authorized under para-**  
12 **graph (1), \$39,591,000 for fiscal year 1998 and**  
13 **\$39,887,000 for fiscal year 1999 shall be for**  
14 **Next Generation Weather Radar (NEXRAD)**  
15 **program management, operations, and main-**  
16 **tenance.**

17 **(3) Of the amounts authorized under para-**  
18 **graph (1), \$11,377,000 for fiscal year 1998 and**  
19 **\$11,224,000 for fiscal year 1999 shall be for re-**  
20 **maining system acquisition, program manage-**  
21 **ment, support contracts, logistic support, and**  
22 **continued product improvement of NEXRAD**  
23 **systems.**

24 **(c) NEW NEXRAD INSTALLATIONS.—Of the**  
25 **amount authorized under subsection (b)(1)**

1 for fiscal year 1998, \$15,000,000 shall be for  
2 the acquisition and deployment of NEXRAD  
3 systems—

4 (1) identified as necessary to prevent  
5 degradation of weather service caused by  
6 gaps in radar coverage, in National  
7 Weather Service follow-up studies to the  
8 Secretary's Report to Congress on Ade-  
9 quacy of NEXRAD Coverage and Deg-  
10 radation of Weather Services Under Na-  
11 tional Weather Service Modernization for  
12 32 Areas of Concern, dated October 12,  
13 1995; and

14 (2) recommended and approved by  
15 the Secretary,  
16 including program management, facilities, op-  
17 erations, and maintenance through Septem-  
18 ber 30, 1999.

19 (d) ASOS PROGRAM AUTHORIZATION.—Of  
20 the sums authorized in subsection (b)(1),  
21 \$9,835,000 for fiscal year 1998 and \$9,942,000  
22 for fiscal year 1999 are authorized to be ap-  
23 propriated to the Secretary, for the acqui-  
24 sition and deployment of—

1           **(1) the Automated Surface Observing**  
2           **System (ASOS) and related systems, in-**  
3           **cluding multisensor and backup arrays**  
4           **for National Weather Service sites at air-**  
5           **ports; and**

6           **(2) Automated Meteorological Observ-**  
7           **ing System and Remote Automated Mete-**  
8           **orological Observing System replacement**  
9           **units,**

10          **and to cover all associated activities, includ-**  
11          **ing program management and operations and**  
12          **maintenance.**

13          **(e) COMPUTER FACILITY UPGRADES.—Of the**  
14          **sums authorized in subsection (b)(1),**  
15          **\$13,910,000 for fiscal year 1998 and \$13,400,000**  
16          **for fiscal year 1999 are authorized to be ap-**  
17          **propriated to the Secretary for—**

18                 **(1) the continued lease and mainte-**  
19                 **nance of the Cray C-90 supercomputer;**  
20                 **and**

21                 **(2) the Upgrade of the Central Com-**  
22                 **puter Facility (to provide for payment to-**  
23                 **ward the Cray J-916 systems buyout, to**  
24                 **complete the National Weather Service**  
25                 **telecommunications gateway upgrade,**

1       **and to cover all associated activities, in-**  
2       **cluding program management and oper-**  
3       **ations and maintenance).**

4       **(f) AWIPS PROGRAM AUTHORIZATION.—(1)**  
5       **There are to be authorized to be appropriated**  
6       **to the Secretary to enable the National Oce-**  
7       **anic and Atmospheric Administration to carry**  
8       **out the acquisition, deployment, program**  
9       **management, operation, and maintenance of**  
10       **the Advanced Weather Interactive Processing**  
11       **System (AWIPS), \$116,910,000 for fiscal year**  
12       **1998 and \$82,029,000 for fiscal year 1999.**

13       **(2)(A) Of the sums authorized in para-**  
14       **graph (1), except as provided in paragraph**  
15       **(3), there are authorized to be appropriated to**  
16       **the Secretary for all fiscal years beginning**  
17       **after September 30, 1997, an aggregate of**  
18       **\$186,300,000, to remain available until ex-**  
19       **pendent, to complete the acquisition and de-**  
20       **ployment of AWIPS and NOAAPort and to**  
21       **cover all associated activities, including pro-**  
22       **gram management and operations and main-**  
23       **tenance through September 30, 1999.**

24       **(B) Notwithstanding subparagraph (A),**  
25       **\$22,635,000 of the amount described in sub-**

1 paragraph (A) for fiscal year 1998 shall be de-  
2 rived from the use of unobligated prior year  
3 funds appropriated for the Geostationary  
4 Operational Environmental Satellite pro-  
5 gram.

6 (3) No funds are authorized to be appro-  
7 priated for any fiscal year under paragraph  
8 (1) unless, within 60 days after the submission  
9 of the President's budget request for such fis-  
10 cal year, the Secretary—

11 (A) certifies to the Congress that—

12 (i) the systems meet the technical  
13 performance specifications included  
14 in the system contract as in effect on  
15 August 11, 1995;

16 (ii) the systems can be fully de-  
17 ployed, sited, and operational without  
18 requiring further appropriations be-  
19 yond amounts authorized under para-  
20 graph (1); and

21 (iii) the Secretary does not fore-  
22 see any delays in the systems deploy-  
23 ment and operations schedule; or

24 (B) submits to the Congress a report  
25 which describes—

1           (i) the circumstances which pre-  
2 vent a certification under subpara-  
3 graph (A);

4           (ii) remedial actions undertaken  
5 or to be undertaken with respect to  
6 such circumstances;

7           (iii) the effects of such cir-  
8 cumstances on the systems deploy-  
9 ment and operations schedule and  
10 systems coverage; and

11           (iv) a justification for proceeding  
12 with the program, if appropriate.

13       **(g) CONSTRUCTION OF WEATHER FORECAST**  
14 **OFFICES.—**There are authorized to be appro-  
15 priated to the Secretary to enable the Na-  
16 tional Oceanic and Atmospheric Administra-  
17 tion to carry out construction, repair, and  
18 modification activities relating to new and ex-  
19 isting weather forecast offices, \$13,823,000 for  
20 fiscal year 1998 and \$8,189,000 for fiscal year  
21 1999. Such activities include planning, design,  
22 and land acquisition related to such offices.

23       **(h) NATIONAL CENTERS FOR ENVIRONMENTAL**  
24 **PREDICTION RESTRUCTURING.—**There are au-  
25 thorized to be appropriated to the Secretary

1 to enable the National Oceanic and Atmos-  
2 pheric Administration to carry out restruc-  
3 turing of the National Meteorological Center  
4 into the National Centers for Environmental  
5 Prediction, \$700,000 for fiscal year 1998 and  
6 \$809,000 for fiscal year 1999.

7 (i) FACILITIES.—There are authorized to be  
8 appropriated to the Secretary, to enable the  
9 National Oceanic and Atmospheric Adminis-  
10 tration to carry out NEXRAD Weather Service  
11 Office maintenance, \$2,950,000 for fiscal year  
12 1998 and \$2,950,000 for fiscal year 1999.

13 (j) WEATHER SERVICE MODERNIZATION.—  
14 The Weather Service Modernization Act (15  
15 U.S.C. 313 note) is amended—

16 (1) in section 706—

17 (A) by amending subsection (b) to  
18 read as follows:

19 “(b) CERTIFICATION.—The Secretary may  
20 not close, automate, or relocate any field of-  
21 fice unless the Secretary has certified to the  
22 Committee on Commerce, Science, and Trans-  
23 portation of the Senate and the Committee on  
24 Science of the House of Representatives that  
25 such action will not result in degradation of

1 service to the affected area. Such certification  
2 shall be in accordance with the moderniza-  
3 tion criteria established under section 704.”;

4 (B) by striking subsections (c), (d),  
5 (e), and (f); and

6 (C) by inserting after subsection  
7 (b) the following new subsections:

8 “(c) SPECIAL CIRCUMSTANCES.—The Sec-  
9 retary may not close or relocate any field of-  
10 fice which is located at an airport, if the Sec-  
11 retary, in consultation with the Secretary of  
12 Transportation and the Committee, deter-  
13 mines as a result of the Air Safety Appraisal,  
14 completed and signed by the National Weath-  
15 er Service and the Federal Aviation Adminis-  
16 tration on December 9, 1996, that such action  
17 will result in degradation of service that af-  
18 fects aircraft safety.

19 “(d) PUBLIC LIAISON.—The Secretary shall  
20 maintain for a period of at least two years  
21 after the closure of any weather office a pro-  
22 gram to—

23 “(1) provide timely information re-  
24 garding the activities of the National  
25 Weather Service which may affect service



1 to the community, including moderniza-  
2 tion and restructuring; and

3 “(2) work with area weather service  
4 users, including persons associated with  
5 general aviation, civil defense, emergency  
6 preparedness, and the news media, with  
7 respect to the provision of timely weath-  
8 er warnings and forecasts.”; and

9 (2) in section 707—

10 (A) by amending subsection (c) to  
11 read as follows:

12 “(c) DUTIES.—The Committee shall advise  
13 the Congress and the Secretary on—

14 “(1) the implementation of the Strate-  
15 gic Plan, annual development of the Plan,  
16 and establishment and implementation of  
17 modernization criteria; and

18 “(2) matters of public safety and the  
19 provision of weather services which re-  
20 late to the comprehensive modernization  
21 of the National Weather Service.”; and

22 (B) by amending subsection (f) to  
23 read as follows:

24 “(f) TERMINATION.—The Committee shall  
25 terminate—

1           “(1) on September 30, 1997; or

2           “(2) 90 days after the deadline for  
3           public comment on the modernization  
4           criteria for closure certification pub-  
5           lished in the Federal Register pursuant  
6           to section 704(b)(2),  
7           whichever occurs later.”.

8           **(k) BI-AGENCY WORKING GROUP.**—The Na-  
9           tional Weather Service is encouraged to fol-  
10          low through on the recommendation con-  
11          tained in the document entitled “Secretary’s  
12          Report to Congress on Adequacy of NEXRAD  
13          Coverage and Degradation of Weather Serv-  
14          ices Under National Weather Service Mod-  
15          ernization for 32 Areas of Concern”, dated Oc-  
16          tober 12, 1995, to initiate a dialogue with the  
17          Federal Aviation Administration to form a bi-  
18          agency working group to assess further the  
19          potential for National Weather Service oper-  
20          ational use of Federal Aviation Administra-  
21          tion weather radar data, and to define engi-  
22          neering considerations that would be in-  
23          volved in implementing a data-sharing link  
24          between the Federal Aviation Administration  
25          and the National Weather Service.

1       **(1) NEXRAD OPERATIONAL AVAILABILITY**  
2 **AND RELIABILITY.—(1) The Secretary of De-**  
3 **fense, in conjunction with the Administrator,**  
4 **shall take steps to ensure that NEXRADs op-**  
5 **erated by the Department of Defense that pro-**  
6 **vide primary detection coverage over a por-**  
7 **tion of their ranges function as fully commit-**  
8 **ted, reliable elements of the National Weather**  
9 **Radar Network, operating with the same**  
10 **standards, quality, and availability as the Na-**  
11 **tional Weather Service-operated NEXRADs.**

12       **(2) NEXRADs operated by the Department**  
13 **of Defense that provide primary detection**  
14 **coverage over a portion of their ranges are to**  
15 **be considered as integral parts of the Na-**  
16 **tional Weather Radar Network.**

17 **SEC. 102. ATMOSPHERIC RESEARCH.**

18       **(a) CLIMATE AND AIR QUALITY RESEARCH.—**  
19 **There are authorized to be appropriated to**  
20 **the Secretary to enable the National Oceanic**  
21 **and Atmospheric Administration to carry out**  
22 **its climate and air quality research duties,**  
23 **\$116,902,000 for fiscal year 1998 and**  
24 **\$118,803,000 for fiscal year 1999. Such duties**  
25 **include interannual and seasonal climate re-**

1 search, long-term climate and air quality re-  
2 search, and high-performance computing and  
3 communications.

4 (b) **ATMOSPHERIC PROGRAMS.**—There are  
5 authorized to be appropriated to the Sec-  
6 retary to enable the National Oceanic and At-  
7 mospheric Administration to carry out its at-  
8 mospheric research duties, \$43,456,000 for fis-  
9 cal year 1998 and \$44,194,000 for fiscal year  
10 1999. Such duties include research for devel-  
11 oping improved prediction capabilities for at-  
12 mospheric processes, as well as solar-terres-  
13 trial research and services.

14 (c) **BOULDER LABORATORY ADMINISTRATIVE**  
15 **SUPPORT CENTER.**—There are authorized to be  
16 appropriated to the Secretary to enable the  
17 National Oceanic and Atmospheric Adminis-  
18 tration to continue the modifications to the  
19 Boulder Laboratory in Boulder, Colorado, to  
20 meet programmatic requirements, \$1,900,000  
21 for fiscal year 1998 and \$9,078,000 for fiscal  
22 year 1999.

1 SEC. 103. NATIONAL ENVIRONMENTAL SATELLITE, DATA,  
2 AND INFORMATION SERVICE.

3 (a) SATELLITE OBSERVING SYSTEMS.—There  
4 are authorized to be appropriated to the Sec-  
5 retary to enable the National Oceanic and At-  
6 mospheric Administration to carry out its sat-  
7 ellite observing systems duties, \$342,544,000  
8 for fiscal year 1998 (reduced by \$12,400,000)  
9 and \$518,455,000 for fiscal year 1999 (reduced  
10 by \$7,000,000), to remain available until ex-  
11 pended. Such duties include spacecraft pro-  
12 curement, launch, and associated ground sta-  
13 tion systems involving polar orbiting and geo-  
14 stationary environmental satellites, as well as  
15 the operation of such satellites. None of the  
16 funds authorized under this subsection shall  
17 be used for the purposes for which funds are  
18 authorized under section 105(d) of the Na-  
19 tional Oceanic and Atmospheric Administra-  
20 tion Authorization Act of 1992 (Public Law  
21 102–567).

22 (b) POES PROGRAM AUTHORIZATION.—Of  
23 the sums authorized in subsection (a), there  
24 are authorized to be appropriated to the Sec-  
25 retary \$82,905,000 for fiscal year 1998 and  
26 \$172,684,000 for fiscal year 1999, to remain

1 available until expended, for the procurement  
2 and launch of, and supporting ground sys-  
3 tems for, Polar Orbiting Environmental Sat-  
4 ellites (POES), K, L, M, N, and N'.

5 (c) NPOESS PROGRAM AUTHORIZATION.—Of  
6 the sums authorized in subsection (a), there  
7 are authorized to be appropriated to the Sec-  
8 retary, \$51,503,000 for fiscal year 1998 and  
9 \$35,000,000 for fiscal year 1999, to remain  
10 available until expended, for the procurement  
11 of the National Polar-Orbiting Operational  
12 Environmental Satellite System (NPOESS),  
13 and the procurement and launch of, and sup-  
14 porting ground systems for, such satellites.

15 (d) GOES N-Q.—Of the sums authorized in  
16 subsection (a), there are authorized to be ap-  
17 propriated to the Secretary \$147,819,000 for  
18 fiscal year 1998 and \$256,421,000 for fiscal  
19 year 1999 to procure up to three Geo-  
20 stationary Operational Environmental NEXT  
21 follow-on Satellites (GOES N-Q), instruments,  
22 launching, and supporting ground systems.

23 (e) OTHER PROGRAMS.—Of the sums au-  
24 thorized in subsection (a), there are author-  
25 ized to be appropriated to the Secretary

1 **\$9,970,000 for fiscal year 1998 and \$5,400,000**  
2 **for fiscal year 1999, for the Wallops Island**  
3 **backup, product development, and operating**  
4 **adjustment activities of the Geostationary**  
5 **Operational Environmental Satellite pro-**  
6 **gram.**

7 **(f) ENVIRONMENTAL OBSERVING SERVICES.—**  
8 **Of the sums authorized in subsection (a),**  
9 **there are authorized to be appropriated to the**  
10 **Secretary to enable the National Oceanic and**  
11 **Atmospheric Administration to carry out En-**  
12 **vironmental Observing Services, \$50,347,000**  
13 **for fiscal year 1998 and \$48,950,000 for fiscal**  
14 **year 1999.**

15 **(g) ENVIRONMENTAL DATA AND INFORMATION**  
16 **SERVICES.—There are authorized to be appro-**  
17 **priated to the Secretary to enable the Na-**  
18 **tional Oceanic and Atmospheric Administra-**  
19 **tion to carry out its environmental data and**  
20 **information services duties, \$43,835,000 for**  
21 **fiscal year 1998 and \$43,835,000 for fiscal year**  
22 **1999. Such duties include climate data serv-**  
23 **ices, geophysical data services, and environ-**  
24 **mental assessment and information services.**

1 **TITLE II—OCEANOGRAPHY AND**  
2 **MARINE RESEARCH**

3 **SEC. 201. OCEANOGRAPHY AND MARINE RESEARCH.**

4 (a) **COASTAL OCEAN PROGRAM.**—There are  
5 authorized to be appropriated to the Sec-  
6 retary, to enable the National Oceanic and At-  
7 mospheric Administration to carry out the  
8 Coastal Ocean Program, \$15,200,000 for fiscal  
9 year 1998 and \$15,458,000 for fiscal year 1999.

10 (b) **ACQUISITION OF DATA.**—There are au-  
11 thorized to be appropriated to the Secretary  
12 to enable the National Oceanic and Atmos-  
13 pheric Administration to carry out data ac-  
14 quisition activities of the Office of Oceanic  
15 and Atmospheric Research, \$15,400,000 for fis-  
16 cal year 1998 and \$15,700,000 for fiscal year  
17 1999.

18 (c) **OCEAN REMOTE SENSING.**—There are au-  
19 thorized to be appropriated to the Secretary  
20 to enable the National Oceanic and Atmos-  
21 pheric Administration to carry out ocean re-  
22 mote sensing activities, \$3,800,000 for fiscal  
23 year 1998 and \$3,800,000 for fiscal year 1999.

24 (d) **OCEANOGRAPHY AND MARINE PRE-**  
25 **DICTION RESEARCH.**—There are authorized to



1 be appropriated to the Secretary, to enable  
2 the National Oceanic and Atmospheric Ad-  
3 ministration to carry out marine prediction  
4 research activities under the Act of 1890, and  
5 any other law involving those activities,  
6 \$19,851,000 for fiscal year 1998 and \$19,851,000  
7 for fiscal year 1999.

8 (e) ARCTIC RESEARCH.—There are author-  
9 ized to be appropriated to the Secretary, to  
10 enable the National Oceanic and Atmospheric  
11 Administration to carry out the Arctic re-  
12 search activities of the Office of Oceanic and  
13 Atmospheric Research \$2,000,000 for each of  
14 fiscal years 1998 and 1999.

15 (f) UNDERSEA RESEARCH PROGRAM.—

16 (1) AUTHORIZATION.—There are au-  
17 thorized to be appropriated to the Sec-  
18 retary, to enable the National Oceanic  
19 and Atmospheric Administration to carry  
20 out the National Undersea Research Pro-  
21 gram, \$18,000,000 for each of fiscal years  
22 1998 and 1999.

23 (2) PEER REVIEW.—No funds appro-  
24 priated pursuant to this Act may be obli-  
25 gated for any research grant unless such

1 grant is competitively awarded and sub-  
2 ject to a peer review process established  
3 pursuant to the plan submitted under  
4 paragraph (3).

5 (3) **RESTRUCTURING PLAN.**—By January  
6 15, 1998, the Secretary shall submit to the  
7 Committees on Resources and Science of  
8 the House of Representatives and the  
9 Committee on Commerce, Science, and  
10 Transportation of the Senate a plan for  
11 carrying out the National Undersea Re-  
12 search Program that will ensure the qual-  
13 ity of scientific research carried out by  
14 the Program, the responsiveness of the  
15 Program to the mission needs of the Na-  
16 tional Oceanic and Atmospheric Adminis-  
17 tration, and responsiveness of the Pro-  
18 gram to key national needs in oceano-  
19 graphic research.

20 (g) **OCEAN SERVICES.**—There are author-  
21 ized to be appropriated to the Secretary, to  
22 enable the National Oceanic and Atmospheric  
23 Administration to carry out ocean services  
24 duties, \$2,800,000 for fiscal year 1998 and  
25 \$2,848,000 for fiscal year 1999. Such duties in-

1 **clude acquisition of sea-surface and ocean**  
2 **temperature profiles from specially instru-**  
3 **mented commercial vessels, and storing and**  
4 **archiving the acquired data.**

5 **(h) NATIONAL OCEANOGRAPHIC PARTNER-**  
6 **SHIP PROGRAM.—The National Oceanic and At-**  
7 **mospheric Administration is authorized to**  
8 **participate in the National Oceanic Partner-**  
9 **ship Program established by the National**  
10 **Oceanic Partnership Act (Public Law 104-**  
11 **201).**

12 **TITLE III—PROGRAM SUPPORT**  
13 **AND OTHER ACCOUNTS**

14 **SEC. 301. PROGRAM SUPPORT.**

15 **(a) EXECUTIVE DIRECTION AND ADMINISTRA-**  
16 **TIVE ACTIVITIES.—There are authorized to be**  
17 **appropriated to the Secretary, to enable the**  
18 **National Oceanic and Atmospheric Adminis-**  
19 **tration to carry out executive direction and**  
20 **administrative activities under the Act of**  
21 **1970 and any other law involving those activi-**  
22 **ties, \$18,240,000 for fiscal year 1998 and**  
23 **\$17,328,000 for fiscal year 1999.**

24 **(b) SYSTEMS ACQUISITION OFFICE.—There**  
25 **are authorized to be appropriated to the Sec-**

1 **retary, to enable the National Oceanic and At-**  
2 **mospheric Administration to carry out Sys-**  
3 **tems Acquisition Office activities, \$1,423,000**  
4 **for fiscal year 1998 and \$1,351,000 for fiscal**  
5 **year 1999.**

6 **(c) CENTRAL ADMINISTRATIVE SUPPORT.—**  
7 **There are authorized to be appropriated to**  
8 **the Secretary, to enable the National Oceanic**  
9 **and Atmospheric Administration to carry out**  
10 **central administrative support activities**  
11 **under the Act of 1970 and any other law in-**  
12 **volving those activities, \$31,350,000 for fiscal**  
13 **year 1998 and \$29,783,000 for fiscal year 1999.**

14 **(d) AIRCRAFT SERVICES.—There are author-**  
15 **ized to be appropriated to the Secretary, to**  
16 **enable the National Oceanic and Atmospheric**  
17 **Administration to carry out aircraft services**  
18 **activities (including aircraft operations,**  
19 **maintenance, and support) under the Act of**  
20 **1970 and any other law involving those activi-**  
21 **ties, \$9,900,000 for fiscal year 1998 and**  
22 **\$9,900,000 for fiscal year 1999.**

23 **SEC. 302. RECOVERIES FROM PRIOR YEARS.**

24 **The total amount authorized to be appro-**  
25 **priated pursuant to title I is reduced by**

1 **\$25,500,000 for fiscal year 1998 and \$14,000,000**  
2 **for fiscal year 1999 to reflect the use of prior**  
3 **year balances.**

4 **TITLE IV—STREAMLINING OF**  
5 **OPERATIONS**

6 **SEC. 401. PROGRAMS.**

7 **(a) PROGRAMS.—No funds are authorized**  
8 **to be appropriated for the following programs**  
9 **and accounts:**

10 **(1) Federal/State Weather Modifica-**  
11 **tion Grants.**

12 **(2) The Southeast Storm Research Ac-**  
13 **count.**

14 **(3) National Institute for Environ-**  
15 **mental Renewal.**

16 **(4) National Weather Service non-**  
17 **Federal, non-wildfire Fire Weather Serv-**  
18 **ice.**

19 **(5) National Weather Service Re-**  
20 **gional Climate Centers.**

21 **(6) Goddard Science Center.**

22 **(7) National Weather Service Samoa**  
23 **Weather Forecast Office Repair and Up-**  
24 **grade Account.**

1       **(b) REPORT.**—Not later than 60 days after  
2 the date of the enactment of this Act, the Sec-  
3 retary shall submit to the Committee on  
4 Science of the House of Representatives and  
5 the Committee on Commerce, Science, and  
6 Transportation of the Senate a report certify-  
7 ing that all the programs listed in subsection  
8 (a) will be terminated no later than Septem-  
9 ber 30, 1997.

10 **SEC. 402. LIMITATIONS ON APPROPRIATIONS.**

11       **(a) MAXIMUM AMOUNTS; OPERATIONS, RE-**  
12 **SEARCH, AND FACILITIES.**—No more than  
13 \$1,039,206,000 for fiscal year 1998 and  
14 \$1,020,131,000 for fiscal year 1999 are author-  
15 ized to be appropriated to the Secretary by  
16 title I of this Act to enable the National Oce-  
17 anic and Atmospheric Administration to carry  
18 out all activities associated with Operations,  
19 Research, and Facilities for which funds are  
20 authorized by this Act.

21       **(b) MAXIMUM AMOUNTS; CAPITAL ASSETS AC-**  
22 **QUISITION.**—No more than \$410,808,000 for fis-  
23 cal year 1998 and \$548,101,000 for fiscal year  
24 1999 are authorized to be appropriated to the  
25 Secretary by title I of this Act to enable the

1 National Oceanic and Atmospheric Adminis-  
2 tration to carry out all activities associated  
3 with Capital Assets Acquisition for which  
4 funds are authorized by this Act.

5 **TITLE V—MISCELLANEOUS**

6 **SEC. 501. WEATHER DATA BUOYS.**

7 (a) **PROHIBITION.**—It shall be unlawful for  
8 any unauthorized person to remove, change  
9 the location of, obstruct, willfully damage,  
10 make fast to, or interfere with any weather  
11 data buoy established, installed, operated, or  
12 maintained by the National Data Buoy Cen-  
13 ter.

14 (b) **CIVIL PENALTIES.**—The Administrator  
15 is authorized to assess a civil penalty against  
16 any person who violates any provision of this  
17 section in an amount of not more than \$10,000  
18 for each violation. Each day during which  
19 such violation continues shall be considered  
20 a new offense. Such penalties shall be as-  
21 sessed after notice and opportunity for a  
22 hearing.

23 (c) **REWARDS.**—The Administrator may  
24 offer and pay rewards for the apprehension  
25 and conviction, or for information helpful

1 **therein, of persons found interfering, in viola-**  
2 **tion of law, with data buoys maintained by**  
3 **the National Data Buoy Center; or for infor-**  
4 **mation leading to the discovery of missing Na-**  
5 **tional Weather Service property or the recov-**  
6 **ery thereof.**

7 **SEC. 502. DUTIES OF THE NATIONAL WEATHER SERVICE.**

8 **(a) IN GENERAL.—To protect life and prop-**  
9 **erty and enhance the national economy, the**  
10 **Secretary, through the National Weather**  
11 **Service, except as outlined in subsection (b),**  
12 **shall be responsible for—**

13 **(1) forecasts and shall serve as the**  
14 **sole official source of weather and flood**  
15 **warnings;**

16 **(2) the issue of storm warnings;**

17 **(3) the collection, exchange, and dis-**  
18 **tribution of meteorological, hydrological,**  
19 **climatic, and oceanographic data and in-**  
20 **formation; and**

21 **(4) the preparation of**  
22 **hydrometeorological guidance and core**  
23 **forecast information.**

24 **(b) COMPETITION WITH PRIVATE SECTOR.—**  
25 **The National Weather Service shall not com-**



1 **pete, or assist other entities to compete, with**  
2 **the private sector when a service not speci-**  
3 **fied in subsection (a) is currently provided or**  
4 **can be provided by commercial enterprise,**  
5 **unless the Secretary finds that the private**  
6 **sector is unwilling or unable to provide the**  
7 **services.**

8 **(c) AMENDMENTS.—The Act of 1890 is**  
9 **amended—**

10 **(1) by striking section 3 (15 U.S.C.**  
11 **313); and**

12 **(2) in section 9 (15 U.S.C. 317), by**  
13 **striking all after “Department of Agri-**  
14 **culture” and inserting in lieu thereof a**  
15 **period.**

16 **(d) REPORT.—Not later than 60 days after**  
17 **the date of the enactment of this Act, the Sec-**  
18 **retary shall submit to the Committee on**  
19 **Science of the House of Representatives and**  
20 **the Committee on Commerce, Science, and**  
21 **Transportation of the Senate a report detail-**  
22 **ing all National Weather Service activities**  
23 **which do not conform to the requirements of**  
24 **this section and outlining a timetable for**  
25 **their termination.**

1 SEC. 503. PROHIBITION OF LOBBYING ACTIVITIES.

2       **None of the funds authorized by this Act**  
3 **shall be available for any activity whose pur-**  
4 **pose is to influence legislation pending before**  
5 **the Congress, except that this subsection shall**  
6 **not prevent officers or employees of the Unit-**  
7 **ed States or of its departments or agencies**  
8 **from communicating to Members of Congress**  
9 **on the request of any Member or to Congress,**  
10 **through the proper channels, requests for leg-**  
11 **islation or appropriations which they deem**  
12 **necessary for the efficient conduct of the pub-**  
13 **lic business.**

14 SEC. 504. NOTICE.

15       **(a) NOTICE OF REPROGRAMMING.—If any**  
16 **funds authorized by this Act are subject to a**  
17 **reprogramming action that requires notice to**  
18 **be provided to the Appropriations Commit-**  
19 **tees of the House of Representatives and the**  
20 **Senate, notice of such action shall concur-**  
21 **rently be provided to the Committees on**  
22 **Science and Resources of the House of Rep-**  
23 **resentatives and the Committee on Com-**  
24 **merce, Science, and Transportation of the**  
25 **Senate.**

1       **(b) NOTICE OF REORGANIZATION.—The Ad-**  
2 **ministrators shall provide notice to the Com-**  
3 **mittees on Science, Resources, and Appro-**  
4 **priations of the House of Representatives, and**  
5 **the Committees on Commerce, Science, and**  
6 **Transportation and Appropriations of the**  
7 **Senate, not later than 15 days before any**  
8 **major reorganization of any program, project,**  
9 **or activity of the National Oceanic and Atmos-**  
10 **pheric Administration.**

11 **SEC. 505. SENSE OF CONGRESS ON THE YEAR 2000 PROB-**  
12 **LEM.**

13       **With the year 2000 fast approaching, it is**  
14 **the sense of Congress that the National Oce-**  
15 **anic and Atmospheric Administration**  
16 **should—**

17           **(1) give high priority to correcting all**  
18 **2-digit date-related problems in its com-**  
19 **puter systems to ensure that those sys-**  
20 **tems continue to operate effectively in**  
21 **the year 2000 and beyond;**

22           **(2) assess immediately the extent of**  
23 **the risk to the operations of the National**  
24 **Oceanic and Atmospheric Administration**  
25 **posed by the problems referred to in**

1 paragraph (1), and plan and budget for  
2 achieving Year 2000 compliance for all of  
3 its mission-critical systems; and

4 (3) develop contingency plans for  
5 those systems that the National Oceanic  
6 and Atmospheric Administration is un-  
7 able to correct in time.

8 SEC. 506. BUY AMERICAN.

9 (a) COMPLIANCE WITH BUY AMERICAN ACT.—  
10 No funds appropriated pursuant to this Act  
11 may be expended by an entity unless the en-  
12 tity agrees that in expending the assistance  
13 the entity will comply with sections 2 through  
14 4 of the Act of March 3, 1933 (41 U.S.C. 10a-  
15 10c, popularly known as the “Buy American  
16 Act”).

17 (b) SENSE OF CONGRESS.—In the case of  
18 any equipment or products that may be au-  
19 thorized to be purchased with financial assist-  
20 ance provided under this Act, it is the sense  
21 of Congress that entities receiving such as-  
22 sistance should, in expending the assistance,  
23 purchase only American-made equipment and  
24 products.

1       **(c) NOTICE TO RECIPIENTS OF ASSISTANCE.—**  
2 **In providing financial assistance under this**  
3 **Act, the Secretary of Commerce shall provide**  
4 **to each recipient of the assistance a notice de-**  
5 **scribing the statement made in subsection (a)**  
6 **by the Congress.**