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NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1995

AUGUST 4, 1995.—Ordered to be printed

Mr. WALKER, from the Committee on Science, submitted the following

R E P O R T

together with

THE TRANSCRIPTS OF THE LEGISLATIVE MARKUPS OF THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT AND THE COMMITTEE ON SCIENCE

and

MINORITY AND ADDITIONAL VIEWS

[To accompany H.R. 1815]

The Committee on Science, to whom was referred the bill (H.R. 1815) to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996, and for other purposes, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

91–457

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I. AMENDMENTS

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oceanic and Atmospheric Administration Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

(1) "Act of 1890" means the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Bureau to the Department of Agriculture", approved October 1, 1890 (26 Stat. 653);

(2) "Act of 1947" means the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes", approved August 6, 1947 (33 U.S.C. 883a et seq.);

(3) "Act of 1970" means the Act entitled "An Act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes", approved December 31, 1970 (33 U.S.C. 857–1 et seq.);

(4) "Administrator" means the Administrator of the National Oceanic and Atmospheric Administration; and

(5) "Secretary" means the Secretary of Commerce.

TITLE I—ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS

SEC. 101. NATIONAL WEATHER SERVICE.

(a) OPERATIONS AND RESEARCH.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the operations and research duties of the National Weather Service, $472,338,000 for fiscal year 1996. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts, as well as applied research in support of such warnings and forecasts.

(b) SYSTEMS ACQUISITION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the public warning and forecast systems duties of the National Weather Service, $79,034,000 for fiscal year 1996. Such duties include the development, acquisition, and implementation of major public warning and forecast systems. None of the funds authorized under this subsection shall be used for the purposes for which funds are authorized under section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567). None of the funds authorized by such section 102(b) shall be expended for a particular NEXRAD installation unless—

(1) it is identified as a National Weather Service NEXRAD installation in the National Implementation Plan for modernization of the National Weather Service, required under section 703 of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567); or

(2) it is to be used only for spare parts, not as an installation at a particular site.

(c) NEW NEXRAD INSTALLATIONS.—No funds may be obligated for NEXRAD installations not identified in the National Implementation Plan for 1996, unless the Secretary certifies that such NEXRAD installations can be acquired within the authorization for NEXRAD contained in section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992.

(d) ASOS PROGRAM AUTHORIZATION.—Of the sums authorized in subsection (b), $16,952,000 for fiscal year 1996 are authorized to be appropriated to the Secretary, for the acquisition and deployment of—

(A) the Automated Surface Observing System and related systems, including multisensor and backup arrays for National Weather Service sites at airports; and

(B) Automated Meteorological Observing System and Remote Automated Meteorological Observing System replacement units,

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

(e) AWIPS AUTHORIZATION.—Of the sums authorized in subsection (b), there are authorized to be appropriated to the Secretary $52,097,000 for fiscal year 1996, to remain available until expended, for—

(1) the acquisition and deployment of the Advanced Weather Interactive Processing System and NOAA Port and associated activities; and

(2) associated program management and operations and maintenance.

(f) CONSTRUCTION OF WEATHER FORECAST OFFICES.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out construction, repair, and modification activities relating to new and existing weather forecast offices, $20,628,000 for fiscal year 1996. Such activities include planning, design, and land acquisition related to such offices.

(g) STREAMLINING WEATHER SERVICE MODERNIZATION.—

(1) REPEALS.—Sections 706 and 707 of the Weather Service Modernization Act (15 U.S.C. 313 note) are repealed.

(2) CONFORMING AMENDMENTS.—The Weather Service Modernization Act (15 U.S.C. 313 note) is amended—

(A) in section 702, by striking paragraph (3) and redesignating paragraphs (4) through (10) as paragraphs (3) through (9), respectively; and

(B) in section 703—

(i) by striking "(a) NATIONAL IMPLEMENTATION PLAN.—";

(ii) by striking paragraph (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively; and

(iii) by striking subsections (b) and (c).

SEC. 102. ATMOSPHERIC RESEARCH.

(a) CLIMATE AND AIR QUALITY RESEARCH.—(1) There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its climate and air quality research duties, $86,757,000 for fiscal year 1996. Such duties include interannual and seasonal climate research and long-term climate and air quality research.

(2) The Administrator shall ensure that at least the same percentage of the climate and air quality research funds that were provided to institutions of higher education for fiscal year 1995 is provided to institutions of higher education from funds authorized by this subsection.

(b) ATMOSPHERIC PROGRAMS.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric research duties, $39,894,000 for fiscal year 1996. Such duties include research for developing improved prediction capabilities for atmospheric processes, as well as solar-terrestrial research and services.

(c) GLOBE AUTHORIZATION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the Global Learning and Observations to Benefit the Environment program, $7,000,000 for fiscal year 1996.

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

(a) SATELLITE OBSERVING SYSTEMS.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its satellite observing systems duties, $319,448,000 for fiscal year 1996, to remain available until expended. Such duties include spacecraft procurement, launch, and associated ground station systems involving polar orbiting and geostationary environmental satellites, as well as the operation of such satellites. None of the funds authorized under this subsection shall be used for the purposes for which funds are authorized under section 105(d) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567).

(b) POES PROGRAM AUTHORIZATION.—Of the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary $184,425,000 for fiscal year 1996, to remain available until expended, for the procurement of Polar Orbiting Environmental Satellites K, L, M, N, and N[1], and the procurement of the launching and supporting ground systems of such satellites.

(c) GEOSTATIONARY OPERATIONAL ENVIRONMENTAL SATELLITES.—Of the sums authorized in subsection (a), there are authorized to be appropriated to the Administrator $46,300,000 for fiscal year 1996, to remain available until expended—

(1) to procure up to three additional Geostationary Operational Environmental NEXT Satellites (GOES I–M clones) and instruments; and

(2) for contracts, and amendments or modifications of contracts, with the developer of previous GOES–NEXT satellites for the acquisition of the additional satellites and instruments described in paragraph (1).

(d) ENVIRONMENTAL DATA AND INFORMATION SERVICES.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its environmental data and information services duties, $35,665,000 for fiscal year 1996. Such duties include climate data services, geophysical data services, and environmental assessment and information services.

(e) NATIONAL POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITE SYSTEM PROGRAM AUTHORIZATION.—Of the sums authorized in subsection (a), there are authorized to be appropriated to the Secretary, for fiscal year 1996, $39,500,000, to remain available until expended, for the procurement of the National Polar-Orbiting Operational Environmental Satellite System, and the procurement of the launching and supporting ground systems of such satellites.

TITLE II—MARINE RESEARCH

SEC. 201. NATIONAL OCEAN SERVICE.

(a) MAPPING AND CHARTING.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out mapping and charting activities under the Act of 1947 and any other law involving those activities, $29,149,000.

(b) GEODESY.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out geodesy activities under the Act of 1947 and any other law involving those activities, $19,927,000 for fiscal year 1996.

(c) OBSERVATION AND PREDICTION.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out observation and prediction activities under the Act of 1947 and any other law involving those activities, $11,279,000 for fiscal year 1996.

(2) CIRCULATORY SURVEY PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the Circulatory Survey Program, $695,000 for fiscal year 1996.

(3) OCEAN AND EARTH SCIENCES.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out ocean and earth science activities, $4,231,000 for fiscal year 1996.

(d) ESTUARINE AND COASTAL ASSESSMENT.—

(1) IN GENERAL.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to support estuarine and coastal assessment activities under the Act of 1947 and any other law involving those activities, $1,171,000 for fiscal year 1996.

(2) OCEAN ASSESSMENT.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the National Status and Trends Program, the Strategic Environmental Assessment Program, and the Hazardous Materials Response Program, $8,401,000 for fiscal year 1996.

(3) DAMAGE ASSESSMENT PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the Damage Assessment Program, $585,000 for fiscal year 1996.

(4) COASTAL OCEAN PROGRAM.—In addition to amounts authorized under paragraph (1), there are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out the Coastal Ocean Program, $9,158,000 for fiscal year 1996.

SEC. 202. OCEAN AND GREAT LAKES RESEARCH.

(a) MARINE PREDICTION RESEARCH.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out marine prediction research activities under the Act of 1947, the Act of 1890, and any other law involving those activities, $13,763,000 for fiscal year 1996.

(b) NATIONAL SEA GRANT COLLEGE PROGRAM.—(1) Section 212(a) of the National Sea Grant College Program Act (33 U.S.C. 1131(a)) is amended to read as follows:

"(a) GRANTS AND CONTRACTS; FELLOWSHIPS.—There are authorized to be appropriated to carry out sections 205 and 208, $34,500,000 for fiscal year 1996.".

(2) Section 212(b)(1) of the National Sea Grant College Program Act (33 U.S.C. 1131(b)(1)) is amended by striking "an amount" and all that follows through "not to exceed $2,900,000" and inserting in lieu thereof "$1,500,000 for fiscal year 1996".

(3) Section 203(4) of the National Sea Grant College Program Act (33 U.S.C. 1122(4)) is amended by striking "discipline or field" and all that follows through "public administration)" and inserting in lieu thereof "field or discipline involving scientific research".

SEC. 203. USE OF OCEAN RESEARCH RESOURCES OF OTHER FEDERAL AGENCIES.

(a) FINDINGS.—The Congress finds the following:

(1) Observing, monitoring, and predicting the ocean environment has been a high priority for the defense community to support ocean operations.

(2) Many advances in ocean research have been made by the defense community which could be shared with civilian researchers.

(3) The National Oceanic and Atmospheric Administration's missions to describe and predict the ocean environment, manage the Nation's ocean and coastal resources, and promote stewardship of the world's oceans would benefit from increased cooperation with defense agencies.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that the National Oceanic and Atmospheric Administration should expand its efforts to develop interagency agreements to further the use of defense-related technologies, data, and other resources to support its oceanic missions.

(c) REPORT.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the feasibility of expanding the use of defense-related technologies, data, and other resources to support and enhance the oceanic missions of the National Oceanic and Atmospheric Administration.

(2) CONTENTS.—The report required under paragraph (1) shall include—

(A) a detailed listing of defense-related resources currently available to the National Oceanic and Atmospheric Administration and the National Oceanic and Atmospheric Administration missions which utilize those resources;

(B) detailed findings and recommendations, including funding requirements, on the potential for expanding the use of available defense-related resources;

(C) a detailed listing and funding history of the National Oceanic and Atmospheric Administration resources, including data and technology, which could be supplemented by defense-related resources;

(D) a listing of currently unavailable defense-related resources, including data and technology, which if made available would enhance the National Oceanic and Atmospheric Administration mission performance;

(E) recommendations on the regulatory and legislative structures needed to maximize the use of defense-related resources;

(F) an assessment of the respective roles in the use of defense-related resources of the Army Corps of Engineers, data centers, operational centers, and research facilities of the National Oceanic and Atmospheric Administration; and

(G) recommendations on how to provide access to relevant defense-related data for non-Federal scientific users.

TITLE III—PROGRAM SUPPORT

SEC. 301. PROGRAM SUPPORT.

(a) EXECUTIVE DIRECTION AND ADMINISTRATIVE ACTIVITIES.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out executive direction and administrative activities under the Act of 1970 and any other law involving those activities, $20,632,000 for fiscal year 1996.

(b) CENTRAL ADMINISTRATIVE SUPPORT.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out central administrative support activities under the Act of 1970 and any other law involving those activities, $30,000,000 for fiscal year 1996.

(c) RETIRED PAY.—There are authorized to be appropriated to the Secretary, for retired pay for retired commissioned officers of the National Oceanic and Atmospheric Administration under the Act of 1970, $7,706,000 for fiscal year 1996.

(d) MARINE SERVICES.—

(1) CONTRACTING AUTHORITY.—Notwithstanding any other provision of law, the Secretary is authorized to enter into contracts for data or days-at-sea to fulfill the National Oceanic and Atmospheric Administration missions of marine research, climate research, fisheries research, and mapping and charting services.

(2) UNOLS VESSEL AGREEMENTS.—In fulfilling the National Oceanic and Atmospheric Administration mission requirements described in paragraph (1), the Secretary shall use excess capacity of University-National Oceanographic Laboratory System vessels where appropriate, and may enter into memoranda of agreement with operators of those vessels to carry out those mission requirements.

(3) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out marine services activities, including activities described in paragraphs (1) and (2), $60,689,000 for fiscal year 1996.

(e) AIRCRAFT SERVICES.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out aircraft services activities (including aircraft operations, maintenance, and support) under the Act of 1970 and any other law involving those activities, $9,548,000 for fiscal year 1996.

(f) FACILITIES REPAIRS AND RENOVATIONS.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out facilities repairs and renovations, $7,374,000 for fiscal year 1996.

TITLE IV—STREAMLINING OF OPERATIONS

SEC. 401. PROGRAM TERMINATIONS.

(a) TERMINATIONS.—No funds may be appropriated for the following programs and accounts:

(1) The National Undersea Research Program.

(2) The Fleet Modernization, Shipbuilding, and Construction Account.

(3) The Charleston, South Carolina, Special Management Plan.

(4) Chesapeake Bay Observation Buoys.

(5) Federal/State Weather Modification Grants.

(6) The Southeast Storm Research Account.

(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program.

(8) National Institute for Environmental Renewal.

(9) The Lake Champlain Study.

(10) The Maine Marine Research Center.

(11) The South Carolina Cooperative Geodetic Survey Account.

(12) Pacific Island Technical Assistance.

(13) Sea Grant/Oyster Disease Account.

(14) National Coastal Research and Development Institute Account.

(15) VENTS program.

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

(17) National Weather Service Regional Climate Centers.

(18) National Weather Service Samoa Weather Forecast Office Repair and Upgrade Account.

(19) Dissemination of Weather Charts (Marine Facsimile Service).

(b) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report certifying that all the programs listed in subsection (a) will be terminated no later than September 30, 1995.

(c) REPEAL OF SEA GRANT PROGRAMS.—

(1) REPEALS.—(A) Section 208(b) of the National Sea Grant College Program Act (33 U.S.C. 1127(b)) is repealed.

(B) Section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a) is repealed.

(2) CONFORMING AMENDMENT.—Section 209 of the National Sea Grant College Program Act (33 U.S.C. 1128(b)(1)) is amended by striking "and section 3 of the Sea Grant Program Improvement Act of 1976".

(d) ADDITIONAL REPEAL.—The NOAA Fleet Modernization Act (33 U.S.C. 851 note) is repealed.

SEC. 402. LIMITATION ON APPROPRIATIONS.

(a) SUBSEQUENT FISCAL YEARS.—Notwithstanding any other provision of law, no funds are authorized to be appropriated for any fiscal year after fiscal year 1996 for carrying out the programs, projects, and activities for which funds are authorized by this Act.

(b) FISCAL YEAR 1996.—No more than $1,692,470,000 is authorized to be appropriated to the Secretary for fiscal year 1996, by this Act or any other Act, to enable the National Oceanic and Atmospheric Administration to carry out all activities associated with Operations, Research, and Facilities.

(c) REDUCTION IN TRAVEL BUDGET.—Of the sums appropriated under this Act for Operations, Research, and Facilities, no more than $20,000,000 may be used for reimbursement of travel and related expenses for National Oceanic and Atmospheric Administration personnel.

SEC. 403. REDUCTION IN THE COMMISSIONED OFFICER CORPS.

(a) MAXIMUM NUMBER.—The total number of commissioned officers on the active list of the National Oceanic and Atmospheric Administration shall not exceed—

(1) 369 for fiscal year 1996;

(2) 100 for fiscal year 1997; and

(3) 50 for fiscal year 1998.

No such commissioned officers are authorized for any fiscal year after fiscal year 1998.

(b) SEPARATION PAY.—The Secretary may separate commissioned officers from the active list of the National Oceanic and Atmospheric Administration, and may do so without providing separation pay.

TITLE V—MISCELLANEOUS

SEC. 501. WEATHER DATA BUOYS.

(a) PROHIBITION.—It shall be unlawful for any unauthorized person to remove, change the location of, obstruct, willfully damage, make fast to, or interfere with any weather data buoy established, installed, operated, or maintained by the National Data Buoy Center.

(b) CIVIL PENALTIES.—The Administrator is authorized to assess a civil penalty against any person who violates any provision of this section in an amount of not more than $10,000 for each violation. Each day during which such violation continues shall be considered a new offense. Such penalties shall be assessed after notice and opportunity for a hearing.

(c) REWARDS.—The Administrator may offer and pay rewards for the apprehension and conviction, or for information helpful therein, of persons found interfering, in violation of law, with data buoys maintained by the National Data Buoy Center; or for information leading to the discovery of missing National Weather Service property or the recovery thereof.

SEC. 502. DUTIES OF THE NATIONAL WEATHER SERVICE.

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

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

(2) the issue of storm warnings;

(3) the collection, exchange, and distribution of meteorological, hydrological, climatic, and oceanographic data and information; and

(4) the preparation of hydrometeorological guidance and core forecast information.

(b) COMPETITION WITH PRIVATE SECTOR.—The National Weather Service shall not compete, or assist other entities to compete, with the private sector when a service is currently provided or can be provided by commercial enterprise, unless—

(1) the Secretary finds that the private sector is unwilling or unable to provide the services; and

(2) the service provides vital weather warnings and forecasts for the protection of lives and property of the general public.

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

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

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

(d) REPORT.—Not later than 60 days after the date of the enactment of this Act, the Secretary shall submit to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report detailing all National Weather Service activities which do not conform to the requirements of this section and outlining a timetable for their termination.

SEC. 503. REIMBURSEMENT OF EXPENSES.

(a) IN GENERAL.—Notwithstanding section 3302 (b) and (c) of title 31, United States Code, and subject to subsection (b) of this section, all amounts received by the United States in settlement of, or judgment for, damage claims arising from the

October 9, 1992, allision of the vessel ZACHERY into the National Oceanic and Atmospheric Administration research vessel DISCOVERER—

(1) shall be retained as an offsetting collection in the Marine Services account of the National Oceanic and Atmospheric Administration;

(2) shall be deposited in that account upon receipt by the United States Government; and

(3) shall be available only for obligation for National Oceanic and Atmospheric Administration vessel repairs.

(b) LIMITATION.—Not more than $518,757.09 of the amounts referred to in subsection (a) may be deposited into the Marine Services account pursuant to subsection (a).

SEC. 504. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Administrator shall exclude from consideration for awards of financial assistance made by the National Oceanic and Atmospheric Administration after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 505. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress, provided that this shall not prevent officers or employees of the United States or of its departments or agencies from communicating to Members of Congress on the request of any Member or to Congress, through the proper channels, requests for legislation or appropriations which they deem necessary for the efficient conduct of the public business.

SEC. 506. REPORT ON LABORATORIES.

(a) IN GENERAL.—No later than 120 days after the date of the enactment of this Act, the Secretary shall conduct a review of the laboratories operated by the National Oceanic and Atmospheric Administration and submit a report to the Committee on Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

(b) REQUIREMENTS.—The report required by subsection (a) shall—

(1) address potential efficiencies and savings which could be achieved through closing or consolidating laboratory facilities;

(2) review each laboratory's—

(A) mission and activities and their correlation to the mission priorities of the National Oceanic and Atmospheric Administration;

(B) physical assets, equipment, condition, and personnel resources; and

(C) organization and program management; and

(3) address other issues the Inspector General considers relevant.

II. PURPOSE OF THE BILL

The purpose of the bill is to authorize appropriations for the National Oceanic and Atmospheric Administration (NOAA) for fiscal year 1996 and streamline NOAA operations.

III. BACKGROUND AND NEED FOR THE LEGISLATION

The National Oceanic and Atmospheric Administration (NOAA), created in 1970 by Executive Order of President Nixon, has obtained most of the funding for its programs over the last twenty years through direct appropriation without annual legislative authorization. In the 98th Congress, legislation authorizing NOAA activities for fiscal year 1984, S. 1097, was vetoed on October 19, 1984. In the 99th Congress, the Consolidated Omnibus Budget Reconciliation Act of 1986 (Public Law 99–272) authorized various

NOAA activities, including nautical and aeronautical chart programs, marine research and monitoring, ocean pollution research, and weather modification research. During the 100th Congress, provisions authorizing fiscal year 1989 appropriations for NOAA's satellite, atmospheric, and weather programs (previously approved by the House of Representatives and the Senate as S. 1667) were included in Title IV of S. 2209, the National Aeronautics and Space Administration Authorization Act for fiscal year 1989, which was signed into law on November 17, 1988 (Public Law 100–685).

During the 102nd Congress, the first comprehensive NOAA authorization bill was approved and signed into law, the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567). With three exceptions, Public Law 102–567 only authorized funding for fiscal years 1992 and 1993. The exceptions are the Next Generation Weather Radar (NEXRAD) program and the Geostationary Operational Environmental Satellite (GOES) program which are authorized to completion, and NOAA Fleet Modernization which is authorized through FY 1997. No comprehensive NOAA authorization bills have been signed into law since the 102nd Congress.

NOAA programs under the jurisdiction of the Science Committee include all of the National Weather Service, the Office of Oceanic and Atmospheric Research (OAR), the National Environmental Satellite, Data, and Information Services (NESDIS), and portions of the National Ocean Service (NOS).

NATIONAL OCEAN SERVICE (NOS)

NOAA's National Ocean Service (NOS) is responsible for conducting research on the marine environment and providing accurate and timely marine, coastal, and aeronautical data in various map and chart formats. The NOS mission is to increase the efficiency and safety of marine and air transportation, for purposes of offshore engineering, coastal zone management, military operations and recreational activities. It is also responsible for maintaining the National Geodetic Reference Systems for accurate geographic positions, elevations, and gravity values and their variation with time for national defense and space activities, mapping and charting, infrastructure maintenance, public works, land information systems, and earth science investigations. NOS supports use of the Global Positioning System (GPS) for navigation and positioning and provides consistent spatial coordinates critical to Geographic Information System (GIS). NOS also includes the Coastal Ocean Program (COP). COP was established to promote effective partnerships among academia, non-Federal communities and NOAA through long-range grants to conduct scientific research which enhances NOAA's marine science and management missions.

OCEANIC AND ATMOSPHERIC RESEARCH (OAR)

The Office of Oceanic and Atmospheric Research (OAR) conducts most of the scientific research in support of NOAA's service organizations. OAR directs research programs in marine and atmospheric sciences through its own laboratories and offices, as well as through university-based programs across the country. OAR's research objectives are aligned with the three primary environmental

programs of NOAA: Climate, Air Quality, and Global Climate Change; Ocean and Great Lakes Programs; and Atmospheric Research. The objectives of the Climate, Air Quality, and Global Climate Change programs include the development of reliable prediction of seasonal and interannual climate variation; simulation and assessment of long-term climate and air quality changes and effective scientific differentiation between natural variability and human-induced changes. The objectives of the Ocean and Great Lakes programs include research and development of reliable marine prediction techniques and the development of sound scientific basis for management of marine resources. The objectives of the atmospheric research programs include support for the modernization of national weather services; development of reliable and cost-effective prediction techniques; and improved solar-terrestrial (geomagnetic storm warning) services.

NATIONAL WEATHER SERVICE (NWS)

NOAA's National Weather Service is responsible for weather forecasts and severe weather services such as hurricane, tornado, and flash flood warnings and alerts. The National Weather Service is also responsible for climate forecasts, agriculture weather and fire weather services, as well as marine forecasts and marine severe weather warnings.

The United States experiences more severe weather than any other country in the world, with loss of life and annual property damages estimated in the billions of dollars. Yet, the capability of the National Weather Service to provide timely warnings of severe weather events is limited by its continued reliance on outdated and often inoperable equipment, some of which dates back to the 1950s. The existing technological base for weather services is obsolete and costly to maintain. The existing network of radars is already more than 30 years old. Obtaining some replacement parts is impossible.

In 1988, Congress passed legislation directing the Secretary of Commerce to prepare and submit to Congress a 10-year plan to modernize the technology of the National Weather Service (Title IV of Public Law 100–685, the NASA–NOAA Authorization Act for fiscal year 1989). As a result, NOAA issued the "Strategic Plan for the Modernization and Associated Restructuring" of the National Weather Service in March 1989. The National Weather Service is required to annually submit a National Implementation Plan to provide the framework and strategies involved in accomplishing a successful modernization transition.

NEXT GENERATION WEATHER RADAR PROGRAM (NEXRAD)

The Next Generation Weather Radar (NEXRAD) program is a tri-agency program consisting of the Department of Commerce (DOC), Department of Defense (DOD) and the Department of Transportation (DOT). The program was created within the National Oceanic and Atmospheric Administration (NOAA) to develop and implement a network of advanced weather surveillance radars nationwide and at selected overseas locations. The NEXRAD program is a critical element of the National Weather Service (NWS) modernization plan. NEXRAD replaces the existing obsolete WSR–57 (1957) and WSR–74 (1974) weather surveillance radars.

NEXRAD is a state-of-the-art Doppler weather radar system designed to detect impending weather dangers and increase the ability to protect property and save lives. NEXRAD radar incorporates sophisticated software technology, solid state architecture, improved communications, and advanced display techniques to produce a highly accurate weather detection tool. The NEXRAD system provides the principal users—NOAA's National Weather Service, the Air Weather Service and the Naval Oceanography Command within the Department of Defense, and the Federal Aviation Administration (FAA) within the Department of Transportation—with a wide array of automated weather information products that will increase their capability to meet operational requirements including general weather forecasting, warning of hazardous weather, prediction of flash floods, flight safety, worldwide military mission planning, and water resources management. With its proven Doppler technology, NEXRAD provides outstanding ability to detect weather phenomena such as thunderstorms, hail, strong winds, tornadoes, and wind shear.

AUTOMATED SURFACE OBSERVING SYSTEMS (ASOS)

NOAA is well into the installation and commissioning of the Automated Surface Observing System (ASOS) network, a major component of the modernization efforts of the National Weather Service (NWS), Federal Aviation Administration (FAA) and U.S. Navy. ASOS represents a substantial change in decades-old procedures and products. The system will replace manual collection of surface weather observations, now done at National Weather Service facilities. Once operational, ASOS should provided round-the-clock automated data on pressure, temperature, wind direction, wind speed, runway visibility, cloud ceiling heights, and precipitation. The information will flow directly to warning and forecast offices and local airport control towers. Implementation of ASOS into NWS field operations is intended to reduce time-consuming manual observations and provide continuous weather monitoring. NOAA is developing and competitively acquiring ASOS units in cooperation with DOT/FAA and DOD. FAA and DOD have asked NWS to assume responsibility for acquiring and installing planned FAA and DOD ASOS units, and maintaining FAA ASOS units under reimbursable funding arrangements.

ADVANCED WEATHER INTERACTIVE PROCESSING SYSTEM (AWIPS/NOAA PORT)

The Advanced Weather Interactive Processing System (AWIPS) will support National Weather Service forecasters in combining and interpreting hydrological and meteorological data and preparing forecasts and warnings. AWIPS is the computer system and communication link necessary to collect, integrate, analyze and disseminate weather-related observational data. The AWIPS system will enable forecasters in NWS offices throughout the United States to use new scientific forecasting techniques and knowledge to acquire and use the large volume of data that is becoming available as a result of the implementation of new, advanced weather observing systems, most notably the new generation of radars (NEXRAD) and the new GOES and ASOS.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE (NESDIS)

NESDIS is responsible for providing operational satellite services for NOAA and the nation. NESDIS procures, operates and maintains the spacecraft and ground system components for two weather satellite systems, the Geostationary Operational Environmental Satellite (GOES) and the Polar-Orbiting Operational Environmental Satellites (POES). The geostationary system provides near-continuous observations of the earth's western hemisphere to support NWS weather warnings, forecasts and other applications. The polar-orbiting system obtains global environmental data such as measurements of the vertical temperature of the atmosphere, sea surface temperatures, cloud motion and winds. The polar satellites also provide a relay function for global emergency signals from aircraft and ships in distress.

NESDIS is also responsible for archiving environmental data, from satellites and other sources, and making the data available to users. Oceanic geophysical, and climatic data are archived at three facilities: (1) the National Oceanic Data Center in Washington, D.C.; (2) the National Geophysical Data Center in Boulder, Colorado; and (3) the National Climatic Data Center, in Asheville, North Carolina.

GEOSTATIONARY OPERATIONAL ENVIRONMENTAL SATELLITE (GOES)

The Geostationary Operational Environmental Satellite (GOES) system provides critical, continuous weather observations for the nation. The operating objectives of the geostationary system line item are to continue procurement of spacecraft, instruments, launch services, and ground equipment necessary to maintain an uninterrupted, two-satellite, operational geostationary satellite system to provide images of the United States, including adjacent ocean areas, to enable detection of hurricanes and other major weather events, for use in weather forecasts and warnings. In 1992, Congress passed the NOAA Authorization Act of 1992 (Public Law 102–567), which authorizes $1,005,225,000 to complete the procurement of GOES I, J, K, L, and M and the procurement of the launching and supporting ground systems of such satellites. The law prohibits funds being authorized to be appropriated unless the Secretary certifies within 60 days after the President's budget submission that the satellites meet the technical performance specifications in the contract; the procurement can be completed without requiring further authorization of appropriations; and there are no foreseeable gaps in two-satellite service operations resulting from non-performance of the satellite contract.

POLAR-ORBITING OPERATIONAL ENVIRONMENTAL SATELLITES (POES)

NOAA Polar Orbiting Environmental Satellites (POES) provide global observations of weather patterns and environmental conditions. The data from these satellites are key inputs to NOAA weather forecast computer models and are used extensively by the environmental research community. Other key applications are tropical cyclone bulletins, global sea surface temperature and water mass analyses, polar and Great Lake ice analyses, Northern Hemi-

sphere snow cover monitoring, ozone monitoring and climate change research. In addition, these satellites broadcast meteorological data directly to thousands of users worldwide. As part of an international cooperative effort, NOAA polar spacecraft carry search and rescue satellite equipment (SARSAT) used to locate emergency distress signals.

NOAA has a requirement to maintain two POES in orbit at all times, providing for an a.m. and p.m. fly-over every day. This requires NOAA to continually fund replacement satellites and their associated ground systems. As part of a cost reduction effort, NOAA has entered into agreements with the DOD to "converge" its POES into a single system. It also has an agreement with the European Organization for the Exploitation of Meteorological Satellites (EUMETSAT) to allow the Europeans to take responsibility for the morning polar mission beginning around the year 2000.

This legislation is required for two reasons. First, with the exception of the Next Generation Weather Radar (NEXRAD), the Geostationary Satellite Observing Systems (GOES), and Fleet Modernization program, all of NOAA's programs under the Science Committee's jurisdiction are currently unauthorized.

Second, H. Con. Res. 67, the Concurrent Resolution on the Budget, requires a balanced budget by the year 2002. In order to meet the target in H. Con. Res. 67 and maintain NOAA's primary missions significant structural changes to NOAA programs and budget must be made.

The Administration's FY 1996 budget request for NOAA includes an increase of almost $180 million, or nine percent, over FY 1995. These increases are inconsistent with efforts to balance the budget.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

[In millions of dollars]

	Fiscal year 1996 request	Change from fiscal year 1995
National Ocean Service [1]	198.8	+18.6
Oceanic and Atmospheric Research	270.8	+12.2
National Weather Service	624.3	-34.4
National Environmental Satellite, Data, and Information Service (NESDIS)	552.5	+165.1
National Marine Fisheries Service [2]	315.8	+43.2
Program Support	163.6	+15.6
Total, Operations, Research and Facilities	2,125.9	+224.3
Construction	52.3	-45.0
NOAA Fleet Modernization	23.3	+0.4
Total, NOAA	2,201.5	+179.8

[1] Activities under NOS outside the Science Committee's jurisdiction are not included in the bill.
[2] NMFS is not within the Science Committee jurisdiction and is not included in the bill.

The Committee on Science examined closely NOAA's programs and missions and applied rigorously, as appropriate, the following six criteria in prioritizing its funding recommendations for FY 1996.

1. Federal R&D should be focused on long-term, non-commercial research and development, with potential for great scientific discovery, leaving economic feasibility and commercialization to the marketplace.

2. Federal funding of R&D on specific processes and technologies should not be carried out beyond demonstration of technical feasibility, requiring significant additional investment for production.

3. Revolutionary new ideas and pioneering capabilities that make possible the "impossible" (that which has never been done before) should be pursued.

4. The Federal government should avoid funding research in areas that are receiving, or should be reasonably expected to obtain funding from the private sector, such as evolutionary advances or incremental improvements.

5. Government-owned laboratories should confine their in-house research to areas in which their technical expertise and facilities have no peer and should contract out other research to industry, private research foundations, and universities.

6. All R&D programs should be relevant and tightly focused to the agency's stated mission; those that are not should be terminated. All research programs should disseminate the results of the programs to potential users.

H.R. 1815 provides authorization for National Oceanic and Atmospheric Administration (NOAA) programs within the jurisdiction of the Science Committee for fiscal year 1996. H.R. 1815 authorization levels are in keeping with the House Budget Resolution's spending cap of $1.725 billion for NOAA. This authorization level represents a decrease of almost $300 million from NOAA's fiscal year 1995 total of $2,021,752,000 and over $475 million from the President's fiscal year 1996 request of $2,201,531,000.

This bill contains numerous cost saving measures. It eliminates costly certification requirements for the National Weather Service, allowing the Weather Service to close old and unneeded weather offices. H.R. 1815 terminates NOAA's $1.9 billion fleet modernization effort, allowing NOAA to use private and university ships and data to meet its mission requirements. It also phases out the uniformed NOAA Corps over the next three years.

The bill also contains important privatization initiatives which refocus the National Weather Service on providing basic weather forecasts and warnings, eliminating National Weather Service programs that compete with the private sector.

The Committee believes that this authorization bill, H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995, meets the Committee's responsibility to authorize programs under its jurisdiction, set priorities within NOAA and streamline NOAA operations while staying within the Budget Resolution targets for NOAA required to balance the budget by 2002. H.R. 1815 reflects a strong commitment to good fundamental science that is vital to the nation's future and a balanced budget.

IV. Summary of Hearing

On February 13, 1995, the Subcommittee on Energy and Environment held a hearing titled "Federal Energy and Environmental Research and Development: Setting New Priorities for the Department of Energy (DOE), Environmental Protection Agency (EPA), and National Oceanic and Atmospheric Administration (NOAA)" to receive testimony from outside witnesses on ways to reduce spending in the research and development programs. Among the wit-

nesses was Mr. Tom Schatz, President of Citizens Against Government Waste in Washington, DC.

Mr. Schatz made several recommendations including: (1) the privatization of the NOAA research fleet on the grounds that the fleet is "too expensive to maintain and operate as compared to the services provided by private-sector fleets"; (2) freezing remaining NOAA funding "to further encourage better management in NOAA programs"; (3) the closure of antiquated National Weather Service offices; and (4) the privatization of parts of the National Weather Service as proposed by the Clinton Administration in the fiscal year 1996 budget request.

On February 21, 1995, the Subcommittee on Energy and Environment held a hearing to receive testimony from NOAA and outside witnesses on NOAA's fiscal year 1996 budget request for the programs under the Subcommittee's jurisdiction. Among the witnesses were: (1) Dr. D. James Baker, Under Secretary for Oceans and Atmospheres, and Administrator of NOAA, U.S. Department of Commerce; (2) Mr. Joel Myers, President of Accu-Weather, Inc.; and (3) Mr. Joel Willemssen, Director of Accounting and Information Management Division, U.S. General Accounting Office.

Dr. D. James Baker outlined the priorities within NOAA's $2,201,531,000 fiscal year 1996 budget request. Of these funds, approximately $1.8 billion fall under the jurisdiction of the Energy and Environment Subcommittee. The fiscal year 1996 request represents an increase of more than $179 million over fiscal year 1995 appropriations. Dr. Baker listed modernization of the National Weather Service as NOAA's top priority to improve technology used for weather forecasting and lead to the consolidation of almost 300 weather service offices into 118 facilities. Dr. Baker indicated that the country's initial investment in the weather service modernization will be repaid within two years, and once complete, contribute over $7 billion in savings to the Nation's economy through improved capacity for storm weather and long-term forecasting. Dr. Baker emphasized the importance of NOAA's strategic plan, which creates the "vision" for the agency through the year 2005, enabling NOAA's environmental stewardship assessment and prediction programs to become "keystones to enhancing economic prosperity."

Mr. Joel Myers stated that the commercial weather services can save the government substantial sums by replacing services currently provided by the National Weather Service. He suggested amending the 1890 National Weather Service Organic Act to conform with the 1990 National Weather Service policy statement on the role of the private weather industry and the National Weather Service. Mr. Myers also cited the potential savings identified by a Booz Allen & Hamilton study that noted overlapping National Weather Service structures and found savings of $100 million annually if the National Weather Service reduced its weather service offices from 334 to 25.

Mr. Joel Willemssen emphasized three main points from GAO's review of the National Weather Service modernization efforts: (1) the modernization effort is an outstanding opportunity for the National Weather Service to streamline and downsize its organization while at the same time improving its services; (2) the National Weather Service has made progress on modernization but problems

and risks remain in key systems; and (3) the National Weather Service must act quickly to correct these problems and address the risks or the modernization effort could fail to meet its goals.

V. Committee Actions

SUBCOMMITTEE MARKUP

On June 8, 1995 the Subcommittee on Energy and Environment convened to mark up the Subcommittee Print, the National Oceanic and Atmospheric Administration Authorization Act of 1995. The purpose of the markup was to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996.

Of the four amendments offered three were adopted and one was defeated.

Amendment 1.—Mr. Weldon (PA) offered an amendment to fund the Global Learning and Observations to Benefit the Environment (GLOBE) program at $7,000,000 by reducing funding for Executive Direction and Administration (−$3,251,000 and Central Administrative Support (−$3,749,000)—both in the Program Support account. The amendment was adopted by a roll call vote of 8 yeas to 5 noes.

Amendment 2.—Mr. McHale offered an amendment to strike Section 101(f) language repealing certification requirements under the National Weather Service Modernization Act. Current law requires the Secretary to provide certification that no degradation of service will occur before closing a national weather station. The amendment was defeated by a voice vote.

Amendment 3.—Mr. Ehlers offered an amendment to remove the GLERL/zebra mussel and the Sea Grant/zebra mussel research accounts from the list of Program Terminations in Title IV. The amendment was adopted by voice vote.

Amendment 4.—Mr. McHale offered Mr. Roemer's amendment to clarify the duties of the National Weather Service. The amendment alters language in the "Duties of the National Weather Service" section to read that the National Weather Service "shall be responsible for . . . forecasts and shall serve as the sole official source of weather warnings." The amendment was adopted by voice vote.

With a quorum present, Mr. Walker moved that a clean bill be prepared by the Subcommittee Chairman for introduction in the House and further consideration by the Committee. The motion was approved by voice vote. The Subcommittee print was adopted, as amended, by a roll call vote of 13 yeas to 3 noes and ordered reported to the Full Committee for consideration. Subsequently, Mr. Rohrabacher (for himself and Mr. Hayes) introduced H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995, on June 13, 1995.

FULL COMMITTEE MARKUP

On June 28, 1995, the Committee on Science convened to mark up H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995. The purpose of the markup was to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996.

Of the 17 amendments submitted six were adopted, three were defeated, four were withdrawn, three were included in the Walker En Bloc Amendment #1 and one was not offered.

Amendment 1.—Mr. Walker offered an en bloc amendment stating that no funds under subsection 101(b) can be used for new NEXRAD installations not identified in the National Implementation Plan for 1996, unless the NEXRAD installations can be acquired under section 102(b) of the NOAA Authorization Act of 1992. The amendment transfers over $4.4 million from the Polar Orbiting Satellite account to the Environmental Data Management System's Data and Information Services program, encourages NOAA to expand its efforts to develop interagency agreements to further the use of defense-related technologies, data, and other resources to support its oceanic missions, and requires the Secretary of Commerce to submit a report to Congress on the feasibility of expanding the use of defense-related technologies no later than 120 days after enactment of this Act. The amendment also narrows the definition of "fire weather forecasts," adds language limiting the use of federal funds for lobbying activities and for programs that receive Congressional earmarks, and makes technical changes to the bill. The amendment, as amended by the Brown amendment, was adopted by voice vote. (The Walker en bloc amendment includes amendment #4, as modified, and amendments #7 and #8.)

Amendment 1a.—Mr. Brown offered an amendment to the Walker en bloc amendment amending the lobbying activities section to allow officers or employees of the U.S. or of its departments or agencies to communicate with Members, at the Member's request or with Congress, through proper channels, on requests for legislation or appropriations that they deem necessary for official conduct of public business. The amendment was adopted by voice vote.

Amendment 2.—Mr. Walker offered an amendment to insert a new Sec. 504—Report on Laboratories, requiring the Inspector General of the Department of Commerce to submit a report no later than 120 days after enactment of the Act, reviewing the laboratories operated by NOAA. The amendment, as amended by the Brown amendment, was adopted by voice vote.

Amendment 2a.—Mr. Brown offered an amendment to the Walker amendment replacing the term "Inspector General" with "Secretary." The amendment was adopted by voice vote.

Amendment 3.—Mr. Brown offered an amendment in the nature of a substitute. The substitute amendment funds NOAA at $110 million over the authorized level in H.R. 1815. Relative to the base text, the substitute increases National Weather Service operations by $10.8 million; National Weather Service systems acquisition by $11.3 million; Climate and Air Quality Research by $52.5 million; Marine Prediction Research by $1.2 million; Sea Grant by $13.4 million; Satellites by $2 million; Oceans Observation and Assessment by $5.7 million; Executive Direction and Administration by $5 million; new construction by $19 million; and Marine Services by $1.3 million. The amendment was defeated by voice vote.

Amendment 4.—Mr. Cramer submitted an amendment stating that no funds under subsection 101(b) can be used for new NEXRAD installations not identified in the National Implementation Plan for 1996, unless the NEXRAD installations can be ac-

quired under section 102(b) of the NOAA Authorization Act of 1992. The amendment was included in the Walker en bloc amendment(#1).

Amendment 5.—Mr. McHale submitted an amendment to strike subsection (f) of Section 101—Streamlining Weather Service Modernization. The amendment would remove language to streamline the process for closing weather service offices. The amendment was withdrawn.

Amendment 6.—Mr. Cramer offered an amendment requiring the Secretary to publish in the Federal Register and certify to Congress that there has been no degradation of service as a result of closings, consolidations, automations or relocations of any National Weather Service field office under the weather service modernization plan. The amendment was defeated by a roll call vote of 18 yeas to 21 noes.

Amendment 7.—Mr. Boehlert submitted an amendment to ensure that the same percentage of Climate and Air Quality Research funds as were provided to institutions of higher education in fiscal year 1995 are provided in fiscal year 1996 by NOAA. The amendment was included in Walker en bloc amendment (#1).

Amendment 8.— Mr. Weldon (PA) submitted an amendment to create a new Sec. 203—Use of Ocean Research Resources of Other Federal Agencies. The amendment encourages NOAA to expand its efforts to develop interagency agreements to further the use of defense-related technologies, data, and other resources to support its oceanic missions. The amendment also requires the Secretary of Commerce to submit a report to Congress no later than 120 days after enactment of this Act on the feasibility of expanding the use of defense-related technologies. The amendment was included in Walker en bloc amendment (#1.)

Amendment 9.—Mr. Weldon (PA) submitted an amendment to create a new Sec. 504—to allow for additional authorizations to Climate and Air Research, the Coastal Ocean Program and the National Sea Grant College Program, if the budget resolution conference approved by the House and Senate is based on an assumption of a tax cut of less than $350 million. The amendment was withdrawn.

Amendment 10.—Mr. Cramer submitted an amendment to create a new Sec. 504—Additional Authorization for National Weather Service Modernization. The amendment states that from sums otherwise authorized by this Act, up to $7 million may be used to augment National Weather Service modernization for those areas identified as having potentially degraded service. The amendment was withdrawn.

Amendment 11.—Mr. Traficant submitted an amendment to add a new Sec. 504—Buy American—to ensure that no funds appropriated pursuant to this Act may be expended by an entity unless the entity complies with the "Buy American Act." The amendment was not offered.

Amendment 12.—Mr. Brown submitted an amendment to create a new Title VI—Contingent Authorization. The amendment states that should the budget resolution conference approved by the House and Senate assume less than a $350 million tax cut, additional funds should be appropriated in fiscal year 96 for Atmos-

pheric Research and for Ocean and Great Lakes Research. The amendment was withdrawn.

Amendment 13.—Mr. Calvert offered an en bloc amendment to remove the National Weather Service Agriculture and Fruit Frost Programs from the list of programs to be terminated in Title IV. The amendment did not provide any funding authorization for Agriculture and Fruit Frost in fiscal year 1996. The amendment was adopted by voice vote.

Amendment 14.—Mr. Roemer offered an amendment to Title IV adding Dissemination of Weather Charts (Marine Facsimile Service) to the list of programs to be terminated. The amendment was adopted by voice vote.

Amendment 15.—Ms. Lofgren offered an amendment to add a new Title VI—authorizing $152,528,000 for FY 96 for Climate and Air Quality Research. The amendment was defeated by a roll call vote of 8 yeas to 32 noes.

With a quorum present, Mr. Brown moved that the Committee report the bill, H.R. 1815 as amended, the staff prepare the legislative report to make technical and conforming amendments, and the Chairman take all necessary steps to bring the bill before the House for consideration. Mr. Brown also moved that the Members have three days to file minority dissenting or additional views. The motion was adopted by voice vote.

Mr. Ehlers moved that the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on H.R. 1815 or a similar Senate measure. The motion was adopted by voice vote.

Mr. Sensenbrenner moved that the Committee adopt, as part of the legislative report on H.R. 1815, the summary chart. The motion was adopted by voice vote.

VI. Summary of Authorizations and Major Provisions of the Bill

H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995, authorizes all unauthorized NOAA programs within the Committee's jurisdiction for fiscal year 1996. H.R. 1815 holds NOAA's overall authorization to the totals included in the Budget Resolution Conference Report. The Committee supports all reductions from NOAA's fiscal year 1995 funding levels proposed by the Administration in its fiscal year 1996 request.

In February, 1995, the President transmitted to Congress a request of $2,201,531,000 for NOAA for fiscal year 1996, an increase of $179,779,000—or 8.9 percent—over the fiscal year 1995 estimate of $2,021,752,000.

The Committee recommends an authorization level of $1,725,201,000 for fiscal year 1996, a decrease of $476,330,000—or 21.6 percent—from the request level, and a decrease of $296,551,000—or 14.7 percent—from the fiscal year 1995 estimate. The Committee's recommendation is consistent with the amounts established in the House-passed Concurrent Resolution on the Budget for fiscal year 1995 (H. Con. Res. 67), as well as the conference report on the Resolution.

The following table provides a summary of the amounts requested (using the President's February, 1995, request) and that

would be authorized for appropriation in the bill (in the column labeled "FY 1996 Mark"). Also included are current year estimates (in the column labeled "FY 1995 Adjusted") as well as comparisons of the Committee recommendation with both current year estimates and the 1996 request.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SUMMARY

[In thousands of dollars]

	Fiscal year 1995 adjusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
National Ocean Service:					
Mapping, charting, and geodesy	49,816	53,513	49,076	−740	−4,437
Observation and assessment	66,591	74,091	42,732	−23,859	−31,359
Ocean and coastal management	63,811	71,222	10,927	−52,884	−60,295
Total, National Ocean Service	180,218	198,826	102,735	−77,483	−96,091
Oceanic and Atmospheric Research:					
Climate and air quality research	119,542	159,528	93,757	−25,785	−65,771
Atmospheric programs	46,946	46,909	39,894	−7,052	−7,015
Ocean and Great Lakes programs	92,091	64,384	49,763	−42,328	−14,621
Total, Oceanic and Atmospheric Research	258,579	270,821	183,414	−75,165	−87,407
National Weather Service:					
Operations and research	513,269	487,289	472,338	−40,931	−14,951
Systems acquisition	145,429	137,043	132,369	−13,060	−4,674
Total, National Weather Service	658,698	624,332	604,707	−53,991	−19,625
National Environmental Satellite, Data, and Information Service (NESDIS):					
Satellite observing systems	351,741	508,837	435,421	+83,680	−73,416
Environmental data management systems	35,665	43,664	35,665	0	−7,999
Total, NESDIS	387,406	552,501	471,086	+83,680	−81,415
Program Support:					
Administration and services	72,847	91,127	58,338	−14,509	−32,789
Marine services	62,011	62,202	60,689	−1,322	−1,513
Aircraft services	13,153	10,248	9,548	−3,605	−700
Total, program support	148,011	163,577	128,575	−19,436	−35,002
National Marine Fisheries Service (NMFS)[1]	268,650	315,828	210,651	−57,999	−105,177
General reduction to operations, research and facilities	.....	.....	−8,698	.....	.....
Total, operations, research and facilities	1,901,562	2,125,885	1,692,470	−209,092	−433,415
Construction	97,254	52,299	32,731	−64,523	−19,568
NOAA fleet modernization	22,936	23,347	0	−22,936	−23,347
Total, NOAA	2,021,752	2,201,531	1,725,201	−296,551	−476,330

*Illustrative. Not in Science Committee jurisdiction or bill.

The major provisions of the bill are as follows:

Authorizes appropriations for the National Oceanic and Atmospheric Administration (NOAA) for fiscal year 1996;

Requires the Secretary to submit a report to Congress on the feasibility of expanding the use of defense-related technologies,

data, and other resources to support and enhance the oceanic missions of NOAA;

Gives the Secretary of Commerce the authority to contract out for data and days-at-sea;

Terminates 19 programs and accounts;

Requires the Secretary to submit a report to Congress certifying that all programs and accounts listed to be terminated will be terminated by September 30, 1995;

Does not authorize funding for any fiscal year after 1996 for carrying out programs authorized under this Act;

Sets the total number of commissioned officers of the NOAA Corps at no more than 369 in fiscal year 1996, 100 in fiscal year 1997, 50 in fiscal year 1998, and eliminates authorization for any fiscal year after 1998;

Prohibits unauthorized persons from interfering with any National Data Buoy Center weather data buoys; and authorizes the Administrator to assess a penalty for each violation and to offer and pay rewards for information regarding violations;

Delineates the duties of the National Weather Service;

Stipulates that the National Weather Service will not compete with the private sector when a service is provided or can be provided by commercial enterprise unless the Secretary finds that the private sector is unwilling or unable to provide the service, and the service provides vital weather warnings and forecasts;

Requires the Secretary to submit a report to Congress detailing all National Weather Service activities which do not conform to the requirement and outlines a timetable for their termination;

Requires all amounts received by the U.S. in settlement of damage claims arising from the allision of the vessel *Zachery* in the NOAA vessel *Discoverer* shall be retained as an offsetting collection in the Marine Services account, shall be deposited in that account upon receipt by the U.S. Government, and shall be available only for obligation for NOAA vessel repairs;

Prohibits the funding of programs that have received federal funding not based on a competitive merit-based award process with the exceptions of awards to persons who are members of a class specified by law for which assistance is awarded according to a formula provided by law;

Prohibits the expenditure of authorized funds for the purpose of influencing legislation pending before Congress; and

Requires the Secretary to submit to Congress a report reviewing the laboratories operated by NOAA.

VII. Section-by-Section Analysis

Section 1. Short title

Entitles the act the "National Oceanic and Atmospheric Administration Authorization Act of 1995."

Section 2. Definitions

Section 2 defines: (1) "Act of 1890" as the Act entitled "An Act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Bureau to the Department of Agriculture"; (2) "Act of 1947" as the Act entitled "An Act to define the functions and duties of the Coast and Geodetic Survey, and for other purposes"; (3) "Act of 1970" as the Act entitled "An Act to clarify the status and benefits of commissioned officers of the National Oceanic and Atmospheric Administration, and for other purposes"; (4) "Administrator" as the Administrator of the National Oceanic and Atmospheric Administration; and (5) "Secretary" as the Secretary of Commerce.

TITLE I.—ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS

Sec. 101. National Weather Service

(a) Authorizes $472,338,000 for fiscal year 1996 for operations and research activities of the National Weather Service.

(b) Authorizes $79,034,000 for acquisition of major public warning and forecast systems. None of the funds authorized under this subsection can be used for the purposes for which funds are authorized under 102 (b) of the NOAA Authorization Act of 1992 (Public Law 102–567), which authorizes NEXRAD. None of the funds authorized for NEXRAD will be expended for a particular NEXRAD installation unless: (1) it is identified as a National Weather Service NEXRAD installation in the National Implementation Plan for modernization of National Weather Service required under section 703 of the NOAA Authorization Act of 1992 (Public Law 102–567); or (2) it is to be used only for spare parts, not as an installation at a particular site.

(c) Further clarifies that no funds may be obligated for NEXRAD installations not identified in the National Implementation Plan for 1996, unless the Secretary certifies that such NEXRAD installations can be acquired within the authorization for NEXRAD contained in section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992.

(d) Authorizes $16,952,000 of the sums authorized in subsection (b) in fiscal year 1996 for (A) the Automated Surface Observing System and (B) the Automated and Remote Automated Meteorological Observing System.

(e) Authorizes $52,097,000 of the sums authorized in subsection (b) in fiscal year 1996 for the acquisition and deployment of the Advanced Weather Interactive Processing System (AWIPS) and NOAA Port and associated activities; and associated program management and operations and maintenance.

(f) Authorizes $20,628,000 for the planning, design, and land acquisition related to the construction of Weather Forecasting Offices.

(g) Repeals certification requirements under sections 706 and 707 of the Weather Service Modernization Act (15 U.S.C. 313 note) for closure of Weather Service offices and conforms the Act accordingly.

Sec. 102. Atmospheric research

(a)(1) Authorizes $86,757,000 for Climate and Air Quality Research, including interannual and seasonal climate research and long-term climate and air quality research; and (2) requires that the same percentage of the funds which were provided to institutions of higher education through Climate and Air Quality Research in FY 1995 are provided in FY 1996.

(b) Authorizes $39,894,000 for Atmospheric Programs, including research for developing improved prediction capabilities for atmospheric processes, as well as solar-terrestrial research and services.

(c) Authorizes $7,000,000 for the Global Learning and Observations to Benefit the Environment program.

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

(a) Authorizes $319,448,000 for Satellite Observing Systems including spacecraft procurement, launch, and associated ground station systems involving polar orbiting and geostationary environmental satellites (GOES), as well as the operation of such satellites. None of these funds will be used for GOES I–M, authorized under section 105(d) of the NOAA Authorization Act of 1992.

(b) Authorizes $184,425,000 of the sums authorized in subsection (a) for the procurement of the Polar Orbiting Environmental Satellites (POES) K, L, M, N, and N[1] and their launching and supporting ground systems.

(c) Authorizes $46,300,000 of the sums authorized in subsection (a) for GOES NEXT (1) to procure up to three additional Geostationary Operational Environmental NEXT Satellites (GOES I–M clones) and instruments; and (2) for contracts, and amendments or modifications of contracts, with the developer of previous GOES-NEXT satellites, for the acquisition of the additional satellites and instruments.

(d) Authorizes $35,665,000 for Environmental Data and Information Services including climate data services, geophysical data services, and environmental assessment and information services.

(e) Authorizes $39,500,000 of the sums authorized in subsection (a) for the procurement of the National Polar-Orbiting Operational Environmental Satellite System (NPOESS) and its launching and supporting ground systems.

TITLE II.—MARINE RESEARCH

Sec. 201. National Ocean Service.

(a) Authorizes $29,149,000 for Mapping and Charting activities under the Act of 1947.

(b) Authorizes $19,927,000 for Geodesy activities under the Act of 1947.

(c) (1) Authorizes $11,279,000 for Observation and Prediction activities under the Act of 1947; (2) authorizes $695,000 for the Circulatory Survey Program; and (3) authorizes $4,231,000 for Ocean and Earth Science activities.

(d) (1) Authorizes $1,171,000 to support Estuarine and Coastal Assessment activities under the Act of 1947; (2) authorizes $8,401,000 for the National Status and Trends, the Strategic Envi-

ronmental Assessment, and the Hazardous Materials Response Programs; (3) authorizes $585,000 for the Damage Assessment Program; and (4) authorizes $9,158,000 for the Coastal Ocean Program.

Sec. 202. Ocean and Great Lakes research

(a) Authorizes $13,763,000 for Marine Prediction Research activities under the Act of 1947, the Act of 1890, and any other law involving those activities.

(b) Authorizes $36,000,000 for the National Sea Grant College Program Act (33 U.S.C. 1121 et. seq.) of which (1) $34,500,000 will be used for the extramural program; (2) $1,500,000 will be used for NOAA administrative support; and (3) amends the National Sea Grant College Program Act to focus on scientific research.

Sec. 203 Use of ocean research resources of other Federal agencies

(a) The Congress finds: (1) observing, monitoring, and predicting the ocean environment has been a priority for the defense community; (2) many of the advances made by the defense community can be shared with civilian researchers; (3) NOAA's missions would benefit from increased cooperation with defense agencies.

(b) It is the sense of the Congress that NOAA should expand its efforts to develop interagency agreements to further the use of defense-related technologies, data, and other resources to support its oceanic missions.

(c) (1) The Secretary, no later than 120 days after the date of the enactment of this Act, will submit a report to Congress on the feasibility of expanding the use of defense-related technologies, data, and other resources to support and enhance the oceanic missions of NOAA. (2) The report shall include (A) a list of defense-related resources currently available to NOAA and the missions which utilize those resources; (B) detailed findings and recommendations for expanding the use of available defense-related resources; (C) a listing and funding history of NOAA resources which could be supplemented by defense-related resources; (D) a listing of currently unavailable defense-related resources which if made available would enhance NOAA's mission performance; (E) recommendations on the regulatory and legislative structures needed to maximize the use of defense-related resources; (F) an assessment of the roles in the use of defense-related resources; and (G) recommendations on how to provide access to relevant defense-related data for non-Federal scientific users.

TITLE III. — PROGRAM SUPPORT

Sec. 301. Program support

(a) Authorizes $20,632,000 for Executive and Administrative activities under the Act of 1970 and any other law involving those activities.

(b) Authorizes $30,000,000 for Central Administrative Support activities under the Act of 1970 and any other law involving those activities.

(c) Authorizes $7,706,000 for retired pay of retired commissioned officers of NOAA under the Act of 1970.

(d) (1) Gives the Secretary of Commerce the authority to contract out for data and days-at-sea; (2) requires the Secretary to use excess days-at-sea from University-National Oceanographic Laboratory System vessels "where appropriate" and authorizes the Secretary to enter into a memorandum of agreement with the operators of those vessels; and (3) authorizes $60,689,000 for Marine Service activities (including activities outlined in (1) and (2)) for fiscal year 1996.

(e) Authorizes $9,548,000 for Aircraft Service activities (including aircraft operations, maintenance, and support) under the Act of 1970 and any other law involving those activities.

(f) Authorizes $ 7,374,000 for facilities repairs and renovations.

TITLE IV.—STREAMLINING OF OPERATIONS

Sec. 401. Program terminations

(a) The following programs and accounts are terminated:

(1) The National Undersea Research Program;

(2) The Fleet Modernization, Shipbuilding, and Construction Account;

(3) The Charleston, South Carolina, Special Management Plan;

(4) Chesapeake Bay Observation Buoys;

(5) Federal/State Weather Modernization Grants;

(6) The Southeast Storm Research Account;

(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program;

(8) National Institute for Environmental Renewal;

(9) The Lake Champlain Study;

(10) The Maine Marine Research Center;

(11) The South Carolina Cooperative Geodetic Survey Account;

(12) Pacific Island Technical Assistance;

(13) Sea Grant/Oyster Disease Account;

(14) National Coastal Research and Development Institute Account;

(15) VENTS program;

(16) National Weather Service non-Federal, non-wildfire Fire Weather Service;

(17) National Weather Service Regional Climate Centers;

(18) National Weather Service Samoa Weather Forecast Office Repair and Upgrade Account; and

(19) Dissemination of Weather Charts (Marine Facsimile Service).

(b) The Secretary, no later than 60 days after the date of this Act's enactment, will submit a report to Congress certifying that all programs listed in subsection (a) will be terminated by September 30, 1995.

(c) Repeals two programs of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.); (A) The Dean John Knauss Marine Policy Fellowship Program (33 U.S.C. 1127(b)); and (B) Sea Grant International Program (section 3 of The Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a)).

(2) Conforms the National Sea Grant College Program Act to changes made in (c).

(d) Repeals the NOAA Fleet Modernization Act (33 U.S.C. 851 note).

Sec. 402. Limitation on appropriations

(a) Does not authorize funding for any fiscal year after 1996 for carrying out programs authorized under this Act.

(b) Authorizes no more than $1,692,470,000 to be appropriated to the Secretary to carry out all activities under NOAA's Operations, Research, and Facilities account.

(c) Authorizes no more than $20,000,000 of the sums appropriated to the Operations, Research, and Facilities account for travel and related expenses for NOAA personnel.

Sec. 403. Reduction in the Commissioned Officer Corps

(a) Sets the total number of commissioned officers of the NOAA Corps at no more than 369 in fiscal year 1996, 100 in fiscal year 1997, 50 in fiscal year 1998, and eliminates authorization for any fiscal year after 1998.

(b) Authorizes the Secretary to make separations without providing separation pay.

TITLE V.—MISCELLANEOUS

Sec. 501. Weather data buoys

(a) Prohibits unauthorized persons from interfering with any National Data Buoy Center weather data buoys.

(b) Authorizes the Administrator to assess a penalty of not more than $10,000 for each violation of this section.

(c) Authorizes the Administrator to offer and pay rewards for information regarding violations of this section.

Sec. 502. Duties of the National Weather Service

(a) Provides that the Secretary of Commerce, in order to protect life and property and enhance the national economy, through the National Weather Service, shall be responsible for forecasts and shall serve as the sole official source of weather warnings; the issue of storm warnings; the collection, exchange, and distribution of meteorological, hydrological, climatic, and oceanographic data and information; and the preparation of hydrometeorological guidance and core forecast information; except as provided in subsection (b).

(b) Stipulates that the National Weather Service will not compete with the private sector when a service is provided or can be provided by commercial enterprise unless the Secretary finds that the private sector is unwilling or unable to provide the service, and the service provides vital weather warnings and forecasts for the protection of lives and property of the general public.

(c) Amends the Act of 1890 accordingly.

(d) Requires the Secretary submit a report no later than 60 days after the enactment of this Act to Congress detailing all National Weather Service activities which do not conform to the requirements of this section and outlining a timetable for their termination.

Sec. 503. Reimbursement of expenses

(a) Stipulates that all amounts received by the United States in settlement of damage claims arising from the allision of the vessel ZACHERY into the NOAA vessel DISCOVERER shall be retained as an offsetting collection in the Marine Services account, shall be deposited in that account upon receipt by the United States Government, and shall be available only for obligation for NOAA vessel repairs.

(b) Stipulates that not more than $518,757.09 of the amounts in subsection (a) may be deposited into the Marine Services account.

Sec. 504. Eligibility for awards

(a) The Administrator shall exclude from consideration, for awards of financial assistance made by NOAA after fiscal year 1995, any person who received funds, other than those described in subsection (b), appropriated for any fiscal year after fiscal year 1995, from any Federal funding source for a project that was not subjected to a competitive, merit-based award process.

(b) Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class.

Sec. 505. Prohibition of lobbying activities

None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before Congress, unless the information is requested by a Member of Congress or it is transmitted to Congress through proper channels and its information is necessary for efficient conduct of public business.

Sec. 506. Report on laboratories

(a) The Secretary, no later than 120 days after the date of enactment of this Act, will submit a report to Congress reviewing the laboratories operated by NOAA.

(b) The report required by subsection (a) will (1) address potential efficiencies and savings which could be achieved through the closing or consolidation of laboratory facilities; (2) review each laboratory's mission and activities, physical assets, and organization and program management; and (3) address other issues the Inspector General considers relevant.

VIII. Committee Views

This bill is consistent with the funding levels set by H. Con. Res. 67, the Concurrent Resolution on the Budget. In order to balance the Federal budget by the year 2002, significant reductions to NOAA's budget are necessary. The Committee therefore supports streamlining NOAA's operations, reducing NOAA's overhead costs and eliminating NOAA's low priority programs which do not support its principal mission.

AGENCY BUDGET JUSTIFICATION

The Committee is concerned with the performance of NOAA Congressional Affairs. The Committee notes that Congressional Affairs

in many instances has been unwilling or unable to provide in a timely manner the detailed information on NOAA's budgets and programs needed for the Committee to conduct its business. The Committee notes that the absence of timely and accurate budgetary and programmatic data makes it more difficult for the Committee to justify continued funding of NOAA's programs. Further, the Committee objects to NOAA's use of baseline budgeting. Baseline budgeting presupposes significant annual increases in NOAA's budget. Such increases are inconsistent with the Congress' mandate to balance the budget by the year 2002.

TITLE I, II & III—AUTHORIZATIONS OF APPROPRIATIONS

National Weather Service

The Committee recommends the following specific changes to fiscal year 1996 request for National Weather Service programs and activities.

National Weather Service (NWS): −$19,625,000

−$14,951,000 from NWS Operations and Research, including

−$12,878,000 (or 3% below the Administration's request) from the Local Warnings and Forecast account. The Committee finds that Modernization and Associated Restructuring Demonstration and Implementation (MARDI) has been largely completed and therefore recommends rolling MARDI into the Local Warnings and Forecast line. The reductions are expected to come from reducing administrative costs and closure of duplicative or unneeded non-modernized weather offices; −$1,442,000 from Central Forecast Guidance, which is maintained at the FY 1995 level, and −$631,000 from Atmospheric and Hydrological Research, which is funded at the FY 1994 level.

−$4,674,000 from Systems Acquisition, including −$2,760,000 from Computer Facility Upgrades to maintain funding at the FY 1995 level; and−$1,914,000 from Next Generation Weather Radar (NEXRAD) by eliminating the Planned Product Improvements for NEXRAD.

The Committee supports continuation of the National Weather Service's modernization efforts. With one exception—Planned Product Improvements for NEXRAD—the Committee has funded the systems acquisition accounts at the levels requested by the Administration. The Committee believes this funding level is sufficient to ensure that modernization continues on schedule and expects the National Weather Service to make modernization its top priority.

The Committee is concerned with reports about the lack of progress the National Weather Service is making with Advanced Weather Interactive Processing System (AWIPS). The program appears behind schedule and over budget. The Committee has authorized funding for AWIPS at the level requested by the Administration. Continuation of support for the program will be based on the National Weather Service's ability to fix the systemic problems that have plagued both the management and development of the system.

The Committee has authorized funding for the Automated Surface Observing System (ASOS) at the level requested by the Administration. The Committee notes that concerns have been raised about the system's performance. The Committee is concerned about reports that ASOS may not meet its design performance criteria. The Committee's continued support for the program will be based on the National Weather Service's ability to address these concerns.

The Committee has reduced the National Weather Service's Operations and Research account by three percent from the Administration's request. The National Weather Service is expected to meet these reductions by reducing staff and overhead, closing unneeded weather service offices, and terminating services the private sector is willing and able to provide. The Committee supports the continuation of the National Weather Service's modernization efforts and does not expect these reductions to delay the Service's modernization schedule, including the completion of work at the existing schedule for completion of new modernized offices such as the National Weather Service station at Riverton, Wyoming. The NEXRAD for the Riverton station is scheduled to be commissioned within six months of its September 15, 1995 acceptance date.

The Committee emphasizes that completion of modernization should be the National Weather Service's top priority. The Committee notes that since 1990 the number of National Weather Service full time equivalents (FTEs) has increased by 75 percent—from roughly 3,300 to 5,800. Although these increases may have been justified during the modernization process, as modernization is completed the Committee expects large savings from significant reductions in staff. These savings will not occur unless modernization is completed on schedule. The Committee notes that the construction of weather forecast offices account has been authorized to the levels requested by the Administration and expects these levels to be sufficient to meet the Service's current modernization schedule.

The Committee supports the elimination of the certification process required under Sections 706 and 707 of the Weather Service Modernization Act (15 U.S.C. 313 note) for closure of weather service offices. The Committee rejected amendments in both Subcommittee and Full Committee to alter this provision in the bill. The Committee notes that NOAA has calculated the savings from elimination of the certification process at $35.1 million over five years. The Committee believes that the certification process is burdensome and costly, and that the $35.1 million could be better spent on weather service modernization.

The Committee supports the National Weather Service's plan to downsize the number of its offices by more than half to 118 modernized offices. This downsizing should occur as rapidly as is feasible without jeopardizing the lives and property of the communities whose offices must be closed. The Committee notes that this downsizing will significantly improve the National Weather Service's ability to issue severe weather warnings since the new modernized offices, although fewer in number, will be better equipped to forecast the weather.

The Committee further notes that the bill does not authorize any additional funds for NEXRAD installations beyond those author-

ized in section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992, and therefore the cost of any additional NEXRAD installations recommended in a future National Implementation Plan would have to be borne within the existing authorization. The Committee does not support the obligation of funds for any NEXRAD installations unless:

(1) The NEXRAD is identified in the National Implementation Plan for 1996; or

(2) The NEXRAD is identified in a future National Implementation Plan and the Secretary certifies that the NEXRAD installations can be acquired within the authorization for NEXRAD contained in section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992.

The Committee supports the Administration's request of $16,952,000 for fiscal year 1996 for the Automated Surface Observing System and the Automated and Remote Automated Meteorological Observing System.

The Committee supports the Administration's request of $52,097,000 for fiscal year 1996 for the acquisition and deployment of the Advanced Weather Interactive Processing System (AWIPS) and NOAA Port.

The Committee supports the Administration's request of $20,628,000 for fiscal year 1996 for the planning, design, and land acquisition related to the construction of Weather Forecasting Offices.

The Committee supports funding NEXRAD systems acquisition at $53,335,000. The funding level represents a decrease of $1,914,000 from the Administration's request. The Committee expects this decrease to be taken from NEXRAD planned product improvements.

Summary of NWS recommendations

Details of the Committee's recommendations for NWS are outlined in the following table.

NATIONAL WEATHER SERVICE (NWS)

[In thousands of dollars]

	Fiscal year 1995 Adjusted	Fiscal year 1996 Request	Fiscal year 1996 Mark	Mark compared with (+ or −)	
				Fiscal year 1995 Adjusted	Fiscal year 1996 Request
Operations and Research:					
Local Warnings and Forecasts	$323,579	$418,567	$405,689	−$34,417	−$12,878
Modernization and Restructuring Demonstration and Implementation (MARDI)	115,946	(see above)	(see above)		
Agricultural and Fruit Frost Program	2,316	0	0	−2,316	0
Fire Weather Services	449	0	0	−449	0
Aviation Forecasts	35,596	35,596	35,596	0	0
Samoa	100	0	0	−100	0
Regional Climate Centers	3,200	0	0	−3,200	0
Total, Local Warnings and Forecasts	481,767	454,163	441,285	−40,482	−12,878
Central Forecast Guidance	29,015	30,457	29,015	0	−1,442
Atmospheric and Hydrological Research	2,487	2,669	2,038	−449	−631

NATIONAL WEATHER SERVICE (NWS)—Continued

[In thousands of dollars]

	Fiscal year 1995 Adjusted	Fiscal year 1996 Request	Fiscal year 1996 Mark	Mark compared with (+ or −)	
				Fiscal year 1995 Adjusted	Fiscal year 1996 Request
Total, Operations and Research	513,269	487,289	472,338	−40,931	−14,951
Systems Acquisition:					
Public Warning and Forecast Systems:					
Next Generation Weather Radar (NEXRAD)	82,982	55,249	53,335	−29,647	−1,914
Automated Surface Observing System (ASOS)	17,515	16,952	16,952	−563	0
Advanced Weather Interactive Processing System (AWIPS)/NOAA Port	34,947	52,097	52,097	+17,150	0
Computer Facility Upgrades	9,985	12,745	9,985	0	−2,760
Total, Systems Acquisition	145,429	137,043	132,369	−13,060	−4,674
Total, National Weather Service	658,698	624,332	604,707	−53,991	−19,625

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommends the following specific changes to the fiscal year 1996 request for Oceanic and Atmospheric Research:

Oceanic and Atmospheric Research (OAR): −$87,407000

−$65,771,000 from Climate and Air Quality Research, including −$747,000 from Interannual & Seasonal Climate Research which is funded at the FY 1994 level; −$13,270,000 from Long-Term Climate and Air Quality Research, which is funded at the FY 1994 level; and —$14,558,000 from the High Performance Computing Account, which is funded at the FY 1994 level.

−$37,196,000 from the Climate and Global Change account, which has been rolled into the Interannual and Seasonal Climate Research line to ensure research is relevant to near- to mid-term climatic events such as El Niño. The Committee specifically recommends elimination of −$1,407,000 from Economic and Human Interactions research and −$2,496,000 from the study of underseas vents and their impact on global climate change.

−$7,015,000 from the Atmospheric Programs, including −$4,395,000 from the Weather Research Account, which is funded at the 1994 level, and −$2,620,000 from Solar-Terrestrial Services and Research, which is funded at the 1994 level.

−$14,621,000 from the Ocean and Great Lakes Programs, including −$1,221,000 from Marine Prediction Research which is funded at the FY 1994 level. The National Sea Grant College Program is reduced by −$13,400,000 to a level of $36,000,000, including reducing Sea Grant administrative funding to $1,500,000.

The Committee notes that OAR research on important climatic processes, such as El Niño, has benefited from research done under

the broad heading of climate and global change. The Committee supports long-term climatic research which improves our understanding of near-term climatic variability. The Committee supports combining the Global Climate Change account with the Interannual and Seasonal Climate Research account. The Committee believes that this restructuring will ensure that climate and global change research will be focused on improving our understanding of near- and mid-term climatic events.

The Committee supports funding the expanded Interannual and Seasonal Climate Research account at $59,883,000 for fiscal year 1996. This total represents a decrease of $18,887,000 from current funding. The Committee notes that the Administration's fiscal year 1996 budget request for global climate change research represents almost a 400 percent increase from fiscal year 1990. The Full Committee rejected an amendment to increase the funding for the Climate and Air Quality Research account to the level requested by the Administration by a vote of 33 noes to 8 yeas. In order to meet the reductions included in the bill, the Committee recommends the elimination of the study of economic and human interactions and the termination of the VENTS program, which the Administration recommended moving into the global climate change program.

The Committee recommends that NOAA maintain its successful collaboration with the extramural research community in implementing its climate research program. The Committee directs NOAA to allocate at least the same percentage of available resources to extramural research in fiscal year 1996 as it did in fiscal year 1995. The Committee believes that, in order to maintain the highest scientific standards, NOAA's Office of Global Programs should continue to allocate all of its climate research funds through a competitive, peer-reviewed process.

The Committee supports funding atmospheric research at $39,894,000 in fiscal year 1996. This level represents a decrease of $7,052,000 from current funding for atmospheric programs. The Committee recommends funding Weather Research and Solar Terrestrial Research at their fiscal year 1994 levels. The Committee supports termination of Federal/State Weather Modification Grants and the Southeastern Storm Research programs. The Committee recommends continuing the Wind Profiler program and supports funding the program at the level requested by the Administration.

The Committee supports continuing the Global Learning and Observations to Benefit the Environment (GLOBE) program in fiscal year 1996 and has authorized $7,000,000 for the program.

NATIONAL SEA GRANT COLLEGE PROGRAM

The Committee believes that the National Sea Grant College Program's strongest component is the pursuit of scientific knowledge of the marine environment. The Committee supports making scientific research the primary focus of the National Sea Grant College Program. The Committee recommends maintaining funding for Sea Grant marine research while reducing funding for Sea Grant education, outreach and national program administration.

Summary of OAR recommendations

Details of the Committee's recommendations for OAR are outlined in the following table.

OCEANIC AND ATMOSPHERIC RESEARCH (OAR)

[In thousands of dollars]

	Fiscal year 1995 adjusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
Climate and Air Quality Research:					
Interannual & Seasonal Climate Research	$7,933	$8,284	$59,883	−$396	−$747
Long-Term Climate and Air Quality Research	27,272	39,144	25,874	−1,398	−13,270
High Performance Computing	6,500	15,558	1,000	−5,500	−14,558
Climate and Global Change	70,837	89,542	(see above)	−18,491	−37,196
Globe	7,000	7,000	7,000	0	0
Total, Climate and Air Quality Research	119,542	159,528	93,757	−25,785	−65,771
Atmospheric Programs:					
Weather Research	33,613	34,720	30,325	−3,288	−4,395
Wind Profiler	4,350	4,350	4,350	0	0
Federal/State Weather Modification Grants	3,100	0	0	−3,100	0
Southeastern Storm Research	400	0	0	−400	0
Total, Weather Research	41,463	39,070	34,675	−6,788	−4,395
Solar-Terrestrial Services and Research	5,483	7,839	5,219	−264	−2,620
Total, Atmospheric Programs	46,946	46,909	39,894	−7,052	−7,015
Ocean and Great Lakes Programs:					
Marine Prediction Research	15,175	14,984	13,763	−1,412	−1,221
Vents	2,496	0	0	−2,496	0
Southeast Fisheries Oceanographic Coordinated Investigations	450	0	0	−450	0
Lake Champlain Study	150	0	0	−150	0
Pacific Island Technical Assistance	190	0	0	−190	0
Total, Marine Prediction Research	18,461	14,984	13,763	−4,698	−1,221
Sea Grant:					
Sea Grant College Program	51,698	49,400	36,000	−15,698	−13,400
Sea Grant-Oyster Disease	1,500	0	0	−1,500	0
National Coastal R&D Institute	1,000	0	0	−1,000	0
Total, Sea Grant	54,198	49,400	36,000	−18,198	−13,400
Undersea Research Program:					
NOAA Undersea Research Program (NURP)	$17,932	0	0	−17,932	0
Maine Marine Research Center	1,500	0	0	−1,500	0
Total, Undersea Research Program	19,432	0	0	−19,432	0

OCEANIC AND ATMOSPHERIC RESEARCH (OAR)—Continued

[In thousands of dollars]

	Fiscal year 1995 adjusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
Total, Ocean & Great Lakes Programs	92,091	64,384	49,763	−42,328	−14,621
Total, Oceanic and Atmospheric Research	258,579	270,821	183,414	−75,165	−87,407

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommends the following specific changes to the fiscal year 1996 request for National Environmental Satellite, Data, and Information Service:

National Environmental Satellite, Data, and Information Service: −$81,415,000

−$73,416,000 from Satellite Observing Systems, including −$24,228,000 from GOES (construction of three GOES Next satellites, GOES I–M funding reduced by 5%), elimination of Ocean Remote Sensing, and −$6,689,000 from Environmental Observing Systems to fund at the FY 1994 level; −$12,000,000 from LandSat 7 which is not funded through NOAA; and −$14,500,000 from Polar Convergence by requiring a 50/50 split with the Department of Defense.

Environmental Data Management Systems (EDMS) and Data and Information Service are maintained at the FY 1995 level.

Although the Committee supports the substantial increases outlined in the bill and this report for GOES and POES in fiscal year 1996, the Committee notes that the NESDIS budget request has increased by 127 percent since 1990. The Committee believes these increases are not sustainable and that the NESDIS budget over the next seven years will have to decline.

The bill reduces the increases requested by the Administration for funding for the current GOES and POES programs by roughly five percent each. The Committee expects these reductions to come in a large part from increases in efficiency and reductions in overhead costs. The Committee does not expect these reductions in the rate of growth to delay NOAA's projected launch schedules for GOES or POES.

The Committee supports continuation of the NOAA/Department of Defense (DOD) efforts to converge their polar orbiting satellite systems. The Committee also supports sharing the costs of convergence on an equal basis. The Committee notes that, although over the life of the project, costs will be shared equally between DOD and NOAA, under the Administration's current plan, NOAA will bear the brunt of up-front costs for the new converged system.

The Committee recommends initiating a 50/50 cost share plan in fiscal year 1996. The bill's authorization of $39,500,000 for the National Polar Orbiting Operational Satellite System (NPOESS)

which, when matched by DOD, represents funding of polar convergence at the President's fiscal year 1996 request.

The Committee supports funding three new GOES I–M series "clones" beginning in fiscal year 1996. The bill authorizes $46,300,000 for fiscal year 1996 to initiate construction of these satellites. While the Committee has included sole source authority for the construction of these three new satellites, it recommends that the Secretary only use this authority if he finds that it will result in significant cost savings.

Summary of NESDIS recommendations

Details of the Committee's recommendations for NESDIS are outlined in the following table.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE (NESDIS)

[In thousands]

	Fiscal year 1995 ajusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
Satellite Observing Systems:					
Polar Spacecraft and Launching	$146,228	$198,824	$184,425	+$38,197	−$14,399
Polar Convergence/Joint Program Office	16,000	54,000	39,500	+23,500	−14,500
Geostationary Spacecraft and Launching	132,242	186,501	162,273	+30,031	−24,228
Ocean Remote Sensing	6,000	1,600	0	−6,000	−1,600
Environmental Observing Services	51,271	55,912	49,223	−2,048	−6,689
LandSat Operations	0	12,000	0	0	−12,000
Total, Satellite Observing Systems	351,741	508,837	435,421	+83,680	−73,416
Environmental Data Management Systems					
Data and Information Services	24,365	28,564	24,365	0	−4,199
Environmental Services Data and Information Management (ESDIM)	11,300	15,100	11,300	0	−3,800
Total, Environmental Data Management Systems	35,665	43,664	35,665	0	−7,999
Total, NESDIS	387,406	552,501	471,086	+83,680	−81,415

NATIONAL OCEAN SERVICE

The Committee recommends the following specific changes to the fiscal year 1996 request for National Ocean Service programs and activities:

National Ocean Service (NOS): −$96,091,000.

−$4,437,000 from Mapping, Charting and Geodesy, including −$3,187,000 from Mapping and Charting, and −$1,250,000 from Automated Nautical Charting System II, which are both maintained at FY 1995 levels.

−$31,359,000 from Observation and Assessment, including −$1,845,000 from Observation and Prediction, −$1,959,000 from Estuarine and Coastal Assessment, −$13,524,000 from the Ocean Assessment Program, −$3,915,000 from Damage Assessment, and −$9,383,000

from the Coastal Ocean Program, which are each funded at the FY 1994 level.

The Committee supports continuation of National Ocean Service research programs. Although most of NOAA's research is conducted by OAR, the National Ocean Service houses the Coastal Ocean Program (COP), a peer-reviewed long-term cross-cutting marine research program. The Committee supports continued funding of COP. The Committee notes that among the marine research programs which are worthy of NOAA's consideration are studies of coastal ocean processes including the effect of ocean circulation on coral reefs.

SUMMARY OF NOS RECOMMENDATIONS

Details of the Committee's recommendations for NOS are outlined in the following table.

NATIONAL OCEAN SERVICE

[In thousands of dollars]

	Fiscal year 1995 adjusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
Mapping, charting, and geodesy:					
Mapping and charting	$27,899	$31,086	$27,899	$0	−$3,187
Automated nautical charting system II	1,250	2,500	1,250	0	−1,250
Total, mapping and charting	29,149	33,586	29,149	0	−4,437
Geodesy:					
National spatial reference system (including LIS)	19,667	19,927	19,927	+260	0
South Carolina Cooperative Geodetic Survey	1,000	0	0	−1,000	0
Total, geodesy	20,667	19,927	19,927	−740	0
Total, mapping, charting, and geodesy	49,816	53,513	49,076	+260	−4,437
Observation and assessment:					
Observation and prediction	12,358	12,899	11,279	−1,079	−1,620
Circulatory Survey Program	700	700	695	−5	−5
Chesapeake Bay observation buoys	400	0	0	−400	0
Ocean services	4,418	4,451	4,231	−187	−220
Total, observation and prediction	17,876	18,050	16,205	−1,671	−1,845
Estuarine and coastal assessment	2,674	3,130	1,171	−1,503	−1,959
Ocean Assessment Program	24,528	21,925	8,401	−16,127	−13,524
Damage assessment	1,200	4,500	585	−615	−3,915
Transfer from damage assessment fund [1]	6,770	6,550	6,550	−220	0
Oil Pollution Act of 1990 [1]	1,300	1,395	662	−638	−733
Total, estuarine and coastal assessment	36,472	37,500	17,369	−19,103	−20,131
Coastal Ocean Science:					
Coastal Ocean Program	$10,943	$18,541	9,158	−1,785	−9,383

NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Fiscal year 1995 adjusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
Oil spill research	800	0	0	−800	0
National Institute of Environmental Renewal	500	0	0	−500	0
Total, coastal ocean science	12,243	18,541	9,158	−3,085	−9,383
Total, observation and assessment	66,591	74,091	42,732	−23,859	−31,359
Ocean and coastal management [1]	63,811	71,222	10,927	−52,884	−60,295
Total, National Ocean Service	180,218	198,826	102,735	−77,483	−96,091

[1] Illustrative. Not in Science Committee jurisdiction or bill.

USE OF OCEAN RESEARCH RESOURCES OF OTHER FEDERAL AGENCIES

The Committee supports efforts to maximize the use of defense-related data and technologies to support NOAA's oceanic missions.

Program support

The Committee recommends the following specific changes to the fiscal year 1996 request for Program Support:

Program support: −$35,002,000

−$32,789,000 from Administration and Services, including −$7,857,000 from Executive Direction and Administration, and −$24,749,000 from Central Administrative Support, which reflect diminished programmatic efforts.

−$183,000 from Retired Pay Commissioned Officers, which is funded at the Fiscal year 1995 level.

−$1,513,000 from Marine Services, which is funded at the Fiscal year 1994 level.

−$700,000 from Aircraft Services, which is maintained at the Fiscal year 1995 level.

The Committee has reduced the Program Support accounts to reflect the reduced level of effort associated with reductions to other NOAA accounts. The Committee expects NOAA to streamline its administrative activities and reduce overhead and staff to meet these new funding levels.

The Marine Services account has historically been used to fund personnel to pilot NOAA's fleet. The Committee supports termination of the NOAA fleet at the earliest feasible date and the use of the Marine Services account for contracting for data and days-at-sea.

Summary of program support recommendations

Details of the Committee's recommendations for Program Support are outlined in the following table.

PROGRAM SUPPORT

[In thousands of dollars]

	Fiscal year 1995 adjusted	Fiscal year 1996 request	Fiscal year 1996 mark	Mark compared with (+ or −)	
				Fiscal year 1995 adjusted	Fiscal year 1996 request
Administration and services:					
Executive direction and administration	$27,288	$28,489	$20,632	−$6,656	−$7,857
Central administrative support	37,853	54,749	30,000	−4,104	−24,749
Retired pay commissioned officers	7,706	7,889	7,706	0	−183
Total, administration and services	72,847	91,127	58,338	−14,509	−32,789
Marine services	62,011	62,202	60,689	−1,322	−1,513
Aircraft services:					
Aircraft services	9,153	9,853	9,153	0	−700
Critical safety and instrumentation	4,000	395	395	−3,605	0
Total, aircraft services	13,153	10,248	9,548	−3,605	−700
Total, Program support	148,011	163,577	128,575	−19,436	−35,002

Non-ORF accounts

The Committee recommends the following specific changes to the fiscal year 1996 request for non-ORF accounts:

Other accounts: −$42,915,000

−$19,568,000 from construction including, −$4,400,000 from the New Construction account, which is not funded, and −$3,833,000 from Facilities Repairs and Renovations, which is maintained at the FY 1995 level.

−$23,347,000 from the NOAA fleet modernization account, which is eliminated.

−$11,295 from Environmental Compliance (illustrative)

The Committee believes NOAA does not need its own fleet, and that the non-profit and the private sectors are capable of supplying NOAA with the data and/or days-at-sea its missions require. The NOAA fleet is aging and already requires substantial repair.

The Committee notes that a new NOAA fleet would cost $1.9 billion. Such an expenditure is inconsistent with efforts to balance the budget by 2002. In light of this fact, the Committee believes that the only cost-effective alternative available to NOAA is the use of the University-National Oceanographic Laboratory Service (UNOLS) and private vessels. The Committee sees no reason to extend the life of the NOAA fleet by continuing to build, retrofit and conduct major repairs on NOAA vessels. The Committee therefore supports a moratorium on the construction and repairs-to-extend (RTEs) of NOAA vessels. The Committee further supports retiring the rest of the NOAA fleet at the earliest possible date. In no case should NOAA continue to own and operate any major vessels (above 90 feet) beyond October 1, 1998, when the NOAA Corps will cease to exist.

The Committee recommends that the Secretary of Commerce, in consultation with the Inspector General, develop a plan to dispose of the assets of the NOAA fleet at the earliest date practicable and

in a manner that maximizes return to the United States Treasury. The Secretary may consider the benefits of donating vessels to existing UNOLS institutions if the institutions can meet NOAA's research needs in a more cost-effective manner than the current NOAA owned and operated fleet.

Summary of non-ORF recommendations

Details of the Committee's recommendations for non-ORF accounts are outlined in the following table.

NON-ORF ACCOUNTS

[In thousands of dollars]

	Fiscal year 1995 Adjusted	Fiscal year 1996 Requested	Fiscal year 1996 Mark	Mark compared with (+ or −)	
				Fiscal year 1995 Adjusted	Fiscal year 1996 Request
Construction:					
NWS modernization and WFO maintenance	$20,226	$20,628	$20,628	+$402	$0
Facilities repairs and renovations	7,374	11,207	7,374	0	−3,833
Environmental compliance [1]	5,979	16,024	4,729	−1,250	−11,295
New construction	63,675	4,440	0	−63,675	−4,400
Total, construction	97,254	52,299	32,731	−64,523	−19,568
NOAA fleet mod.	22,936	23,347	0	−22,936	−23,347
Non-ORF total	120,190	75,646	32,731	−87,459	−42,915

[1] Illustrative. Not in Science Committee jurisdiction or bill.

TITLE IV.—STREAMLINING OF OPERATIONS

Terminations

The Committee supports terminating the following programs:

(1) The National Undersea Research Program

The Committee notes that the Administration did not request funding for this program and considers it a low priority for NOAA. The Committee supports the Administration's position.

(2) The fleet modernization, shipbuilding, and construction account

As noted above, the Committee supports termination of the NOAA fleet modernization effort.

(3) The Charleston, South Carolina, special management plan

The Committee supports the Administration's proposal to terminate this program.

(4) Chesapeake Bay observation buoys

The Committee supports the Administration's proposal to terminate this program.

(5) Federal/State weather modernization grants

The Committee supports the Administration's proposal to terminate this program.

(6) The Southeast storm research account

The Committee supports the Administration's proposal to terminate this program.

(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program

The Committee supports the Administration's proposal to terminate this program.

(8) National Institute for Environmental Renewal

The Committee supports the Administration's proposal to terminate this program.

(9) The Lake Champlain study

The Committee supports the Administration's proposal to terminate this program.

(10) The Maine Marine Research Center

The Committee supports the Administration's proposal to terminate this program.

(11) The South Carolina Cooperative Geodetic Survey account

The Committee supports the Administration's proposal to terminate this program.

(12) Pacific Island technical assistance

The Committee supports the Administration's proposal to terminate this program.

(13) Sea Grant/oyster disease account

The Committee supports the Administration's proposal to terminate this program.

(14) National Coastal Research and Development Institute account

The Committee supports the Administration's proposal to terminate this program.

(15) VENTS Program

The Committee notes that the Administration recommended terminating this program in fiscal year 1995. The Committee understands that the Administration supports the program in fiscal year 1996 because of the possible impact of underwater vents on global climate change. The Committee does not feel that underwater vents are any more important to global climate research in fiscal year 1996 than they were in fiscal year 1995 and recommends termination of the program.

(16) National Weather Service non-Federal, non-wildfire Fire Weather Service

In keeping with the Committee's support for eliminating all specialized National Weather Service services which the private sector is willing and able to conduct, the Committee supports the Administration's proposal to terminate this program.

(17) National Weather Service Regional Climate Centers

The Committee supports the Administration's proposal to terminate this program.

(18) National Weather Service Samoa Weather Forecast Office repair and upgrade account

The Committee supports the Administration's proposal to terminate this program.

(19) Dissemination of weather charts (Marine Facsimile Service)

In keeping with the Committee's support for eliminating all specialized National Weather Service services which the private sector is willing and able to conduct, the Committee supports the Administration's proposal to terminate this program.

(20) National Sea Grant College Program

The Committee supports termination of both the Dean John A. Knauss Marine Policy Fellowship and the Sea Grant International Program.

Limitation on appropriations

The Committee recommends the following general reduction to NOAA's budget:

General reductions: −$8,698,000 from NOAA travel budget

The Committee supports reducing NOAA's total travel budget for FY 1996 to $20,000,000. This represents a reduction of $8,698,000 from FY 1995, or $11,069,000 from the Administration's fiscal year 1996 request.

Due to the uncertainty about the future of both NOAA and the Department of Commerce, it is the Committee's view that this bill should not authorize NOAA programs beyond fiscal year 1996.

The Committee recommends a ceiling on the NOAA Operations, Research, and Facilities (ORF) account of $1,692,470,000 for fiscal year 1996. This total is in keeping with the totals recommended by H. Con. Res. 67, the Concurrent Resolution on the Budget.

Reduction in the Commissioned Officer Corps

The Committee supports elimination of the NOAA Corps. The Committee sees no reason to maintain the NOAA Corps once the NOAA fleet is terminated. The Committee supports phasing out the Corps in no more than three years. The Committee recommends the Secretary explore options for termination of the Corps in less than three years. The Committee also recommends that the Secretary not grant severance pay to any Corps officers who are rehired as civilian employees by NOAA.

TITLE V.—MISCELLANEOUS

Duties of the National Weather Service

The Committee supports privatizing National Weather Service specialized weather services. The Committee recommends that the National Weather Service cease to provide services which the pri-

vate sector is willing and able to provide. The Committee also recommends that Secretary of Commerce develop criteria for determining which services should be privatized.

The Committee notes that the National Weather Service has a good working relationship with the commercial weather service sector. The Committee supports the continuation of this close working relationship. The Committee recommends that the National Weather Service continue its practice of collecting, exchanging and distributing weather data and information in real time and in a nondiscriminatory manner.

The Committee notes that the National Weather Service is the sole official source of weather warnings. The Committee supports the National Weather Service's role in providing severe weather warnings. The Committee further notes, however, that this designation should in no way preclude private weather forecasters from issuing weather forecasts.

The Committee supports terminating the National Weather Service's Agricultural and Fruit Frost specialized weather forecast programs in fiscal year 1996. The Committee notes that concerns have been raised about terminating the programs on October 1, 1995. The Committee believes that the Secretary of Commerce should have the flexibility to continue the programs beyond October 1, 1995, if he finds that the private sector is unwilling or unable to provide replacement services. Under no circumstances should such an extension last beyond April 1, 1996.

No additional money has been authorized for the continuation of existing Agricultural and Fruit Frost services and any expenses associated with continuing these services, if necessary, should come from National Weather Service's operating budget authorized under the Local Warnings and Forecasts account.

Reimbursement of expenses

The Committee supports refunding the Marine Services Account with the proceeds, up to $518,757.09, of any settlement from the "allision" between the *Zachery* and the *Discoverer*.

Eligibility for awards

The Committee only supports Federal research grants awarded through a competitive merit-based process.

Prohibition of lobbying activities

The Committee believes that no Federal funding should be used to lobby Congress.

Report on laboratories

The Committee directs the Secretary of Commerce to conduct a review of all laboratories operated by NOAA. The Committee intends that the Secretary not delegate this responsibility to NOAA. Rather, the Committee expects the Secretary to work with the Commerce Inspector General to conduct the review.

IX. Committee Cost Estimate

Clause 2(l)(3)(B) of rule XI of the House of Representatives requires each committee report that accompanies a measure provid-

ing new budget authority, new spending authority, new credit authority, changing revenue or tax expenditure to contain a cost estimate, as required by section 308(a)(1) of the Congressional Budget Act of 1974, as amended, and, when practicable with respect to estimates of new budget authority, a comparison of the total estimated funding relevant program (or programs) to the appropriate levels under current law.

Clause 7(a) of rule XIII requires each committee report accompanying each bill or joint resolution of a public character to contain the committee's cost estimates, which include, where practicable, a comparison of the total estimated funding level for the relevant program (or programs) with the appropriate levels under current law.

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office, pursuant to section 403 of the Congressional Budget Act of 1974. The Committee notes, however, that the Congressional Budget Office determined that termination of the National Undersea Research Program will result in direct spending of roughly $2 million. This contrasts with the Administration's fiscal year 1996 budget request for NOAA, which includes this same termination without factoring in any termination costs.

X. Congressional Budget Office Analysis and Cost Estimates

U.S. Congress,
Congressional Budget Office,
Washington, DC, July 24, 1995.

Hon. Robert S. Walker,
Chairman, Committee on Science,
House of Representatives, Washington, DC.

Dear Mr. Chairman: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995.

Enactment of H.R. 1815 would affect direct spending and receipts. Therefore, pay-as-you-go procedures would apply to the bill.

If you wish further details on this estimate, we will be pleased to provide them.

Sincerely,

June E. O'Neill, *Director.*

Congressional Budget Office Cost Estimate

1. Bill number: H.R. 1815.

2. Bill title: National Oceanic and Atmospheric Administration Authorization Act of 1995.

3. Bill status: As ordered reported by the House Committee on Science on June 28, 1995.

4. Bill purpose: H.R. 1815 would authorize appropriations for the National Oceanic and Atmospheric Administration (NOAA) for fiscal year 1996. The bill also would set a cap on total NOAA appropriations, terminate several NOAA programs, establish a civil penalty for tampering with data buoys, and permit NOAA to retain and spend without appropriation funds received from a possible

judgment against the vessel which collided with the NOAA vessel *Discovere.*

5. Estimated cost to the Federal Government: CBO estimates that H.R. 1815 would result in direct spending of about $2 million in 1996 and in discretionary spending totaling $1,331 million over the 1996–2000 period, assuming that the amounts authorized will be appropriated. The estimated budgetary impact of the bill is summarized in the following table.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998	1999	2000
SPENDING SUBJECT TO APPROPRIATIONS ACTION						
Spending under current law:						
Budget authority [1]	1,651	0	0	0	0	0
Estimated outlays	1,617	686	261	117	5	0
Proposed changes:						
Authorization level	0	1,331	0	0	0	0
Estimated outlays	0	787	357	101	84	1
Spending Under H.R. 1815:						
Authorization level [1]	1,651	1,331	0	0	0	0
Estimated outlays	1,617	1,474	618	218	88	1
MANDATORY SPENDING AND RECEIPTS						
Additional direct spending:						
Estimated budget authority	0	2	0	0	0	0
Estimated outlays	0	2	0	0	0	0
Estimated revenues	0	(2)	(2)	(2)	(2)	(2)

[1] The 1995 amount represents appropriations for the activities authorized in this bill.
[2] Less than $500,000.

The costs of this bill fall within budget function 300.

6. Basis of estimate: Spending Subject to Appropriations Action.—Assuming appropriation of the authorized amounts, H.R. 1815 would result in discretionary spending totalling $1,331 million over the 1996–2000 period. Titles I through III of the bill would authorized fiscal year 1996 appropriations of $1,061 million for NOAA's atmospheric, weather, and satellite programs, $134 million for NOAA marine research, and $136 million for NOAA program support, respectively. Outlays are estimated based on historical spending rates for these activities.

Title IV of the bill would place a ceiling of $1,692 million on 1996 appropriations for all NOAA programs. (This bill authorizes funding for only a portion of NOAA's activities.) The figures in the above table only encompass the programs authorized by H.R. 1815.

Direct spending

Terminations.—CBO estimates that enacting H.R. 1815 would necessitate direct spending in fiscal year 1996 for the costs of terminating certain NOAA programs. Some of the costs associated with program termination may be covered by existing funds, but other costs could not be funded out of appropriations authorized in this bill or by existing balances. Specifically, section 401 of the bill prohibits the appropriation of funds for several NOAA programs and requires certification of their termination no later than 60 days after enactment. CBO estimates that the cost of terminating at least one of these programs, the National Undersea Research Program (NURP), would exceed that program's existing unobligated

balances. Hence, direct spending authority would be created to cover these costs.

Based on information provided by the Department of Commerce, NOAA, and NURP, CBO estimates that the incremental cost of terminating NURP—that is, the cost beyond amounts that could be paid using existing funds—is likely to total about $2 million. This estimate includes $1.2 million for removing the Aquarius underwater habitat from the Florida Keys National Marine Sanctuary. Failure to remove the submersible would likely be a violation of various environmental laws and regulations. Even in the absence of a clear statutory obligations to remove the structure, the government would be liable under these same laws for potential damages to individuals or the sanctuary. This estimate also includes $400,000 for reductions-in-force that would likely result from enacting the bill. The cost of terminating all of the specified programs may be as high as $15 million. However, CBO estimates that most of these expenses could be paid from existing funds.

Judgments.—Title V also would permit NOAA to retain up to $519,000 from a possible judgment against the vessel that collided with the NOAA vessel *Discoverer*, and to spend the retained funds for the repair of the *Discoverer*. Funds collected from judgments are usually categorized as revenues in the federal budget. This provision would have the effect of converting revenues into offsetting collections and making them available for spending. Under Congressional scorekeeping rules, reclassifications of spending or revenues are not scored, so the only effect of this provision would be an increase in direct spending. Based on information from NOAA, we expect that repairs to the *Discoverer* will cost less than $500,000. We therefore estimate that this provision would increase direct spending by less than $500,000 in fiscal year 1996.

Revenues

Title V of H.R. 1815 would establish a civil penalty of $10,000 for tampering with weather data buoys established, installed, or maintained by the National Data Buoy Center. Collections from imposing this penalty would be governmental receipts. CBO expects that any collections from this penalty would be less than $500,000 a year.

7. Pay-as-you-go considerations: Section 252 of the Balanced Budget and Emergency Deficit Control Act of 1985 sets up pay-as-you-go procedures for legislation affecting direct spending or receipts through 1998. Enactment of H.R. 1815 would affect direct spending in two ways. First, NOAA would have to pay for program termination costs that could not be paid out of existing funds. Next, permitting NOAA to retain and spend without appropriation funds received from a judgment against the vessel that collided with the vessel *Discoverer* also would result in new direct spending. Finally, the bill's provisions establishing a penalty for tampering with data buoys could affect receipts. The following table shows CBO's estimate of the pay-as-you-go impact of H.R. 1815.

[By fiscal year, in millions of dollars]

	1995	1996	1997	1998
Change in outlays	0	2	0	0
Change in receipts	0	0	0	0

8. Estimated cost to State and local governments: None.
9. Estimate comparison: None.
10. Previous CBO estimate: None.
11. Estimate prepared by: Gary Brown, John Webb and Melissa Sampson.
12. Estimate approved by: Robert A. Sunshine, for Paul N. Van de Water, Assistant Director for Budget Analysis.

XI. Effect of Legislation on Inflation

In accordance with rule XI, clause 2(l)(4) of the Rules of the House of Representatives, this legislation is assumed to have no inflationary effect on prices and costs in the operation of the national economy.

XII. Oversight Findings and Recommendations

Clause 2(l)(3)(A) of rule XI requires each committee report to contain oversight findings and recommendations required pursuant to clause 2(b)(1) of rule X. The Committee has no oversight findings.

XIII. Oversight Findings and Recommendations by the Committee on Government Reform and Oversight

Clause 2(l)(3)(D) of rule XI requires each committee report to contain a summary of the oversight findings and recommendations made by the Government Reform and Oversight Committee pursuant to clause 4(c)(2) of rule X, whenever such findings have been timely submitted. The Committee on Science has received no such findings or recommendations from the Committee on Government Reform and Oversight.

XIV. Changes in Existing Law Made by the Bill, as Reported

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1992

* * * * * * *

[TITLE VI—NOAA FLEET MODERNIZATION

[SEC. 601. SHORT TITLE.

[This title may be cited as the "NOAA Fleet Modernization Act".

[SEC. 602. DEFINITIONS.

[In this title, the term—

[(1) "NOAA" means the National Oceanic and Atmospheric Administration within the Department of Commerce.

[(2) "NOAA fleet" means the fleet of research vessels owned or operated by NOAA.

[(3) "Plan" means the NOAA Fleet Replacement and Modernization Plan described in section 604.

[(4) "Secretary" means the Secretary of Commerce.

[(5) "UNOLS" means University-National Oceanographic Laboratory System.

[SEC. 603. FLEET REPLACEMENT AND MODERNIZATION PROGRAM.

[The Secretary is authorized to implement, subject to the requirements of this Act, a 15-year program to replace and modernize the NOAA fleet.

[SEC. 604. FLEET REPLACEMENT AND MODERNIZATION PLAN.

[(a) IN GENERAL.—To carry out the program authorized in section 603, the Secretary shall develop and submit to Congress a replacement and modernization Plan for the NOAA fleet covering the years authorized under section 610.

[(b) TIMING.—The Plan required in subsection (a) shall be submitted to Congress within 30 days of the date of enactment of this Act, and updated on an annual basis.

[(c) PLAN ELEMENTS.—The Plan required in subsection (a) shall include the following—

[(1) the number of vessels proposed to be modernized or replaced, the schedule for their modernization or replacement, and anticipated funding requirements;

[(2) the number of vessels proposed to be constructed, leased, or chartered;

[(3) the number of vessels, or days at sea, that can be obtained by using the vessels of the UNOLS;

[(4) the number of vessels that will be made available to NOAA by the Secretary of the Navy, or any other federal official, and the terms and conditions for their availability;

[(5) the proposed acquisition of modern scientific instrumentation for the NOAA fleet, including acoustic systems, data transmission positioning and communication systems, physical, chemical, and meteorological oceanographic systems, and data acquisition and processing systems; and

[(6) the appropriate role of the NOAA Corps in operating and maintaining the NOAA fleet.

[(d) CONTRACTING LIMITATION.—The Secretary may not enter into any contract for the construction, lease, or service life extension of a vessel of the NOAA fleet before the date of the submission to Congress of the Plan required in subsection (a).

[SEC. 605. DESIGN OF NOAA VESSELS.

[(a) DESIGN REQUIREMENT.—Except for the vessel designs identified under subsection (b), the Secretary, working through the Office of the NOAA Corps Operations and the Systems Procurement Office, shall—

[(1) prepare requirements for each class of vessel to be constructed or converted under the Plan; and

[(2) contract competitively from nongovernmental entities with expertise in shipbuilding for vessel design and construc-

tion based on the requirements for each class of vessel to be acquired.

[(b) EXCEPTION.—The Secretary shall—

[(1) report to Congress identifying any existing vessel design or design proposal that meets the requirements of the Plan within 30 days after the date of enactment of this Act and shall promptly advise the Congress of any modification of these designs; and

[(2) submit to Congress as part of the annual update of the Plan required in section 604, any subsequent existing vessel design or design proposals that meet the requirements of the Plan.

[SEC. 606. CONTRACT AUTHORITY.

[(a) MULTIYEAR CONTRACTS.—

[(1) IN GENERAL.—Subject to paragraphs (2) and (3), and notwithstanding section 1341 of title 31, United States Code and section 3732 of the Revised Statutes of the United States (41 U.S.C. 11), the Secretary may acquire vessels for the NOAA fleet by purchase, lease, lease-purchase, or otherwise, under one or more multiyear contracts.

[(2) REQUIRED FINDINGS.—The Secretary may not enter into a contract pursuant to this subsection unless the Secretary finds with respect to that contract that—

[(A) there is a reasonable expectation that throughout the contemplated contract period the Secretary will request from Congress funding for the contract at the level required to avoid contract termination; and

[(B) the use of the contract will promote the best interests of the United States by encouraging competition and promoting economic efficiency in the operation of the NOAA fleet.

[(3) REQUIRED CONTRACT PROVISIONS.—The Secretary may not enter into a contract pursuant to this subsection unless the contract includes—

[(A) a provision under which the obligation of the United States to make payments under the contract for any fiscal year is subject to the availability of appropriations provided in advance for those payments;

[(B) a provision that specifies the term of effectiveness of the contract; and

[(C) appropriate provisions under which, in case of any termination of the contract before the end of the term specified pursuant to subparagraph (B), the United States shall only be liable for the lesser of—

[(i) an amount specified in the contract for such a termination; or

[(ii) amounts that—

[(I) were appropriated before the date of the termination for the performance of the contract or for procurement of the type of acquisition covered by the contract; and

[(II) are unobligated on the date of the termination.

[(b) SERVICE CONTRACTS.—Notwithstanding any other provision of law, the Secretary may enter into multiyear contracts for oceanographic research, fisheries research, and mapping and charting services to assist the Secretary in fulfilling NOAA missions. The Secretary may only enter into these contracts if—

[(1) the Secretary finds that it is in the public interest to do so;

[(2) the contract is for not more than 7 years; and

[(3)(A) the cost of the contract is less than the cost (including the cost of operation, maintenance, and personnel) to the NOAA of obtaining those services on NOAA vessels; or

[(B) NOAA vessels are not available or cannot provide those services.

[(c) BONDING AUTHORITY.—Notwithstanding any other law, the Secretary may not require a contractor for the construction, alteration, repair or maintenance of a NOAA vessel to provide a bid bond, payment bond, performance bond, completion bond, or other surety instrument in an amount greater than 20 percent of the value of the base contract quantity (excluding options) unless the Secretary determines that requiring an instrument in that amount will not prevent a responsible bidder or offeror from competing for the award of the contract.

[SEC. 607. RESTRICTION WITH RESPECT TO CERTAIN SHIPYARD SUBSIDIES.

[(a) IN GENERAL.—The Secretary of Commerce may not award a contract for the construction, repair (except emergency repairs), or alteration of any vessel of the National Oceanic and Atmospheric Administration in a shipyard, if that vessel benefits or would benefit from significant subsidies for the construction, repair, or alteration of vessels in that shipyard.

[(b) DEFINITION.—In this section, the term "significant subsidy" includes, but is not limited to, any of the following:

[(1) Officially supported export credits.

[(2) Direct official operating support to the commercial shipbuilding and repair industry, or to a related entity that favors the operation of shipbuilding and repair, including but not limited to—

[(A) grants;

[(B) loans and loan guarantees other than those available on the commercial market;

[(C) forgiveness of debt;

[(D) equity infusions on terms inconsistent with commercially reasonable investment practices; and

[(E) preferential provision of goods and services.

[(3) Direct official support for investment in the commercial shipbuilding and repair industry, or to a related entity that favors the operation of shipbuilding and repair, including but not limited to the kinds of support listed in paragraph (2)(A) through (E), and any restructuring support, except public support for social purposes directly and effectively linked to shipyard closures.

[(4) Assistance in the form of grants, preferential loans, preferential tax treatment, or otherwise, that benefits or is directly related to shipbuilding and repair for purposes of research and

development that is not equally open to domestic and foreign enterprises.

[(5) Tax policies and practices that favor the shipbuilding and repair industry, directly or indirectly, such as tax credits, deductions, exemptions, and preferences, including accelerated depreciation, if such benefits are not generally available to persons or firms not engaged in shipbuilding or repair.

[(6) Any official regulation or practice that authorizes or encourages persons or firms engaged in shipbuilding or repair to enter into anticompetitive arrangements.

[(7) Any indirect support directly related, in law or in fact, to shipbuilding and repair at national yards, including any public assistance favoring shipowners with an indirect effect on shipbuilding or repair activities, and any assistance provided to suppliers of significant inputs to shipbuilding, which results in benefits to domestic shipbuilders.

[(8) Any export subsidy identified in the Illustrative List of Export Subsidies in the Annex to the Agreement on Interpretation and Application of Articles VI, XVI, and XXIII of the General Agreement on Tariffs and Trade or any other export subsidy that may be prohibited as a result of the Uruguay Round of trade negotiations.

[SEC. 608. USE OF VESSELS.

[(a) VESSEL AGREEMENTS.—In implementing the NOAA fleet replacement and modernization program, the Secretary shall use excess capacity of UNOLS vessels where appropriate and may enter into memoranda of agreement with the operators of these vessels to carry out this requirement.

[(b) REPORT TO CONGRESS.—Within one year after the date of enactment of this Act, the Comptroller General of the United States shall provide a report to Congress, in consultation with the Secretary, comparing the cost-efficiency, accounting, and operating practices of the vessels of NOAA, UNOLS, other Federal agencies, and the United States private sector in meeting the missions of NOAA.

[SEC. 609. INTEROPERABILITY.

[The Secretary shall consult with the Oceanographer of the Navy regarding appropriate measures that should be taken, on a reimbursable basis, to ensure that NOAA vessels are interoperable with vessels of the Department of the Navy, including with respect to operation, maintenance, and repair of those vessels.

[SEC. 610. AUTHORIZATION OF APPROPRIATIONS.

[(a) IN GENERAL.—There are authorized to be appropriated to the Secretary for carrying out this title—

[(1) $50,000,000 for fiscal year 1993;

[(2) $100,000,000 for fiscal year 1994; and

[(3) such sums as are necessary for each of the fiscal years 1995, 1996, and 1997.

[(b) LIMITATION ON FLEET MODERNIZATION ACTIVITIES.—All National Oceanic and Atmospheric Administration fleet modernization shipbuilding, and conversion shall be conducted in accordance with this title.]

TITLE VII—WEATHER SERVICE MODERNIZATION

SEC. 701. SHORT TITLE.

This title may be cited as the "Weather Service Modernization Act".

SEC. 702. DEFINITIONS.

For the purposes of this title, the term—

(1) * * *

* * * * * * *

[(3) "Committee" means the Modernization Transition Committee established by section 707;]

[(4)] *(3)* "degradation of service" means any decrease in or failure to maintain the quality and type of weather services provided by the National Weather Service to the public in a service area, including but not limited to a reduction in existing weather radar coverage at an elevation of 10,000 feet;

[(5)] *(4)* "field office" means any National Weather Service Office or National Weather Service Forecast Office;

[(6)] *(5)* "Plan" means the National Implementation Plan required under section 703;

[(7)] *(6)* "relocate" means to transfer from one location to another location that is outside the local commuting or service area;

[(8)] *(7)* "Secretary" means the Secretary of Commerce;

[(9)] *(8)* "service area" means the geographical area for which a field office provides services or conducts observations, including but not limited to local forecasts, severe weather warnings, aviation support, radar coverage, and ground weather observations; and

[(10)] *(9)* "Strategic Plan" means the 10-year strategic plan for the comprehensive modernization of the National Weather Service, required under section 407 of the National Aeronautics and Space Administration Authorization Act, Fiscal Year 1989 (15 U.S.C. 313 note).

SEC. 703. NATIONAL IMPLEMENTATION PLAN.

[(a) NATIONAL IMPLEMENTATION PLAN.—]As part of the budget justification documents submitted to Congress in support of the annual budget request for the Department of Commerce, the Secretary shall include a National Implementation Plan for modernization of the National Weather Service for each fiscal year following fiscal year 1993 until such modernization is complete. The Plan shall set forth the actions, during the 2-year period beginning with the fiscal year for which the budget request is made, that will be necessary to accomplish the objectives described in the Strategic Plan, and shall include—

(1) * * *

* * * * * * *

[(3) identification of any field office that the Secretary intends to certify under section 706, including the intended date of such certification;]

[(4)] *(3)* special measures to test, evaluate, and demonstrate key elements of the modernized National Weather Service op-

erations prior to national implementation, including a multistation operational demonstration which tests the performance of the modernization in an integrated manner for a sustained period;

[(5)] *(4)* detailed plans and funding requirements for meteorological research to be accomplishment under this title to assure that new techniques in forecasting will be developed to utilize the new technologies being implemented in the modernization; and

[(6)] *(5)* training and education programs to ensure that employees gain the necessary expertise to utilize the new technologies and to minimize employee displacement as a consequence of modernization.

[(b) TRANSMITTAL TO COMMITTEE.—The Secretary shall transmit a copy of each annual Plan to the Committee.

[(c) CONSULTATION.—In developing the Plan, the Secretary shall consult, as appropriate, with the Committee and public entities responsible for providing or utilizing weather services.]

* * * * * * *

[SEC. 706. RESTRUCTURING FIELD OFFICES.

[SEC. 706. (a) PROHIBITION.—The Secretary shall not close, before January 1, 1996, any field office pursuant to implementation of the Strategic Plan.

[(b) CERTIFICATION.—The Secretary shall not close, consolidate, automate, or relocate any field office, unless the Secretary has certified that such action will not result in any degradation of service. Such certification shall include—

[(1) a description of local weather characteristics and weather-related concerns which affect the weather services provided within the service area;

[(2) a detailed comparison of the services provided within the service area and the services to be provided after such action;

[(3) a description of any recent or expected modernization of National Weather Service operations which will enhance services in the service area;

[(4) an identification of any area within any State which would not receive coverage (at an elevation of 10,000 feet) by the next generation weather radar network;

[(5) evidence, based upon operational demonstration of modernized National Weather Service operations, which was considered in reaching the conclusion that no degradation in service will result from such action; and

[(6) any report of the Committee submitted under section 707(c) that evaluates the proposed certification.

[(c) PUBLIC REVIEW.—Each certification decision shall be preceded by—

[(1) publication in the Federal Register of a proposed certification; and

[(2) a 60-day period after such publication during which the public may provide comments to the Secretary on the proposed certification.

[(d) FINAL DECISION.—If after consideration of the public comment received under subsection (c) the Secretary, in consultation with the Committee, decides to close, consolidate, automate, or relocate any such field office, the Secretary shall publish a final certification in the Federal Register and submit the certification to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Science, Space, and Technology of the House of Representatives.

[(e) SPECIAL CIRCUMSTANCES.—The Secretary may not close or relocate any field office—

[(1) which is located at an airport, unless the Secretary, in consultation with the Secretary of Transportation and the Committee, first conducts an air safety appraisal, determines that such action will not result in degradation of service that affects aircraft safety, and includes such determination in the certification required under subsection (b); or

[(2) which is the only office in a State, unless the Secretary first evaluates the effect on weather services provided to in-State users, such as State agencies, civil defense officials, and local public safety offices, and includes in the certification required under subsection (b) the Secretary's determination that a comparable level of weather services provided to such in-State users will remain.

[(f) LIAISON OFFICER.—The Secretary may not close, consolidate, automate, or relocate a field office until arrangements have been made to maintain for a period of at least 2 years at least one person in the service area to act as a liaison officer who—

[(1) provides timely information regarding the activities of the National Weather Service which may affect service to the community, including modernization and restructuring; and

[(2) works with area weather service users, including persons associated with general aviation, civil defense, emergency preparedness, and the news media, with respect to the provision of timely weather warnings and forecasts.

[SEC. 707. MODERNIZATION TRANSITION COMMITTEE.

[(a) ESTABLISHMENT.—There is established a committee of 12 members to be known as the Modernization Transition Committee.

[(b) MEMBERSHIP AND TERMS.—(1) The Committee shall consist of—

[(A) five members representing agencies and departments of the United States which are responsible for providing or using weather services, including but not limited to the National Weather Service, the Department of Defense, the Federal Aviation Administration, and the Federal Emergency Management Agency; and

[(B) seven members to be appointed by the Secretary from civil defense and public safety organizations, news media, any labor organization certified by the Federal Labor Relations Authority as an exclusive representative of weather service employees, meteorological experts, and private sector users of weather information such as pilots and farmers.

[(2) The terms of office of a member of the Committee shall be 3 years; except that, of the original membership, four shall serve a 5-year term, four shall serve a 4-year term, and four shall serve

a 3-year term. No individual may serve for more than one additional 3-year term.

[(3) The Secretary shall designate a chairman of the Committee from among its members.

[(c) DUTIES.—(1) The Committee may review any proposed certification under section 706 for which the Secretary has provided a notice of intent to certify in the Plan, and should review such a proposed certification if there is a significant possibility of degradation of service within the affected service area. Upon the request of the Committee, the Secretary shall make available to the Committee the supporting documents developed by the Secretary in connection with the proposed certification. The Committee may prepare and submit to the Secretary, prior to publication of the proposed certification, a report which evaluates the proposed certification on the basis of the modernization criteria and with respect to the requirement that there be no degradation of service.

[(2) The Committee shall advise the Congress and the Secretary on—

[(A) the implementation of the Strategic Plan, annual development of the Plan, and establishment and implementation of modernization criteria; and

[(B) matters of public safety and the provision of weather services which relate to the comprehensive modernization of the National Weather Service.

[(d) PAY AND TRAVEL EXPENSES.—Members of the Committee who are not employees of the United States shall each be paid at a rate equal to the daily equivalent of the rate for GS–18 of the General Schedule under section 5332 of title 5, United States Code, for each day (including travel time) during which the member is engaged in the actual performance of duties vested in the Committee. Members shall receive travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code.

[(e) STAFF.—The Secretary shall make available to the Committee such staff, information, and assistance as it may reasonably require to carry out its activities.

[(f) TERMINATION.—The Committee shall terminate on December 31, 1999.]

* * * * * * *

NATIONAL SEA GRANT COLLEGE PROGRAM ACT

* * * * * * *

TITLE II—NATIONAL SEA GRANT COLLEGE PROGRAM

SEC. 201. SHORT TITLE.

This title may be cited as the "National Sea Grant College Program Act".

* * * * * * *

SEC. 203. DEFINITIONS.

As used in this title—

(1) * * *

* * * * * * *

(4) The term "field related to ocean, coastal, and Great Lakes resources" means any [discipline or field (including marine science (and the physical, natural, and biological sciences, and engineering, included therein), marine technology, education, marine affairs and resource management, economics, sociology, communications, planning, law, international affairs, and public administration)] *field or discipline involving scientific research* which is concerned with or likely to improve the understanding, assessment, development, utilization, or conservation of ocean, coastal, and Great Lakes resources.

* * * * * * *

SEC. 208. FELLOWSHIPS.

(a) * * *

[(b) DEAN JOHN A. KNAUSS MARINE POLICY FELLOWSHIP.—The Under Secretary may award marine policy fellowships to support the placement of individuals at the graduate level of education in fields related to ocean, coastal and Great Lakes resources in positions with the executive and legislative branches of the United States Government. A fellowship awarded under this subsection shall be for a period of not more than 1 year.]

* * * * * * *

SEC. 209. SEA GRANT REVIEW PANEL.

(a) * * *

The Panel shall advise the Secretary, the Under Secretary, and the Director concerning—

(1) applications or proposals for, and performance under, grants and contracts awarded under section 205 [and section 3 of the Sea Grant Program Improvement Act of 1976];

* * * * * * *

SEC. 212. AUTHORIZATION OF APPROPRIATIONS.

[(a) There is authorized to be appropriated to carry out the provisions of sections 205 and 208 of this Act, and section 3 of the Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a), an amount—

[(1) for fiscal year 1991, not to exceed $44,398,000;

[(2) for fiscal year 1992, not to exceed $46,014,000;

[(3) for fiscal year 1993, not to exceed $47,695,000;

[(4) for fiscal year 1994, not to exceed $49,443,000; and

[(5) for fiscal year 1995, not to exceed $51,261,000.]

(a) GRANTS AND CONTRACTS; FELLOWSHIPS.—There are authorized to be appropriated to carry out sections 205 and 208, $34,500,000 for fiscal year 1996.

(b)(1) There is authorized to be appropriated for administration of this Act, including section 209, by the National Sea Grant Office and the Administration, [an amount—

[(A) for fiscal year 1991, not to exceed $2,500,000;

[(B) for fiscal year 1992, not to exceed $2,600,000;

[(C) for fiscal year 1993, not to exceed $2,700,000;

[(D) for fiscal year 1994, not to exceed $2,800,000; and

[(E) for fiscal year 1995, not to exceed $2,900,000] *$1,500,000 for fiscal year 1996.*

(2) Sums appropriated under the authority of subsections (a) and (c) shall not be available for administration of this Act by the National Sea Grant Office, or for Administration program or administrative expenses.

* * * * * * *

SECTION 3 OF THE SEA GRANT PROGRAM IMPROVEMENT ACT OF 1976

[SEC. 3. SEA GRANT INTERNATIONAL PROGRAM.

[(a) IN GENERAL.—The Under Secretary of Commerce for Oceans and Atmosphere may enter into contracts and make grants under this section to—

[(1) enhance cooperative international research and educational activities on ocean, coastal and Great Lakes resources;

[(2) promote shared marine activities with universities in countries with which the United States has sustained mutual interest in ocean, coastal, and Great Lakes resources;

[(3) encourage technology transfer that enhances wise use of ocean, coastal, and Great Lakes resources in other countries and in the United States;

[(4) promote the exchange among the United States and foreign nations of information and data with respect to the assessment, development, utilization, and conservation of such resources;

[(5) use the national sea grant college program as a resource in other Federal civilian agency international initiatives whose purposes are fundamentally related to research, education, technology transfer and public service programs concerning the understanding and wise use of ocean, coastal, and Great Lakes resources; and

[(6) enhance regional collaboration between foreign nations and the United States with respect to marine scientific research, including activities which improve understanding of global oceanic and atmospheric processes, undersea minerals resources within the exclusive economic zone, and productivity and enhancement of living marine resources in—

[(A) the Caribbean and Latin American regions;

[(B) the Pacific Islands region;

[(C) the Arctic and Antartic regions;

[(D) the Atlantic and Pacific Oceans; and

[(E) the Great Lakes.

[(b) ELIGIBILITY, PROCEDURES, AND REQUIREMENTS.—Any sea grant college, sea grant program, or sea grant regional consortium, and any institution of higher education, laboratory, or institute (if the institution, laboratory, or institute is located within a State, as defined in section 203(14) of the National Sea Grant College Program Act (33 U.S.C. 1122(14)), may apply for and receive financial assistance under this section. The Under Secretary shall prescribe rules and regulations, in consultation with the Secretary of State, to carry out this section. Before approving an application for a

grant or contract under this section, the Under Secretary shall consult with the Secretary of State. A grant made, or contract entered into, under this section is subject to section 205(d) (2) and (4) of the National Sea Grant College Program Act (33 U.S.C. 1124(d) (2) and (4)) and to any other requirements that the Under Secretary considers necessary and appropriate.]

THE ACT OF 1890

CHAP. 1266.—An act to increase the efficiency and reduce the expenses of the Signal Corps of the Army, and to transfer the Weather Service to the Department of Agriculture.

* * * * * * *

[SEC. 3. That the Chief of the Weather Bureau, under the direction of the Secretary of the Agriculture, on and after July first, eighteen hundred and ninety-one, shall have charge of the forecasting of weather, the issue of storm warnings, the display of weather and flood signals for the benefit of agriculture, commerce, and navigation, the gauging and reporting of rivers, the maintenance and operation of sea-coast telegraph lines and the collection and transmission of marine intelligence for the benefit of commerce and navigation, the reporting of temperature and rain-fall conditions for the cotton interests, the display of frost and cold-wave signals, the distribution of meteorological information in the interests of agriculture and commerce, and the taking of such meteorological observations as may be necessary to establish and record the climatic conditions of the United States, or as are essential for the proper execution of the foregoing duties.]

* * * * * * *

SEC. 9 That on and after July first, eighteen hundred and ninety-one, the appropriations for the support of the Signal Corps of the Army shall be made with those of other staff corps of the Army, and the appropriations for the support of the Weather Bureau shall be made with those of the other bureaus of the Department of Agriculture [, and it shall be the duty of the Secretary of Agriculture to prepare future estimates for the Weather Bureau which shall be hereafter specifically developed and extended in the interests of agriculture.].

* * * * * * *

XV. MINORITY VIEWS

Throughout the legislative process this Congress, the Democrats have offered alternative funding proposals for agencies within the Committee's jurisdiction. These proposals meet the twin tests of contributing to a balanced budget and maintaining core research and development programs vital to our Nation's future. The defining difference between the substitute plans offered by the Democrats and the legislation adopted by the Committee is the Republicans' willingness to inflict large reductions in such critical programs in order to finance a politically popular tax cut.

For the National Oceanic and Atmospheric Administration, the Democratic alternative would have trimmed spending by $40 million below fiscal year 1995 appropriated levels while maintaining a healthy level of spending in NOAA's oceanic and atmospheric research activities. In addition, the Democratic alternative would have addressed only programs within the Committee's jurisdiction. The legislation adopted by the Committee purported to reduce spending $296 million below F.Y. 95, however over $110 million of this was acknowledged to be outside the Committee's purview and another large fraction lies within shared jurisdictions. Further, the Committee bill contains far-reaching recommendations for administrative and program areas for which no hearings were ever held. As a consequence, the legitimacy and credibility of these actions is open to question.

The most disturbing aspect of H.R. 1815 as adopted by the Committee is the disproportionate reductions recommended for NOAA's basic research programs. Whereas other major program areas within NOAA were reduced by about 14% below the request level, the Committee reduced oceanic and atmospheric research programs by over 32%.

Research programs aimed at long term climate prediction have been especially targeted at a time when computational modeling and observation and monitoring programs have matured to a critical stage. The ability to forecast the effects of natural and human-induced climate influences will have profound consequences, not only for our quality of life, but also for our future role in the global economy. Over one third of the GDP directly depends on annual and long term trends in environmental conditions. Future investments in economic sectors such as agriculture, transportation, forestry, public utilities, and real estate will substantially benefit from climate related information.

NOAA's basic research activities are not only important to the national R&D agenda, they are essential to NOAA's central operational missions in weather forecasting and coastal and ocean management. H.R. 1815 would seem to place research and development at the lowest possible priority level and ignores this coupling that has proved fruitful in the past. Moreover, it is difficult to rational-

ize these targeted cuts with the overall stated goal of the Committee to protect basic research.

SHEILA JACKSON LEE.
TIM ROEMER.
MIKE WARD.
ZOE LOFGREN.
JAMES A. TRAFICANT.
GEORGE E. BROWN, JR.
JOHN W. OLVER.
LYNN N. RIVERS.
MIKE DOYLE.
KAREN MCCARTHY.

XVI. ADDITIONAL VIEWS

The Committee's treatment of global climate change research is one of the most troubling features of H.R. 1815. Just at the time when scientific studies are beginning to provide evidence that global climate change may already be underway, the Committee bill would cut NOAA's climate change budget in half, terminate NOAA's research on long-term climate change, and limit research only to short-term, natural climate variability. Coming on the heels of the Committee's decisions to terminate global change research at EPA and to dramatically cut it at DOE, it is apparent that the Committee is engaged in a concerted effort to defund the federal global change research effort.

The message of these cuts to our research establishment is clear: for all of the lavish praise of "good science" to support environmental decisions, good scientific studies are only welcomed if they happen to comport with the new majority's political orthodoxy. Science to support inaction or deregulation is therefore considered "good science"—but studies showing real environmental deterioration that might require some action will be dismissed as a fabrication of the liberal establishment.

Indeed, the Chairman of the Energy and Environment Subcommittee has already called the nation's global change research programs "scientific nonsense." He said that the majority's budget "does not operate on the assumption that Global Warming is a proven phenomenon. In fact, it is assumed at best to be unproven and at worst to be liberal claptrap, trendy but soon to go out of style in our NEWT Congress."

The Chairman's statement and the Committee's action in supporting massive cuts to global change research reveal again the folly of blundering into a scientific policy determination without conducting a single hearing or evidently consulting with any reputable, active researchers in the relevant field. If conducted, hearings would likely have revealed that:

(1) Far from being duplicative, the federal government's activities in this area form a coordinated Global Change Research Program (GCRP) in which each participating agency addresses a different critical aspect of the problem. For example, NOAA research looks at long-term climate trends; NASA is working to develop worldwide, satellite-based climate monitoring capability; and EPA is studying the ecological and agricultural effects of changing greenhouse gas levels. While efficiencies may be found in these efforts, there is no basis for terminating them.

(2) The United States is uniquely positioned to study and evaluate global climate change phenomena. The U.S. has the best and most complete meteorological data, the most extensive space- and ground-based monitoring systems, and the best net-

work of university, federal, and private laboratories having relevant expertise. In large measure, the world looks to U.S. leadership in this area of research—leadership that the Committee would have this nation abdicate.

(3) The threat of climate change over the next century is sufficiently serious that governments worldwide are discussing targets for curtailing greenhouse gas emissions. Pursuing these targets is fully consistent with efforts to conserve energy and fossil resources and to reduce ground-level air pollution, worthwhile goals in themselves.

(4) There is a growing body of scientific evidence indicating that global climate change is a disturbingly real possibility and may already be happening. Just in the past several months, reputable, peer-reviewed journals have published papers showing that (a) the incidence of the weather extremes (droughts, torrential rains, unseasonal temperatures) is increasing beyond the bounds of normal statistical variation; (b) acoustic and borehole temperature measurements suggest that significant warming is already in progress; (c) a new statistical analysis from a well-known industrial research lab shows that the timing of the seasons has been shifting in concert with the rising levels of greenhouse gases.

(5) A vote to support further research on global climate is not necessarily a vote to increase regulatory burdens on industry or society in general. In the first place, this country's response to the threat of global warming has, to this point, been a cautious one largely involving voluntary actions. The Climate Change Action Plan involves among other things enhancing energy efficiency, improving public transportation, and increasing our reliance on hydroelectric power and other renewable energy sources. Moreover, research into the earth's climatic feedback mechanism may show that climate change will be less significant than current models hold, news that would be universally welcome.

Contrary to the Chairman's claim, the Administration's budget does not operate on any assumption that global warming is a proven phenomenon. The whole purpose of the global change program, like any scientific research, is to determine the validity of hypotheses through careful scientific testing and verification.

Global climate change is a critically important hypothesis that ultimately involves the future quality of life of the entire human race. As such it deserves the most thorough and rigorous scientific investigation, free of prejudice and political meddling. This Committee would do well to give our atmospheric and meteorological scientists the resources they need to carry out this vital task.

JAMES A. TRAFICANT.
MIKE WARD.
KAREN MCCARTHY.
GEORGE E. BROWN, Jr.
JOHN W. OLVER.
LYNN N. RIVERS.
TIM ROEMER.
SHEILA JACKSON LEE.
JIM BARCIA.
ZOE LOFGREN.
DAVID MINGE.

XVII. PROCEEDINGS FROM FULL COMMITTEE MARKUP

SUBCOMMITTEE MARKUP—H.R. 1815, THE NOAA AUTHORIZATION ACT OF 1995

THURSDAY, JUNE 8, 1995

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
SUBCOMMITTEE ON ENERGY AND ENVIRONMENT,
Washington, D.C.

Mr. ROHRABACHER. We will now consider the Committee print to authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996, and for other purposes.

[Subcommittee print and related documents follow.]

[SUBCOMMITTEE PRINT]

JUNE 5, 1995

104TH CONGRESS
1ST SESSION

H. R. _____

IN THE HOUSE OF REPRESENTATIVES

Mr. ROHRABACHER introduced the following bill; which was referred to the Committee on _____

A BILL

To authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oceanic and Atmospheric Administration Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

1 (1) "Act of 1890" means the Act entitled "An
2 Act to increase the efficiency and reduce the ex-
3 penses of the Signal Corps of the Army, and to
4 transfer the Weather Bureau to the Department of
5 Agriculture", approved October 1, 1890 (26 Stat.
6 653);
7 (2) "Act of 1947" means the Act entitled "An
8 Act to define the functions and duties of the Coast
9 and Geodetic Survey, and for other purposes", ap-
10 proved August 6, 1947 (33 U.S.C. 883a et seq.);
11 (3) "Act of 1970" means the Act entitled "An
12 Act to clarify the status and benefits of commis-
13 sioned officers of the National Oceanic and Atmos-
14 pheric Administration, and for other purposes", ap-
15 proved December 31, 1970 (33 U.S.C. 857–1 et
16 seq.);
17 (4) "Administrator" means the Administrator
18 of the National Oceanic and Atmospheric Admini-
19 stration; and
20 (5) "Secretary" means the Secretary of Com-
21 merce.

TITLE I—ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS

SEC. 101. NATIONAL WEATHER SERVICE.

(a) OPERATIONS AND RESEARCH.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the operations and research duties of the National Weather Service, $472,338,000 for fiscal year 1996. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts, as well as applied research in support of such warnings and forecasts.

(b) SYSTEMS ACQUISITION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the public warning and forecast systems duties of the National Weather Service, $79,034,000 for fiscal year 1996. Such duties include the development, acquisition, and implementation of major public warning and forecast systems. None of the funds authorized under this subsection shall be used for the purposes for which funds are authorized under section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567). None of the funds authorized by such sec-

1 tion 102(b) shall be expended for a particular NEXRAD
2 installation unless—
3 (1) it is identified as a National Weather Serv-
4 ice NEXRAD installation in the National Implemen-
5 tation Plan for modernization of the National
6 Weather Service for fiscal year 1995, required under
7 section 703 of the National Oceanic and Atmos-
8 pheric Administration Authorization Act of 1992
9 (Public Law 102–567); or
10 (2) it is to be used only for spare parts, not as
11 an installation at a particular site.
12 (c) ASOS PROGRAM AUTHORIZATION.—Of the sums
13 authorized in subsection (b), $16,952,000 for fiscal year
14 1996 are authorized to be appropriated to the Secretary,
15 for the acquisition and deployment of—
16 (A) the Automated Surface Observing System
17 and related systems, including multisensor and
18 backup arrays for National Weather Service sites at
19 airports; and
20 (B) Automated Meteorological Observing Sys-
21 tem and Remote Automated Meteorological Observ-
22 ing System replacement units,
23 and to cover all associated activities, including program
24 management and operations and maintenance.

1 (d) AWIPS AUTHORIZATION.—Of the sums author-
2 ized in subsection (b), there are authorized to be appro-
3 priated to the Secretary $52,097,000 for fiscal year 1996,
4 to remain available until expended, for—
5 (1) the acquisition and deployment of the Ad-
6 vanced Weather Interactive Processing System and
7 NOAA Port and associated activities; and
8 (2) associated program management and oper-
9 ations and maintenance.
10 (e) CONSTRUCTION OF WEATHER FORECAST OF-
11 FICES.—There are authorized to be appropriated to the
12 Secretary to enable the National Oceanic and Atmospheric
13 Administration to carry out construction, repair, and
14 modification activities relating to new and existing weath-
15 er forecast offices, $20,628,000 for fiscal year 1996. Such
16 activities include planning, design, and land acquisition re-
17 lated to such offices.
18 (f) STREAMLINING WEATHER SERVICE MODERNIZA-
19 TION.—
20 (1) REPEALS.—Sections 706 and 707 of the
21 Weather Service Modernization Act (15 U.S.C. 313
22 note) are repealed.
23 (2) CONFORMING AMENDMENTS.—The Weather
24 Service Modernization Act (15 U.S.C. 313 note) is
25 amended—

1 (A) in section 702, by striking paragraph
2 (3) and redesignating paragraphs (4) through
3 (10) as paragraphs (3) through (9), respec-
4 tively; and
5 (B) in section 703—
6 (i) by striking "(a) NATIONAL IMPLE-
7 MENTATION PLAN.—";
8 (ii) by striking paragraph (3) and re-
9 designating paragraphs (4), (5), and (6) as
10 paragraphs (3), (4), and (5), respectively;
11 and
12 (iii) by striking subsections (b) and
13 (c).
14 SEC. 102. ATMOSPHERIC RESEARCH.
15 (a) CLIMATE AND AIR QUALITY RESEARCH.—There
16 are authorized to be appropriated to the Secretary to en-
17 able the National Oceanic and Atmospheric Administra-
18 tion to carry out its climate and air quality research du-
19 ties, $86,757,000 for fiscal year 1996. Such duties include
20 interannual and seasonal climate research and long-term
21 climate and air quality research.
22 (b) ATMOSPHERIC PROGRAMS.—There are author-
23 ized to be appropriated to the Secretary to enable the Na-
24 tional Oceanic and Atmospheric Administration to carry
25 out its atmospheric research duties, $39,894,000 for fiscal

1 year 1996. Such duties include research for developing im-
2 proved prediction capabilities for atmospheric processes,
3 as well as solar-terrestrial research and services.

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

6 (a) SATELLITE OBSERVING SYSTEMS.—There are
7 authorized to be appropriated to the Secretary to enable
8 the National Oceanic and Atmospheric Administration to
9 carry out its satellite observing systems duties,
10 $323,906,000 for fiscal year 1996, to remain available
11 until expended. None of the funds authorized under this
12 subsection shall be used for the purposes for which funds
13 are authorized under section 105(d) of the National Oce-
14 anic and Atmospheric Administration Authorization Act
15 of 1992 (Public Law 102–567). Such duties include space-
16 craft procurement, launch, and associated ground station
17 systems involving polar orbiting and geostationary envi-
18 ronmental satellites, as well as the operation of such sat-
19 ellites. None of the funds authorized under this subsection
20 shall be used for the purposes for which funds are author-
21 ized under section 105(d) of the National Oceanic and At-
22 mospheric Administration Authorization Act of 1992
23 (Public Law 102–567).

24 (b) POES PROGRAM AUTHORIZATION.—Of the sums
25 authorized in subsection (a), there are authorized to be

1 appropriated to the Secretary $188,883,000 for fiscal year
2 1996, to remain available until expended, for the procure-
3 ment of Polar Orbiting Environmental Satellites K, L, M,
4 N, and N', and the procurement of the launching and sup-
5 porting ground systems of such satellites.

6 (c) GEOSTATIONARY OPERATIONAL ENVIRONMENTAL
7 SATELLITES.—Of the sums authorized in subsection (a),
8 there are authorized to be appropriated to the Adminis-
9 trator $46,300,000 for fiscal year 1996, to remain avail-
10 able until expended—

11 (1) to procure up to three additional Geo-
12 stationary Operational Environmental NEXT Sat-
13 ellites (GOES I–M clones) and instruments; and

14 (2) for contracts, and amendments or modifica-
15 tions of contracts, with the developer of previous
16 GOES-NEXT satellites for the acquisition of the ad-
17 ditional satellites and instruments described in para-
18 graph (1).

19 (d) ENVIRONMENTAL DATA AND INFORMATION
20 SERVICES.—There are authorized to be appropriated to
21 the Secretary to enable the National Oceanic and Atmos-
22 pheric Administration to carry out its environmental data
23 and information services duties, $31,207,000 for fiscal
24 year 1996. Such duties include climate data services, geo-

1 physical data services, and environmental assessment and
2 information services.

3 (e) NATIONAL POLAR-ORBITING OPERATIONAL EN-
4 VIRONMENTAL SATELLITE SYSTEM PROGRAM AUTHOR-
5 IZATION.—Of the sums authorized in subsection (a), there
6 are authorized to be appropriated to the Secretary, for fis-
7 cal year 1996, $39,500,000, to remain available until ex-
8 pended, for the procurement of the National Polar-Orbit-
9 ing Operational Environmental Satellite System, and the
10 procurement of the launching and supporting ground sys-
11 tems of such satellites.

12 TITLE II—MARINE RESEARCH

13 SEC. 201. NATIONAL OCEAN SERVICE.

14 (a) MAPPING AND CHARTING.—There are authorized
15 to be appropriated to the Secretary, to enable the National
16 Oceanic and Atmospheric Administration to carry out
17 mapping and charting activities under the Act of 1947 and
18 any other law involving those activities, $29,149,000.

19 (b) GEODESY.—There are authorized to be appro-
20 priated to the Secretary, to enable the National Oceanic
21 and Atmospheric Administration to carry out geodesy ac-
22 tivities under the Act of 1947 and any other law involving
23 those activities, $19,927,000 for fiscal year 1996.

24 (c) OBSERVATION AND PREDICTION.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to the Secretary, to enable the Na-
3 tional Oceanic and Atmospheric Administration to
4 carry out observation and prediction activities under
5 the Act of 1947 and any other law involving those
6 activities, $11,279,000 for fiscal year 1996.
7 (2) CIRCULATORY SURVEY PROGRAM.—In addi-
8 tion to amounts authorized under paragraph (1),
9 there are authorized to be appropriated to the Sec-
10 retary, to enable the National Oceanic and Atmos-
11 pheric Administration to carry out the Circulatory
12 Survey Program, $695,000 for fiscal year 1996.
13 (3) OCEAN AND EARTH SCIENCES.—In addition
14 to amounts authorized under paragraph (1), there
15 are authorized to be appropriated to the Secretary,
16 to enable the National Oceanic and Atmospheric Ad-
17 ministration to carry out ocean and earth science ac-
18 tivities, $4,231,000 for fiscal year 1996.
19 (d) ESTUARINE AND COASTAL ASSESSMENT.—
20 (1) IN GENERAL.—There are authorized to be
21 appropriated to the Secretary, to enable the Na-
22 tional Oceanic and Atmospheric Administration to
23 support estuarine and coastal assessment activities
24 under the Act of 1947 and any other law involving
25 those activities, $1,171,000 for fiscal year 1996.

1 (2) OCEAN ASSESSMENT.—In addition to
2 amounts authorized under paragraph (1), there are
3 authorized to be appropriated to the Secretary, to
4 enable the National Oceanic and Atmospheric Ad-
5 ministration to carry out the National Status and
6 Trends Program, the Strategic Environmental As-
7 sessment Program, and the Hazardous Materials
8 Response Program, $8,401,000 for fiscal year 1996.
9 (3) DAMAGE ASSESSMENT PROGRAM.—In addi-
10 tion to amounts authorized under paragraph (1),
11 there are authorized to be appropriated to the Sec-
12 retary, to enable the National Oceanic and Atmos-
13 pheric Administration to carry out the Damage As-
14 sessment Program, $585,000 for fiscal year 1996.
15 (4) COASTAL OCEAN PROGRAM.—In addition to
16 amounts authorized under paragraph (1), there are
17 authorized to be appropriated to the Secretary, to
18 enable the National Oceanic and Atmospheric Ad-
19 ministration to carry out the Coastal Ocean Pro-
20 gram, $9,158,000 for fiscal year 1996.
21 SEC. 202. OCEAN AND GREAT LAKES RESEARCH.
22 (a) MARINE PREDICTION RESEARCH.—There are au-
23 thorized to be appropriated to the Secretary, to enable the
24 National Oceanic and Atmospheric Administration to
25 carry out marine prediction research activities under the

1 Act of 1947, the Act of 1890, and any other law involving
2 those activities, $13,763,000 for fiscal year 1996.
3 (b) NATIONAL SEA GRANT COLLEGE PROGRAM.—(1)
4 Section 212(a) of the National Sea Grant College Pro-
5 gram Act (33 U.S.C. 1131(a)) is amended to read as fol-
6 lows:
7 "(a) GRANTS AND CONTRACTS; FELLOWSHIPS.—
8 There are authorized to be appropriated to carry out sec-
9 tions 205 and 208, $34,500,000 for fiscal year 1996.".
10 (2) Section 212(b) of the National Sea Grant College
11 Program Act (33 U.S.C. 1131(b)) is amended by striking
12 "an amount" and all that follows through "not to exceed
13 $2,900,000" and inserting in lieu thereof "$1,500,000 for
14 fiscal year 1996".
15 (3) Section 203(4) of the National Sea Grant College
16 Program Act (33 U.S.C. 1122(4)) is amended by striking
17 "discipline or field" and all that follows through "public
18 administration)" and inserting in lieu thereof "field or dis-
19 cipline involving scientific research".

20 # TITLE III—PROGRAM SUPPORT

21 **SEC. 301. PROGRAM SUPPORT.**

22 (a) EXECUTIVE DIRECTION AND ADMINISTRATIVE
23 ACTIVITIES.—There are authorized to be appropriated to
24 the Secretary, to enable the National Oceanic and Atmos-
25 pheric Administration to carry out executive direction and

1 administrative activities under the Act of 1970 and any
2 other law involving those activities, $23,883,000 for fiscal
3 year 1996.

4 (b) CENTRAL ADMINISTRATIVE SUPPORT.—There
5 are authorized to be appropriated to the Secretary, to en-
6 able the National Oceanic and Atmospheric Administra-
7 tion to carry out central administrative support activities
8 under the Act of 1970 and any other law involving those
9 activities, $33,749,000 for fiscal year 1996.

10 (c) RETIRED PAY.—There are authorized to be ap-
11 propriated to the Secretary, for retired pay for retired
12 commissioned officers of the National Oceanic and Atmos-
13 pheric Administration under the Act of 1970, $7,706,000
14 for fiscal year 1996.

15 (d) MARINE SERVICES.—

16 (1) CONTRACTING AUTHORITY.—Notwithstand-
17 ing any other provision of law, the Secretary is au-
18 thorized to enter into contracts for data or days-at-
19 sea to fulfill the National Oceanic and Atmospheric
20 Administration missions of marine research, climate
21 research, fisheries research, and mapping and chart-
22 ing services.

23 (2) UNOLS VESSEL AGREEMENTS.—In fulfill-
24 ing the National Oceanic and Atmospheric Adminis-
25 tration mission requirements described in paragraph

1 (1), the Secretary shall use excess capacity of Uni-
2 versity-National Oceanographic Laboratory System
3 vessels where appropriate, and may enter into
4 memoranda of agreement with operators of those
5 vessels to carry out those mission requirements.
6 (3) AUTHORIZATION OF APPROPRIATIONS.—
7 There are authorized to be appropriated to the Sec-
8 retary, to enable the National Oceanic and Atmos-
9 pheric Administration to carry out marine services
10 activities, including activities described in para-
11 graphs (1) and (2), $60,689,000 for fiscal year
12 1996.
13 (e) AIRCRAFT SERVICES.—There are authorized to be
14 appropriated to the Secretary, to enable the National Oce-
15 anic and Atmospheric Administration to carry out aircraft
16 services activities (including aircraft operations, mainte-
17 nance, and support) under the Act of 1970 and any other
18 law involving those activities, $9,548,000 for fiscal year
19 1996.
20 (f) FACILITIES REPAIRS AND RENOVATIONS.—There
21 are authorized to be appropriated to the Secretary, to en-
22 able the National Oceanic and Atmospheric Administra-
23 tion to carry out facilities repairs and renovations,
24 $7,374,000 for fiscal year 1996.

TITLE IV—STREAMLINING OF OPERATIONS

SEC. 401. PROGRAM TERMINATIONS.

(a) TERMINATIONS.—No funds may be appropriated for the following programs and accounts:

(1) The National Undersea Research Program.

(2) The Fleet Modernization, Shipbuilding, and Construction Account.

(3) The Charleston, South Carolina, Special Management Plan.

(4) Chesapeake Bay Observation Buoys.

(5) Federal/State Weather Modernization Grants.

(6) The Southeast Storm Research Account.

(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program.

(8) The Great Lakes Environmental Research Laboratory/Zebra Mussel Research Account.

(9) Global Learning and Observations to Benefit the Environment.

(10) The Lake Champlain Study.

(11) The Maine Marine Research Center.

(12) The South Carolina Cooperative Geodetic Survey Account.

1 (13) Pacific Island Technical Assistance.

2 (14) Sea Grant/Oyster Disease Account.

3 (15) Sea Grant/Zebra Mussel Account.

4 (16) National Coastal Research and Develop-
5 ment Institute Account.

6 (17) VENTS program.

7 (18) National Weather Service Agriculture and
8 Fruit Frost Program.

9 (19) National Weather Service Fire Weather
10 Service.

11 (20) National Weather Service Regional Cli-
12 mate Centers.

13 (21) National Weather Service Samoa Weather
14 Forecast Office Repair and Upgrade Account.

15 (22) National Institute for Environmental Re-
16 newal.

17 (b) REPORT.—Not later than 60 days after the date
18 of the enactment of this Act, the Secretary shall submit
19 to the Committee on Science of the House of Representa-
20 tives and the Committee on Commerce, Science, and
21 Transportation of the Senate a report certifying that all
22 the programs listed in subsection (a) will be terminated
23 no later than September 30, 1995.

24 (c) REPEAL OF SEA GRANT PROGRAMS.—

1 (1) REPEALS.—(A) Section 208(b) of the Na-
2 tional Sea Grant College Program Act (33 U.S.C.
3 1127(b)) is repealed.
4 (B) Section 3 of the Sea Grant Program Im-
5 provement Act of 1976 (33 U.S.C. 1124a) is re-
6 pealed.
7 (C) The NOAA Fleet Modernization Act (33
8 U.S.C. 851 note) is repealed.
9 (2) CONFORMING AMENDMENT.—Section
10 209(b)(1) of the National Sea Grant College Pro-
11 gram Act (33 U.S.C. 1128(b)(1)) is amended by
12 striking "and section 3 of the Sea Grant Improve-
13 ment Act of 1976".
14 SEC. 402. LIMITATION ON APPROPRIATIONS.
15 (a) SUBSEQUENT FISCAL YEARS.—Notwithstanding
16 any other provision of law, no funds are authorized to be
17 appropriated for any fiscal year after fiscal year 1996 for
18 carrying out the programs for which funds are authorized
19 by this Act.
20 (b) FISCAL YEAR 1996.—No more than
21 $1,692,470,000 is authorized to be appropriated to the
22 Secretary for fiscal year 1996, by this Act or any other
23 Act, to enable the National Oceanic and Atmospheric Ad-
24 ministration to carry out all activities associated with Op-
25 erations, Research, and Facilities.

1 (c) REDUCTION IN TRAVEL BUDGET.—Of the sums
2 appropriated under this Act for Operations, Research, and
3 Facilities, no more than $20,000,000 may be used for re-
4 imbursement of travel and related expenses for National
5 Oceanic and Atmospheric Administration personnel.

6 SEC. 403. REDUCTION IN THE COMMISSIONED OFFICER
7 CORPS.

8 (a) MAXIMUM NUMBER.—The total number of com-
9 missioned officers on the active list of the National Oce-
10 anic and Atmospheric Administration shall not exceed—
11 (1) 369 for fiscal year 1996;
12 (2) 100 for fiscal year 1997; and
13 (3) 50 for fiscal year 1998.
14 No such commissioned officers are authorized for any fis-
15 cal year after fiscal year 1998.

16 (b) SEPARATION PAY.—The Secretary may make
17 separations required pursuant to subsection (a) without
18 providing separation pay.

19 TITLE V—MISCELLANEOUS

20 SEC. 501. WEATHER DATA BUOYS.

21 (a) PROHIBITION.—It shall be unlawful for any unau-
22 thorized person to remove, change the location of, ob-
23 struct, willfully damage, make fast to, or interfere with
24 any weather data buoy established, installed, operated, or
25 maintained by the National Data Buoy Center.

1 (b) CIVIL PENALTIES.—The Administrator is author-
2 ized to assess a civil penalty against any person who vio-
3 lates any provision of this section in an amount of not
4 more than $10,000 for each violation. Each day during
5 which such violation continues shall be considered a new
6 offense. Such penalties shall be assessed after notice and
7 opportunity for a hearing.

8 (c) REWARDS.—The Administrator may offer and
9 pay rewards for the apprehension and conviction, or for
10 information helpful therein, of persons found interfering,
11 in violation of law, with data buoys maintained by the Na-
12 tional Data Buoy Center; or for information leading to
13 the discovery of missing National Weather Service prop-
14 erty or the recovery thereof.

15 SEC. 502. DUTIES OF THE NATIONAL WEATHER SERVICE.

16 (a) IN GENERAL.—To protect life and property and
17 enhance the national economy, the Secretary, through the
18 National Weather Service, except as outlined in subsection
19 (b), shall be responsible for—

20 (1) forecasts and warnings of severe weather,
21 flooding, hurricanes, and tsunami events;

22 (2) the issue of storm warnings;

23 (3) the collection, exchange, and distribution of
24 meteorological, hydrological, climatic, and oceano-
25 graphic data and information; and

1 (4) the preparation of hydrometeorological guid-
2 ance and core forecast information.
3 (b) COMPETITION WITH PRIVATE SECTOR.—The
4 National Weather Service shall not compete, or assist
5 other entities to compete, with the private sector when a
6 service is currently provided or can be provided by com-
7 mercial enterprise, unless—
8 (1) the Secretary finds that the private sector
9 is unwilling or unable to provide the services; and
10 (2) the service provides vital weather warnings
11 and forecasts for the protection of lives and property
12 of the general public.
13 (c) AMENDMENTS.—The Act of 1890 is amended—
14 (1) by striking section 3 (15 U.S.C. 313); and
15 (2) in section 9 (15 U.S.C. 317), by striking all
16 after "Department of Commerce" and inserting in
17 lieu thereof a period.
18 (d) REPORT.—Not later than 60 days after the date
19 of the enactment of this Act, the Secretary shall submit
20 to the Committee on Science of the House of Representa-
21 tives and the Committee on Commerce, Science, and
22 Transportation of the Senate a report detailing all Na-
23 tional Weather Service activities which do not conform to
24 the requirements of this section and outlining a timetable
25 for their termination.

1 SEC. 503. REIMBURSEMENT OF EXPENSES.

2 (a) IN GENERAL.—Notwithstanding section 3302 (b)
3 and (c) of title 31, United States Code, and subject to
4 subsection (b) of this section, all amounts received by the
5 United States in settlement of, or judgment for, damage
6 claims arising from the October 9, 1992, allision of the
7 vessel ZACHERY into the National Oceanic and Atmos-
8 pheric Administration research vessel DISCOVERER—

9 (1) shall be retained as an offsetting collection
10 in the Marine Services account of the National Oce-
11 anic and Atmospheric Administration;

12 (2) shall be deposited in that account upon re-
13 ceipt by the United States Government; and

14 (3) shall be available only for obligation for Na-
15 tional Oceanic and Atmospheric Administration ves-
16 sel repairs.

17 (b) LIMITATION.—Not more than $518,757.09 of the
18 amounts referred to in subsection (a) may be deposited
19 into the Marine Services account pursuant to subsection
20 (a).

SECTION BY SECTION
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT

Section 1. Short Title.

Entitles the act the "National Oceanic and Atmospheric Administration Authorization Act of 1995".

Section 2. Definitions.

Contains definitions of terms used in the Act.

TITLE 1 -- ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS

SEC. 101 NATIONAL WEATHER SERVICE.

(a) Authorizes $472,338,000 for fiscal year (FY) 1996 for operations and research activities of the National Weather Service.

(b) Authorizes $79,034,000 for acquisition of major public warning and forecast systems. None of the funds authorized under this subsection can be used for the purposes for which funds are authorized under 102 (b) of the NOAA Authorization Act of 1992 (Public Law 102-567) which authorizes NEXRAD. None of the funds authorized for NEXRAD will be expended for a particular NEXRAD installation unless (1) it is identified as a National Weather Service (NWS) NEXRAD installation in the National Implementation Plan for modernization of NWS for fiscal year 1995, required under section 703 of NOAA Authorization Act of 1992 (Public Law 102-567) or (2) it is to be used only for spare parts, not as an installation at a particular site.

(c) (1) Authorizes $16,952,000 in FY 1996 for (A) the Automated Surface Observing and (B) the Automated and Remote Automated Meteorological Observing Systems.

(d) (1) Authorizes $52,097,000 for the acquisition and deployment of the Advanced Weather Interactive Processing System (AWIPS) and NOAA Port and associated activities; and associated program management and operations and maintenance.

(e) Authorizes $20,628,000 for the planning, design, and land acquisition related to the construction of Weather Forecasting Offices.

(f) repeals certification requirements under Sections 706 and 707 of the Weather Service Modernization Act (15 U.S.C. 313 note) for closure of weather service offices and conforms the Act accordingly (15 U.S.C. 313 note).

Sec. 102 ATMOSPHERIC RESEARCH.

(a) Authorizes $86,757,000 for Climate and Air Quality Research, including interannual and seasonal climate research, el Niño research, and long-term climate and air quality research.

(b) Authorizes $39,894,000 for Atmospheric Programs, including research for developing improved prediction capabilities for atmospheric processes, as well as solar-terrestrial research and services.

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

(a) Authorizes $323,906,000 for Satellite Observing Systems including spacecraft procurement, launch, and associated ground station systems involving polar orbiting and geostationary environmental satellites (GOES), as well as the operation of such satellites. None of these funds will be used for GOES I-M, authorized under section 105(d) of the NOAA Authorization Act of 1992.

(b) (1) Authorizes $188,883,000 for the procurement of the Polar Orbiting Environmental Satellites (POES) K, L, M, N, and N' and their launching and supporting ground systems.

(c) Authorizes $46,300,000 for GOES NEXT (1) to procure up to three additional Geostationary Operational Environmental NEXT Satellites (GOES I-M clones) and instruments, (2) for contracts, and amendments or modifications of amendments, with the developer of previous GOES-NEXT satellites, for the acquisition of the additional satellites and instruments.

(d) Authorizes $31,207,000 for Environmental Data and Information Services including climate data services, geophysical data services, and environmental assessment and information services.

(e) Authorizes $39,500,000 for the procurement of the National Polar-Orbiting Operational Environmental Satellite System and its launching and supporting ground systems.

TITLE II. MARINE RESEARCH

SEC. 201 NATIONAL OCEAN SERVICE.

(a) Authorizes $29,149,000 for Mapping and Charting activities under the Act of 1947.

(b) Authorizes $19,927,000 for Geodesy activities under the Act of 1947.

(c) (1) Authorizes $11,279,000 for observation and prediction activities under the Act of 1947, (2) authorizes $695,000 for the Circulatory Survey Program, (3) authorizes $4,231,000 for ocean and earth science activities.

(d) (1) Authorizes $1,171,000 to support estuarine and coastal assessment activities under the Act of 1947; (2) authorizes $8,401,000 for the National Status and Trends, the Strategic Environmental Assessment, and the Hazardous Materials Response Programs; (3) authorizes $585,000 for the Damage Assessment Program; and (4) authorizes $9,158,000 for the Coastal Ocean Program.

SEC. 202 OCEAN AND GREAT LAKES RESEARCH.

(a) Authorizes $13,763,000 for marine prediction research activities under the Act of 1947, the Act of 1890, and any other law involving those activities.

(b) Authorizes $36,000,000 for the National Sea Grant College Program Act (33 U.S.C. 1121 et. seq.) of which (1) $34,500,000 will be used for the extramural program and (2) $1,500,000 will be used for NOAA administrative support; and (3) amends the National Sea Grant College Program Act to focus on scientific research.

TITLE III. PROGRAM SUPPORT

SEC. 301 PROGRAM SUPPORT.

(a) Authorizes $23,883,000 for executive and administrative activities.

(b) Authorizes $33,749,000 for central administrative support activities.

(c) Authorizes $7,706,000 for retired pay of retired commissioned officers of NOAA under the Act of 1970.

(d)

(1) Gives the Secretary of Commerce the authority to contract out for data and days-at-sea. (2) Requires the Secretary to use excess days-at-sea from UNOLS vessels "where appropriate" and authorizes the Secretary to enter into an MOA with UNOLS vessel operators. (3) Authorizes $60,689,000 for marine service activities (including activities outlined in (1) and (2)) for FY 1996.

(e) Authorizes $9,548,000 for aircraft service activities (including aircraft operations, maintenance, and support) under the Act of 1970 and any other law involving those activities.

(f) Authorizes $ 7,374,000 for facilities repairs and renovations.

TITLE IV STREAMLINING OF OPERATIONS

SEC. 401 PROGRAM TERMINATIONS.

(a) The following programs and accounts are terminated:

(1) The National Undersea Research Program
(2) The Fleet Modernization, Shipbuilding, and Construction Account
(3) The Charleston, South Carolina, Special Management Plan
(4) Chesapeake Bay Observation Buoys
(5) Federal/State Weather Modernization Grants
(6) The Southeast Storm Research Account
(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program
(8) The Great Lakes Environmental Research Laboratory/Zebra Mussel Research Account
(9) Global Learning and Observations to Benefit the Environment
(10) The Lake Champlain Study
(11) The Maine Marine Research Center
(12) The South Carolina Cooperative Geodetic Survey Account
(13) Pacific Island Technical Assistance
(14) Sea Grant/Oyster Disease Account
(15) Sea Grant/Zebra Mussel Account
(16) National Coastal Research and Development Institute Account
(17) VENTS program
(18) National Weather Service Agriculture and Fruit Frost Program
(19) National Weather Service Fire Weather Service
(20) National Weather Service Regional Climate Centers
(21) National Weather Service Samoa Weather Forecast Office Repair and Upgrade Account
(22) National Institute for Environmental Renewal

(b) The Secretary, no later than 60 days after the date of this Act's enactment, will submit a report to Congress certifying that all programs listed in subsection (a) will be terminated by September 30, 1995.

(c)

(1)Repeals two programs of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.). (A) The Dean John Knauss Marine Policy Fellowship Program; (B) The Sea Grant International Program; and (C) Repeals the Fleet Modernization Act (33 U.S.C. 851 note).

(2) Conforms the National Sea Grant College Program Act to changes made in (c).

SEC. 402 LIMITATION ON APPROPRIATIONS.

(a) Does not authorize funding for any fiscal year after 1996 for carrying out programs authorized under this Act.

(b) Authorizes no more than $1,692,470,000 to be appropriated to the Secretary to carry out all activities under NOAA's Operations, Research, and Facilities.

(c) Authorizes no more than $20,000,000 of the sums appropriated to the Operations, Research, and Facilities account for travel and related expenses for NOAA personnel.

SEC. 403 REDUCTION IN THE COMMISSIONED OFFICER CORPS.

(a) Sets the total number of commissioned officers of the NOAA Corps at no more than 369 in FY 1996, 100 in FY 1997, 50 in FY 1998, and eliminates authorization for any fiscal year after 1998.

(b) Authorizes the Secretary to make separations required pursuant to (a) without providing separation pay.

TITLE V MISCELLANEOUS

SEC. 501 WEATHER DATA BUOYS.

(a) Prohibits unauthorized persons from interfering with any National Data Buoy Center weather data buoy.

(b) Authorizes the Administrator to assess a penalty of not more than $10,000 for each violation of this section.

(c) Authorizes the Administrator to offer and pay rewards for information regarding violations of this section.

SEC. 502 DUTIES OF THE NATIONAL WEATHER SERVICE.

(a) Provides that the Secretary of Commerce protect life and property and enhance the national economy, through the NWS, except as outlined in subsection (b), shall be responsible for forecasts and warnings of severe weather, flooding , hurricanes, and tsunami events; the issue of storm warnings; the collection, exchange, and distribution of meteorological, hydrological, climatic, and oceanographic data and information; and the preparation of hydrometeorological guidance and core forecast information.

(b) Stipulates that the NWS will not compete with the private sector when a service can be provided by commercial enterprise unless the Secretary finds that the private sector is unwilling or unable to provide the service, and the service provides vital weather warnings and forecasts for the protection of lives and property of the general public.

(c) Amends the Act of 1890 accordingly.

(d) Requires the Secretary submit a report no later than 60 days after the enactment of this Act to Congress detailing all NWS activities which do not conform to the requirements of this section and outlining a timetable for their termination.

SEC. 503 REIMBURSEMENT OF EXPENSES.

(a) Stipulates that all amounts received by the United States in settlement of damage claims arising from the allision of the vessel ZACHERY into the NOAA vessel DISCOVERER will be retained as an offsetting collection in the Marine Services account, can be deposited in that account upon receipt by the United States Government, and can be available only for obligation for NOAA vessel repairs.

(b) Stipulates that not more than $518,757.09 of the amounts in subsection (a) may be deposited into the Marine Services account.

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

COMMITTEE ON SCIENCE

CHAIRMAN ROHRABACHER

JUNE 8, 1994

CHAIRMAN'S MARK

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SUMMARY

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
National Ocean Service					
Mapping, Charting, and Geodesy	49,816	53,513	49,076	-740	-4,437
Observation and Assessment	66,591	74,091	42,732	-23,859	-31,359
Ocean and Coastal Management	63,811	71,222	10,927	-52,884	-60,295
Total, National Ocean Service	180,218	198,826	102,735	-77,483	-96,091
Oceanic and Atmospheric Research					
Climate and Air Quality Research	119,542	159,528	86,757	-32,785	-72,771
Atmospheric Programs	46,946	46,909	39,894	-7,052	-7,015
Ocean & Great Lakes Programs	92,091	64,384	49,763	-42,328	-14,621
Total, Oceanic and Atmospheric Research	258,579	270,821	176,414	-82,165	-94,407
National Weather Service					
Operations and Research	513,269	487,289	472,338	-40,931	-14,951
Systems Acquisition	145,429	137,043	132,369	-13,060	-4,674
Total, National Weather Service	658,698	624,332	604,707	-53,991	-19,625
National Environmental Satellite, Data, and Information Service (NESDIS)					
Satellite Observing Systems	351,741	508,837	439,879	+88,138	-68,958
Environmental Data Management Systems	35,665	43,664	31,207	-4,458	-12,457
Total, NESDIS	387,406	552,501	471,086	+83,680	-81,415
Program Support					
Administration and Services	72,847	91,127	65,338	-7,509	-25,789
Marine Services	62,011	62,202	60,689	-1,322	-1,513
Aircraft Services	13,153	10,248	9,548	-3,605	-700
Total, Program Support	148,011	163,577	135,575	-12,436	-28,002

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SUMMARY

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
*National Marine Fisheries Service (NMFS)	268,650	315,828	210,651	-57,999	-105,177
GENERAL REDUCTION to OPERATIONS, RESEARCH AND FACILITIES	------	------	-8,698	------	------
TOTAL, OPERATIONS, RESEARCH AND FACILITIES	1,901,562	2,125,885	1,692,470	-209,092	-433,415
CONSTRUCTION	97,254	52,299	32,731	-64,523	-19,568
NOAA FLEET MODERNIZATION	22,936	23,347	0	-22,936	-23,347
TOTAL, NOAA	*2,021,752*	*2,201,631*	*1,725,201*	*-296,551*	*-476,330*

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
NATIONAL OCEAN SERVICE					
Mapping, Charting, and Geodesy					
Mapping and Charting	$27,899	$31,086	$27,899	0	-3,187
Automated Nautical Charting System II	1,250	2,500	1,250	0	-1,250
Total, Mapping and Charting	29,149	33,586	29,149	0	-4,437
Geodesy:					
National Spatial Reference System (including LIS)	19,667	19,927	19,927	+260	0
South Carolina Cooperative Geodetic Survey	1,000	0	0	-1,000	0
Total, Geodesy	20,667	19,927	19,927	-740	0
Total, Mapping, Charting, and Geodesy	*49,816*	*53,513*	*49,076*	*+260*	*-4,437*
Observation and Assessment					
Observation and Prediction	12,358	12,899	11,279	-1,079	-1,620
Circulatory Survey Program	700	700	695	-5	-5
Chesapeake Bay Observation Buoys	400	0	0	-400	0
Ocean Services	4,418	4,451	4,231	-187	-220
Total, Observation and Prediction	17,876	18,050	16,205	-1,671	-1,845
Estuarine and Coastal Assessment	2,674	3,130	1,171	-1,503	-1,959
Ocean Assessment Program	24,528	21,925	8,401	-16,127	-13,524
Damage Assessment	1,200	4,500	585	-615	-3,915
* Transfer from Damage Assessment Fund	6,770	6,550	6,550	-220	0
* Oil Pollution Act of 1990	1,300	1,395	662	-638	-733
Total, Estuarine and Coastal Assessment	36,472	37,500	17,369	-19,103	-20,131

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
Observation and Assessment (Continued)					
Coastal Ocean Science:					
Coastal Ocean Program	$10,943	$18,541	9,158	-1,785	-9,383
Oil Spill Research	800	0	0	-800	0
National Institute of Environmental Renewal	500	0	0	-500	0
Total, Coastal Ocean Science	12,243	18,541	9,158	-3,085	-9,383
Total, Observation and Assessment	*66,691*	*74,091*	*42,732*	*-23,859*	*-31,359*
***Ocean and Coastal Management**					
Total, Coastal Management	54,850	58,851	1,966	-52,884	-56,885
Ocean Management, Marine Sanctuaries Sites Program	9,961	12,371	9,961	0	-3,410
Total, Ocean and Coastal Management	*63,811*	*71,222*	*10,927*	*-52,884*	*-60,295*
TOTAL, NATIONAL OCEAN SERVICE	*180,218*	*198,826*	*102,735*	*-77,483*	*-96,091*

* Illustrative. Not in Science Committee jurisdiction or bill.

National Ocean Service (NOS): -$96,091,000 to FY 1996 request

- -$4,437,000 from Mapping, Charting and Geodesy, including -$3,187,000 from Mapping and Charting, and -$1,250,000 from Automated Nautical Charting System II.

- -$31,359,000 from Observation and Assessment, including -$1,845,000 from Observation and Prediction, -$20,131,000 from Estuarine and Coastal Assessment, -$31,359,000 from the Ocean Assessment Program, -$3,915,000 from Damage Assessment, -$733,000 from the Oil Pollution Act of 1990, and -$9,383,000 from Coastal Ocean Program to fund at the FY 1994 levels for each.

- -$60,295,000 from Ocean and Coastal Management, including elimination of Coastal Zone Management (CZM) Grants, whose authorization has expired, and -$3,410,000 from the Ocean Management, Marine Sanctuaries Sites Program, to fund at the FY 1994 level.*

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
OCEANIC AND ATMOSPHERIC RESEARCH					
Climate and Air Quality Research					
Interannual & Seasonal Climate Research	7,933	8,284	59,883	-396	-747
Long-Term Climate and Air Quality Research	27,272	39,144	25,874	-1,398	-13,270
High Performance Computing	6,500	15,558	1,000	-5,500	-14,558
Climate and Global Change	77,837	96,542	(see above)	-25,491	-44,196
Total, Climate and Air Quality Research	*119,542*	*159,528*	*86,757*	*-32,785*	*-72,771*
Atmospheric Programs					
Weather Research	33,613	34,720	30,325	-3,288	-4,395
Wind Profiler	4,350	4,350	4,350	0	0
Federal/State Weather Modification Grants	3,100	0	0	-3,100	0
Southeastern Storm Research	400	0	0	-400	0
Total, Weather Research	41,463	39,070	34,675	-6,788	-4,395
Solar-Terrestrial Services and Research	5,483	7,839	5,219	-264	-2,620
Total, Atmospheric Programs	*46,946*	*46,909*	*39,894*	*-7,052*	*-7,015*

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
Ocean and Great Lakes Programs					
Marine Prediction Research	14,264	14,984	13,763	-501	-1221
VENTS	2,496	0	0	-2,496	0
Southeast Fisheries Oceanographic Coordinated Investigations	450	0	0	-450	0
GLERL/Zebra Mussel	911	0	0	-911	0
Lake Champlain Study	150	0	0	-150	0
Pacific Island Technical Assistance	190	0	0	-190	0
Total, Marine Prediction Research	18,461	14,984	13,763	-4,698	-1,221
Sea Grant:					
Sea Grant College Program	48,898	49,400	36,000	-12,898	-13,400
Sea Grant-Oyster Disease	1,500	0	0	-1,500	0
Sea Grant-Zebra Mussel	2,800	0	0	-2,800	0
National Coastal R&D Institute	1,000	0	0	-1,000	0
Total, Sea Grant	54,198	49,400	36,000	-18,198	-13,400
Undersea Research Program:					
NOAA Undersea Research Program (NURP)	$17,932	0	0	-17,932	0
Maine Marine Research Center	1,500	0	0	-1,500	0
Total, Undersea Research Program	19,432	0	0	-19,432	0
Total, Ocean & Great Lakes Programs	*92,091*	*64,384*	*49,763*	*-42,328*	*-14,621*
TOTAL, OCEANIC AND ATMOSPHERIC RESEARCH	*258,579*	*270,821*	*176,414*	*-82,165*	*-94,407*

Oceanic and Atmospheric Research (OAR): -$84,407,000 to FY 1996 request

•-$72,771,000 from Climate and Air Quality Research, including -$747,000 from Interannual & Seasonal Climate Research, -$13,270,000 from Long-Term Climate and Air Quality Research, and -$14,558,000 from the High Performance Computing Account to fund at the FY 1994 levels for each.

•-$44,196,000 from the Climate and Global Change account which has been rolled into the Interannual & Seasonal Climate Research line to ensure research is relevant to near- to mid- term climatic events such as El Nino, including -$1,407,000 from Economic and Human Interactions research to fund at the FY 1994 level, and -$2,496,000 and -$7,000,000, respectively, eliminating monies for the study of undersea vents and their impact on global climate change and the Global Learning and Observations to Benefit the Environment (GLOBE) program.

•-$7,015,000 from the Atmospheric Programs, including -$4,395,000 from the Weather Research Account to fund at the 1994 level, and -$2,620,000 from Solar-Terrestrial Services and Research.

•-$14,621,000 from the Ocean and Great Lakes Programs, including -$1,221,000 from Marine Prediction Research which is funded at the FY 1994 level. The National Sea Grant College Program is reduced by -$13,400,000, including -$1,589,000 from increased outreach, -$4,881,000 from education (fellowship programs, etc.) and reductions to administrative funding. The SE US/Caribbean FOCI program, the GLERL/Zebra mussel research account, the Lake Champlain study, and Pacific Island technical assistance are all eliminated in keeping with the Administration's FY 1996 request. VENTS is moved to Global Climate Change in the Administration's FY 1996 budget request.

•The National Undersea Research Program (NURP) is eliminated, including the Maine Marine Research Center, in keeping with the Administration's FY1996 request.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
NATIONAL WEATHER SERVICE (NWS)					
Operations and Research					
Local Warnings and Forecasts	323,579	418,567	405,689	-34,417	-12,878
Modernization and Restructuring Demonstration and Implementation (MARDI)	115,946	(see above)	(see above)	----	----
Agricultural & Fruit Frost Program	2,316	0	0	-2,316	0
Fire Weather Services	449	0	0	-449	0
Aviation Forecasts	35,596	35,596	35,596	0	0
Samoa	100	0	0	-100	0
Regional Climate Centers	3,200	0	0	-3,200	0
Total, Local Warnings and Forecasts	481,787	454,163	441,285	-40,482	-12,878
Central Forecast Guidance	29,015	30,457	29,015	0	-1,382
Atmospheric and Hydrological Research	2,487	2,669	2,038	-449	-631
Total, Operations and Research	*513,269*	*487,289*	*472,338*	*-40,931*	*-14,951*

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
Systems Acquisition					
Public Warning and Forecast Systems:					
Next Generation Weather Radar (NEXRAD)	82,982	55,249	53,335	-29,647	-1,914
Automated Surface Observing System (ASOS)	17,515	16,952	16,952	-563	0
Advanced Weather Interactive Processing System (AWIPS)/NOAA Port	34,947	52,097	52,097	+17,150	0
Computer Facility Upgrades	9,985	12,745	9,985	0	-2,760
Total, Systems Acquisition	*145,429*	*137,043*	*132,369*	*-13,060*	*-4,674*
TOTAL, NATIONAL WEATHER SERVICE	*658,698*	*624,332*	*604,707*	*-53,991*	*-19,625*

National Weather Service (NWS): -$19,625,000 to FY 1996 request

- -$14,951,000 from NWS Operations and Research, including -$12,878,000 (or 3% below the Administration's request) from the Local Warnings and Forecast account (since MARDI is basically complete, the account has been rolled into this line) savings will be generated for reduced administrative costs and closure of duplicative or unneeded non-modernized weather offices; Agricultural Fruit Frost, Fire Weather Services, Samoa, and Regional Climate Centers are all eliminated in keeping with the Administration's FY 1996 request; also Central Forecast Guidance is funded at FY 1995 level, and -$631,000 from Atmospheric and Hydrological Research is funded at the FY 1994 level.

- -$4,674,000 from System Acquisition, including -$2,760,000 from Computer Facility Upgrades to fund at the FY 1995 level; and -$1,914,000 from elimination of Planned Product Improvements for NEXRAD.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE (NESDIS)					
Satellite Observing Systems					
Polar Spacecraft and Launching	146,228	198,824	188,883	+42,655	-9,941
Polar Convergence/Joint Program Office	16,000	54,000	39,500	+23,500	-14,500
Geostationary Spacecraft and Launching	132,242	186,501	162,273	+30,031	-24,228
Ocean Remote Sensing	6,000	1,600	0	-6,000	-1,600
Environmental Observing Services	51,271	55,912	49,223	-2,048	-6,689
LandSat Operations	0	12,000	0	0	-12,000
Total, Satellite Observing Systems	*351,741*	*508,837*	*439,879*	*+88,138*	*-68,958*
Environmental Data Management Systems					
Data and Information Services	24,365	28,564	19,907	-4,458	-8,657
Environmental Services Data and Information Management (ESDIM)	11,300	15,100	11,300	0	-3,800
Total, Environmental Data Management Systems	*35,665*	*43,664*	*31,207*	*-4,458*	*-12,457*
TOTAL, NESDIS	*387,406*	*552,501*	*471,086*	*+83,680*	*-81,415*

National Environmental Satellite, Data, and Information Service: -$81,415,000 to FY 1996 request

- -$68,958,000 from Satellite Observing Systems, including -$24,228,000 from GOES (construction of three GOES Next satellites, GOES I-M funding reduced by 5%), elimination of Ocean Remote Sensing, and -$6,689,000 from Environmental Observing Systems to fund at the FY 1994 level. Terminate LandSat 7 (-$12,000,000). Polar Spacecraft and Launching are reduced by 5% in FY 1996. -$14,500,000 from Polar Convergence is reduced by requiring a 50/50 split with the Department of Defense.

- Environmental Data Management Systems (EDMS) is reduced to the FY 1994 level. Data and Information Service is reduced to the Senate-passed FY 1995 level.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
PROGRAM SUPPORT					
Administration and Services					
Executive Direction and Administration:					
Office of Administration	25,490	25,882	22,880	-2,610	-3,002
Systems Program Office (SPO)	1,798	2,607	1,003	-795	-1,604
Total, Executive Direction and Administration	27,288	28,489	23,883	-3,405	-4,606
Central Administrative Support	37,853	54,749	33,749	-4,104	-21,000
Retired Pay Commissioned Officers	7,706	7,889	7,706	0	-183
Total, Administration and Services	*72,847*	*91,127*	*65,338*	*-7,509*	*-25,789*
Marine Services	*62,011*	*62,202*	*60,689*	*-1,322*	*-1,513*
Aircraft Services					
Aircraft Services	9,153	9,853	9,153	0	-700
Critical Safety & Instrumentation	4,000	395	395	-3,605	0
Total, Aircraft Services	*13,153*	*10,248*	*9,548*	*-3,605*	*-700*
TOTAL, PROGRAM SUPPORT	*148,011*	*163,577*	*135,575*	*-12,436*	*-28,002*
**NATIONAL MARINE FISHERIES SERVICE (NMFS)*	*268,650*	*315,828*	*210,651*	*-57,999*	*-105,177*
GENERAL REDUCTIONS to OPERATIONS, RESEARCH AND FACILITIES	-----	----	-8,698	-----	-----
TOTAL, OPERATIONS, RESEARCH AND FACILITIES	1,901,562	2,125,885	1,692,470	-209,092	-433,415

* Illustrative. Not in Science Committee jurisdiction or bill.

Program Support: -$28,002,000 to FY 1996 request

- -$21,685,000 from Administration and Services, including -$4,606,000 from Executive Direction and Administration to fund at the FY 1994 level, and -$1,604,000 and -$21,000,000 from SPO and Central Administrative Support, respectively, SPO to fund at the FY 1995 and Central Administrative Support to reduce according to reduced programmatic effort.

- -$183,000 from Retired Pay Commissioned Officers funded at the FY 1995 level.

- -$1,513,000 from Marine Services to fund at the FY 1994 level and the Navigational Data Products and Services item is eliminated in keeping with the Administration's FY 1996 request.

- -$700,000 from Aircraft Services to fund at FY 1994 level.

National Marine Fisheries Service (NMFS): -$105,177,000 to FY 1996 request

- -$105,177,000 from NMFS Total to fund at the FY 1994 level, including elimination of all FY 1994 Congressional add-ons.*

General Reductions: -$8,698,000 from NOAA travel budget.

- Reduce to $20,000,000 for agency. This represents a reduction of $8,698,000 from FY 1995 or $11,069,00 from FY 1996.

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
CONSTRUCTION					
NWS Modernization & WFO Maintenance	20,226	20,628	20,628	+402	0
Facilities Repairs & Renovations	7,374	11,207	7,374	0	-3,833
*Environmental Compliance	5,979	16,024	4,729	-1,250	-11,295
New Construction	63,675	4,440	0	-63,675	-4,400
TOTAL, CONSTRUCTION	97,254	52,299	32,731	-64,523	-19,568
NOAA FLEET MOD.	22,936	23,347	0	-22,936	-23,347
NOAA TOTAL	2,021,752	2,201,531	1,725,201	-296,551	-476,330

* Illustrative. Not in Science Committee jurisdiction or bill.

Other Accounts: -$42,915,000 to FY 1996 request

- The NOAA fleet modernization account is eliminated.

- -$19,568,000 from the Construction account, including eliminating New Construction (-$4,400,000), reducing Environmental Compliance (-$11,295,000, FY 1995 funding less reprogramming request) and Facility Repairs and Renovations (-$3,833,000) to FY 1995 levels.

COMMITTEE ON SCIENCE

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

SUBCOMMITTEE MARKUP - JUNE 8, 1995

AMENDMENT ROSTER

I. H.R. -- The National Oceanic and Atmospheric Administration Authorization Act of 1995.

No.	Sponsor	Description	Results
1.	Mr. Cramer	Amendment to alter limitation on acquisition of new NEXRAD's	
2.	Mr. Roemer	Amendment to alter limitation on acquisition of new NEXRAD's	
3.	Mr. Cramer	Amendment to strike language repealing certification requirements under NWS Modernization Act	
4.	Mr. McHale	Amendment to strike language repealing certification requirements under NWS Modernization Act	
5.	Mr. Weldon (PA)	En bloc amendment to strike and insert	
6.	Mr. Roemer	Amends language in the "Duties of the National Weather Service" section	

AMENDMENT TO THE NOAA AUTHORIZATION BILL

OFFERED BY REP. CRAMER

Page 4, strike lines 3 through 6, and insert the following:

3 (1) it is identified as a National Weather Service
4 NEXRAD installation in a National Implementation
5 Plan for modernization of the National
6 Weather Service for any fiscal year, as required under

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. ROEMER

Page 4, line 9, strike "or".

Page 4, after line 9, insert the following new paragraph:

1 (2) the National Research Council recommends
2 the establishment of such installation in the report
3 on National Weather Service modernization re-
4 quested by the National Weather Service; or

Page 4, line 10, strike "(2)" and insert in lieu thereof "(3)".

AMENDMENT TO THE NOAA AUTHORIZATION BILL

OFFERED BY REP. CRAMER

Page 5, strike lines 18 through 25.

Page 6, strike lines 1 through 13.

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. MCHALE

Page 5, line 18, through page 6, line 13, strike subsection (f).

AMENDMENT TO THE NOAA AUTHORIZATION BILL

OFFERED BY REP. CURT WELDON

Page 7, after line 3, insert the following new subsection:

1 (c) GLOBE AUTHORIZATION.--There are authorized to be
2 appropriated to the Secretary to enable the National
3 Oceanic and Atmospheric Administration to carry out the
4 Global Learning and Observations to Benefit the Environment
5 program, $7,000,000 for fiscal year 1996.

Page 13, line 2, strike "$23,883,000" and insert in lieu thereof "20,632,000".

Page 13, line 9, strike "$33,749,000" and insert in lieu thereof "$30,000,000".

Page 15, line 20, strike "Global Learning and Observations to Benefit the Environment." and insert in lieu thereof "National Institute of Environmental Renewal."

Page 16, line 15, strike paragraph (22).

F:\M4\ROEMER\ROEMER.036 H.L.C.

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. ROEMER

Page 19, lines 20 and 21, amend paragraph (1) to read as follows:

1 (1) forecasts and shall serve as the sole official
2 source of weather warnings;

Mr. ROHRABACHER. The Chair will now entertain amendments.

Mr. WELDON. Mr. Chairman.

Mr. ROHRABACHER. Who is seeking recognition?

Mr. WELDON. Mr. Chairman.

Mr. ROHRABACHER. The gentleman from Pennsylvania is recognized.

Mr. WELDON. First of all, Mr. Chairman, in deference to the time constraints, I will not go through my extensive opening statement. But, I would ask unanimous consent that it be included in the record.

Mr. ROHRABACHER. Without objection.

[The prepared statement of Mr. Weldon follows:]

MR. CHAIRMAN, AS MANY OF YOU KNOW, LAST CONGRESS I SERVED AS THE RANKING MEMBER OF THE SUBCOMMITTEE ON OCEANOGRAPHY, GULF OF MEXICO, AND OUTER CONTINENTAL SHELF OF THE FORMER MERCHANT MARINE AND FISHERIES COMMITTEE. IN MY CAPACITY AS RANKING MEMBER, I PLAYED AN ACTIVE ROLE IN THE AUTHORIZATION OF NOAA LAST CONGRESS.

FIRST, LET ME START BY SAYING THAT I UNDERSTAND THE PRESSING FISCAL ISSUES FACING OUR COUNTRY TODAY. I COMMEND THIS SUB-COMMITTEE, AND YOU MR. CHAIRMAN, FOR MAKING THE TOUGH CHOICES THAT COME ALONG WITH BALANCING THE BUDGET BY THE YEAR 2002. WHILE I SUPPORT YOUR EFFORTS TO ACHIEVE THIS GOAL, I ALSO WANT TO SHARE WITH YOU MY GRAVE CONCERNS REGARDING ADDITIONAL CUTS TO NOAA'S BUDGET, PARTICULARLY OCEANS RESEARCH.

HISTORICALLY, THE UNITED STATES HAS SPENT RELATIVELY LITTLE ON UNDERSTANDING THE MARINE ENVIRONMENT, WHILE AT THE SAME TIME WE HAVE SPENT BILLIONS OF DOLLARS ON THE EXPLORATION OF SPACE. THE IRONY IS THAT WE HAVE SPENT MORE MONEY SEARCHING FOR WATER BODIES ON OTHER PLANETS THAN WE HAVE ON UNDERSTANDING THE EARTH'S OCEANS RIGHT HER IN OUR OWN BACK YARD.

THIS POINT WAS DRILLED HOME RECENTLY WHEN I, ALONG WITH SENATOR JOHN KERREY, HOSTED AN INTERNATIONAL CONFERENCE ON THE OCEANS HERE IN WASHINGTON. THIS MEETING, WHICH WAS SPONSORED BY GLOBE USA (GLOBAL LEGISLATORS FOR A BALANCED ENVIRONMENT) BROUGHT TOGETHER LEADING INTERNATIONAL PARLIAMENTARIANS, NOTED MARINE RESEARCHERS FROM THE UNITED STATES, EUROPE AND JAPAN, ADMINISTRATION OFFICIALS, AND MEMBERS OF THE ACADEMIC AND PUBLIC INTEREST COMMUNITIES.

AMONG THE PARTICIPANTS WAS DR. KATHY SULLIVAN, CHIEF SCIENTISTS AT NOAA, WHO PROVIDED A COMPELLING PRESENTATION ON THE STATE OF THE WORLD'S OCEANS. AS MANY OF YOU MAY KNOW, DR. SULLIVAN IS MOST NOTED FOR HER WORK AS A MISSION SPECIALIST FOR NASA. AS THE FIRST AMERICAN WOMAN TO WALK IN SPACE, SHE HAS GAINED EXTENSIVE EXPERIENCE BOTH AT SEA AND IN SPACE. DR. SULLIVAN SPOKE BLUNTLY ABOUT THE IMPACT MASSIVE CUTS TO NOAA'S BUDGET WILL HAVE ON THE MANY SUCCESS WE HAVE ACHIEVED THUS FAR IN OCEANS RESEARCH. I HAVE PROVIDED MY COLLEAGUES TODAY WITH A LETTER FROM THE ADMINISTRATOR OF NOAA, JAMES BAKER, WHICH TOUCHES ON MANY OF THE SAME POINTS DR. SULLIVAN STRESSED AT OUR MAY 25TH CONFERENCE.

PERHAPS MOST ALARMING, HOWEVER, WERE MY CONVERSATIONS WITH LEADERS FROM ACROSS THE GLOBE REGARDING THE LACK OF THE UNITED STATE'S PARTICIPATION IN OCEANS RESEARCH. THIS IS ONE AREA WHERE THE UNITED STATES HAS SIMPLY DROPPED THE BALL AS AN INTERNATIONAL LEADER. BOTH DURING LAST MONTHS CONFERENCE AND IN MY CAPACITY AS THE UNITED STATES VICE-PRESIDENT OF ACOPS (ADVISORY COMMITTEE ON THE PROTECTION OF THE SEAS) I HAVE HEARD TIME AND TIME AGAIN FROM INTERNATIONAL LEGISLATORS WHO SIMPLY CANNOT COMPREHEND OUR UNWILLINGNESS TO INVEST TIME, ENERGY, AND MONEY INTO UNDERSTANDING MARINE ENVIRONMENT. JUST THINK, OVER 75% OF OUR EARTH IS COVERED BY WATER, YET TODAY WE ARE SETTING AN OVERALL

SPENDING LIMIT OF ONLY $415,149,000 FOR OCEAN RESEARCH AND MANAGEMENT COMBINED.

THE PURPOSE OF LAST MONTH'S OCEANS CONFERENCE WAS TO EDUCATE MEMBERS OF CONGRESS ON AN ISSUE OF WHICH FEW HAVE HAD THE OPPORTUNITY TO EXPLORE. IN FACT, I HOPE TO USE THE EVENT AS THE FIRST OF MANY IN WHICH TO BRING OCEAN ISSUES TO THE FOREFRONT OF SCIENTIFIC DEBATE. I HOPE YOU ALL WILL AGREE TO JOIN AND WORK WITH ME TO ADVANCE THE UNITED STATE'S PARTICIPATION IN THIS IMPORTANT ISSUE.

Mr. WELDON. As a past Ranking Member of the Oceanography Subcommittee on the Merchant Marine Committee, we had jurisdiction over NOAA. I am extremely concerned about the cuts that are occurring with NOAA's budget for this next fiscal year.

Those cuts are not just being brought about by our own budget actions. I would note for the record the Clinton Administration zeroed out funding for the NURP program, the National Undersea Research Program, one of the most progressive programs I think this Congress has funded.

And, it was very difficult for us to put money into a program the Administration, in fact, zeroed out. But, I think we are being somewhat shortsighted in the dollar amounts that we are authorizing here.

And, I would reserve the right at some future time, either at Full Committee or on the floor, to attempt to deal with the funding shortfall for the marine programs and the ocean programs.

I do have—I would like to also, Mr. Chairman, enter in the record a three-page letter that I received from Jim Baker, who heads NOAA, at my request in response to the shortfall and what it will mean in terms of ocean research and ocean technology. With that, I would like to—

Mr. ROHRABACHER. Without objection, that will be submitted for the record.

[The letter from Jim Baker follows:]

Oceans and Atmosphere
Washington, D.C. 20230

JUN 8 1995

The Honorable Curt Weldon
House of Representatives
Washington, D.C. 20515

Dear Congressman Weldon:

Thank you for your continued interest in and support for NOAA's ocean-related programs, particularly as Congress considers strategies to streamline operations and reduce federal spending. The burden confronting NOAA is substantial because many of our ocean programs face the dual task of maintaining traditional services to the public, while also developing and keeping pace with advancements in technology to maintain and enhance our understanding of the world's oceans and climate.

Frankly, I am concerned greatly that the program cuts contained within Chairman Rohrabacher's NOAA reauthorization legislation will cripple NOAA's principal mission to predict, observe, measure, assess and chart the oceans and its resources. The types of ocean and climate problems we currently are confronted with as a nation -- declining fisheries, intensifying coastal development, forecasting climate variation -- are complex and expensive and require sound science to guide decision makers searching for policy solutions. Since our Nation's founding, the federal government has played an eminent role in ocean-related affairs. I suggest that now is an inopportune moment for Congress to cut back on the federal investment in ocean-related research without a clear understanding of what might be lost.

Cuts proposed in the Chairman's mark would significantly reduce or eliminate vital NOAA research and management programs which are essential to the nation's economy and competitiveness affecting important sectors such as agriculture, energy production, fisheries, maritime commerce and water management. For example:

- Cuts would curtail the modernization program for the NOAA research fleet and cripple seriously the operational capability of the fleet to conduct essential ocean and fisheries research and hydrographic surveys and nautical charting activities, while also making it impossible to contract for comparable marine services through UNOLS vessels.

THE ADMINISTRATOR

* Reductions in Climate and Global Change and Oceanic and Atmospheric Research (OAR) funding will reduce NOAA's long-term climate research, jeopardizing the nation's ability to anticipate and respond in advance to short-term climate variations such as El Nino, and other events like the 1993 Mississippi Basin floods and the 1988 Midwest drought that, together, cost the nation over $13 billion.

* Reductions would reduce OAR funding to a level that would result in the elimination of 2 to 4 of the Environmental Research Labs. Also, the legislation amends the Sea Grant College Program Act to direct the program to focus exclusively on scientific research. Removing education and outreach components of Sea Grant will eliminate the ability to transfer key oceanographic and fisheries research results to the user community -- the exact group that benefits from such research.

* A 15% reduction in mapping and charting activities will curtail urgently needed full-bottom coverage surveys in critical major ports like Philadelphia, Houston/Galveston, Hampton Roads, New York/New Jersey and Boston and disrupt an industry that provides 1.5 million jobs and moves over $500 billion in cargo, annually.

* Other cuts or reductions affecting NOAA's marine sanctuaries, estuarine research reserves, coastal ocean program, and monitoring, marine prediction and damage assessment programs would eliminate or significantly undermine NOAA's coastal research and management capability and potentially expose a flourishing $12 billion coastal tourism industry to environmental risks.

The ocean-related research advancements that NOAA has been able to achieve are a direct result of Congress, quite sensibly, adopting a long-term perspective towards ocean research and recognition that basic and applied ocean research is essential to our national economic well-being. The cost of these investments is relatively small, particularly when compared to the benefits. The nation is standing on a foundation of scientific work that has been built over the decades, and from which we have benefitted greatly.

Rightfully, Congress is struggling to reduce or eliminate the federal budget deficit and not burden future generations with the yoke of an immense financial burden. Yet I would urge Congress to ensure that we do not build a new deficit for them -- a deficit of knowledge and understanding about the oceans of our planet, which will leave them unprepared to cope with the

challenges nature will place before them. I believe it is important that we preserve this vital national enterprise as we restructure and cut government.

Sincerely,

D. James Baker

Mr. WELDON. With that, Mr. Chairman, I would like to offer an amendment and would ask the staff to circulate the amendment dealing with Globe.

Mr. ROHRABACHER. Mr. Weldon has an amendment.

[The amendment offered by Mr. Weldon follows:]

AMENDMENT TO THE NOAA AUTHORIZATION BILL

OFFERED BY REP. CURT WELDON

Page 7, after line 3, insert the following new subsection:

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5 program, $7,000,000 for fiscal year 1996.

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Page 13, line 9, strike "$33,749,000" and insert in lieu thereof "$30,000,000".

Page 15, line 20 and 21, strike "Global Learning and Observations to Benefit the Environment." and insert in lieu thereof "National Institute for Environmental Renewal."

Page 16, line 15, strike paragraph (22).

Mr. WELDON. Mr. Chairman, that amendment that I was going to offer dealt with dual use research. As Chairman of the Defense Research Committee, I am very strongly committed to having our private—our scientific community share research technology with what the military is doing.

But, because you've zeroed out funding for that, I will not offer that amendment. But, I have asked staff to prepare some language for the en bloc consideration to deal with that issue.

So, I will not be offering that amendment. The amendment that I am offering now deals with the Globe program.

Mr. ROHRABACHER. Mr. Weldon, you may proceed in the description of your amendment.

Mr. WELDON. Mr. Chairman, once again, I will not take a significant amount of time. The Globe program was a program introduced by Vice President Gore in the last session of Congress.

Initially, last year, I had some concerns with the funding and the intent of the program. I went into this program in depth and became convinced that it was a logical program and deserved consideration.

It allows us to establish an international network of school children, including 16 hundred schools in this country, which I might add are in every congressional district of members on this Subcommittee. It allows them to share in the process of assessing and dealing with environmental and technological information worldwide.

I participated in the first teacher training program for Globe. And, my amendment would, in fact, reinstate the funding for Globe by taking funding from the Program Support accounts in the amount of seven million dollars.

My understanding is that both the Majority side agrees with this amendment and the Minority side. I mentioned Vice President Gore. It's one of his top priorities. My understanding is also the Speaker, Newt Gingrich, has indicated his support for the program.

So, in deference to our time constraints, I would ask our colleagues to support the reinstatement of this funding for this program. And, if there are specific questions, I will be happy to try to answer them.

Mr. ROHRABACHER. If there is no further discussion—

Mr. MCHALE. Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. MCHALE. A parliamentary inquiry. Do we have sufficient members to conduct business?

Mr. ROHRABACHER. Yes, we do.

[Ms. Rivers is conferring with the Chairman.]

Mr. WALKER. Not in the room at the present time. There are some people outside. But, we can conduct business with regard to amendments.

And, I think what we will probably do is if—since there seems to be a concerted effort to move people out of the room on the other side, I think we will probably just have votes on all these amendments.

Ms. RIVERS. And, ultimately, do you have the quorum to move the bill out of Committee?

Mr. ROHRABACHER. We will face that—

Mr. WALKER. We will face that situation when we get there.

Ms. RIVERS. Does that mean no?

Mr. ROHRABACHER. No. That means that when we get there, we may well have enough to move it out.

We might not. But, in the meantime, we can get this part of the bill—work done on the bill. And, we intend to do that.

Mr. Weldon, have you got something else? The gentleman from Pennsylvania?

Mr. MCHALE. Mr. Chairman, we have barely—this is not, at least from my perspective, a concerted effort on anybody's part on either side of the aisle. Clearly, members on both sides of the aisle are departing.

We have a bare minimum number of members to conduct business. We may or may not have sufficient members to report out the bill.

I would respectfully suggest to the Chairman that perhaps we reconsider the course of action we are on.

Mr. ROHRABACHER. I would like to get this done. We have people here willing to get the work done.

If, in the end, we don't have the quorum—what we need to actually get the—report the bill out, we will see that at the end. But, let's get these amendments done.

If we operate in good faith, we can actually get some work done, for Pete's sake.

Mr. WELDON. Would the Chairman yield?

Mr. ROHRABACHER. Yes.

Mr. WELDON. Mr. Chairman, on that question, many of us have the Defense Authorization bill on the floor next week. I know my colleague from Pennsylvania and I will be on the floor almost the entire week.

I would like to get this bill done today. I was under the impression we were going to do it.

I was told that all three bills would be marked up today. Every member was told that. They have an obligation to be here.

We are here. They should be here.

Mr. ROHRABACHER. That's absolutely correct. If there is no further discussion, we will move on to—yes, Mr. Baker.

Mr. BAKER. Just briefly, I would like to know what the program accounts are we are looting for this Global enhancement.

Mr. WELDON. Would you yield to me, Mr. Chairman?

Mr. ROHRABACHER. Yes. Mr. Weldon will share the accounts that are—

Mr. WELDON. The seven million dollars—

Mr. ROHRABACHER. Being looted.

Mr. WELDON. Is being paid for from cuts in Program Support accounts; $3,251,000.00 from the Executive Direction and Administrative Activities accounts; and, $3,749,000.00 from the Central Administrative Support accounts.

Mr. BAKER. Right. I just want to know what the program accounts are.

What are we taking this out of?

Mr. WALKER. Mostly out of NOAA Administrative Support.

Mr. BAKER. So, they are carrying around an extra seven million they didn't need?

Mr. WALKER. Sure.

[Laughter.]

Mr. BAKER. Well, I can't believe that our—the Chairman of this Subcommittee would have allowed seven million dollars' worth of administrative overhead to sit there waiting—just waiting for the Global Learning and Observations to Benefit the Environment program.

Mr. WELDON. If the gentleman would yield?

Mr. BAKER. Yes, I certainly will.

Mr. WELDON. I am not saying that NOAA is necessarily enthusiastic about where these funds are coming from.

[Laughter.]

Mr. WELDON. If you heard me make my opening comments and the support that has been indicated for this program, I think NOAA is looking to try to come up with the funding. And, these are the pots identified.

There may be some attempts to modify that at the Full Committee level or on the floor. But, I think it is certainly evident that this is a top priority of the Vice President.

And, therefore, NOAA is trying to accommodate those requests.

Mr. BAKER. Well, as close as I am to the Vice President and to the—

[Laughter.]

Mr. BAKER.—Global Learning and Observations to Benefit the Environment program, I would still like to know really what we are—what we are taking apart to fund this.

Mr. ROHRABACHER. The gentleman's inquisitive nature is noted.

Mr. MINGE. Mr. Chairman.

Mr. ROHRABACHER. And, does anyone else—

Mr. MINGE. Yes, Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. MINGE. Do we have any comment from NOAA with respect to these changes, from the agency itself?

Mr. WELDON. Would the gentleman yield?

Mr. MINGE. Yes.

Mr. WELDON. My—I have been in contact with NOAA. NOAA supports the program, wants to see it continue.

They are not overly anxious to have the funding taken from these accounts. I have expressed a willingness to work with them between the time that we mark this bill up and the time we hit the Full Committee to see if we can make some modifications as to where the funding will come from.

Mr. MINGE. Well, why not wait until the Full Committee before we send it forward if we are going to be doing that?

I have worked a great deal with NOAA in the last two months and seen some of their activities. And, I've seen computer systems that are 15 years old they are trying to use to predict flooding.

And, I'm concerned that we not undermine some other activity unwittingly here at the end of the day. And, if, in fact, this is well taken, I would certainly join with you in supporting it at the Full Committee level.

Mr. WELDON. If the gentleman will further yield, I am as strong a supporter as perhaps the gentleman is. And, I have indicated

that support as the Ranking Member of the Oceanography Subcommittee in past years.

And, I am not going to do anything to hurt NOAA's efforts. And, in fact, if you listened to my opening statement, I am going to be one that will speak out for additional funding for NOAA and for the ocean programs.

This is an attempt to reinstate the program. I think it's important that we make this statement at this level and get on with dealing with the funding issue which NOAA has indicated a willingness to work with us on.

Mr. MINGE. Well, I'm also concerned—there were some fairly disparaging remarks made about coloring books on energy. And, you know, are we just setting ourselves up for that type of criticism a few years down the road here?

We have a learning program. And, there's a coloring book prepared as part of that learning program and then it comes back to haunt us.

And, I—I just see us doing things here that may not be consistent with what we have done earlier in the day.

Mr. WELDON. Well, I would just say to the gentleman, if he is continuing to yield, that this program is leveraging private dollars. And, in fact, three and a half million dollars of private money has already been leveraged.

And, my understanding is that the bulk of those kinds of costs will be paid for by the private sector. Believe me, I—as someone who was very skeptical of this program last year—have gone through it and have agreed to offer this amendment, because I think there have been changes made.

Is there a need for perhaps additional changes? Perhaps there are. And, I will work with the gentleman in our oversight role to make sure that we clean it up as much as possible and get maximum value for our dollars.

But, it is clearly a program that has bipartisan support. I think we are willing to make that move on this party and hopefully that the Minority party would work with us, since the request is coming from the Administration.

Mr. SCHIFF. Would the gentleman from Pennsylvania yield?

Mr. WELDON. It's not my time, but I would be happy to if someone would grant me the time.

Mr. MINGE. I will yield if I have any time.

Mr. SCHIFF. I appreciate it. Could the gentleman—mindful of the time, could the gentleman, in about 60 seconds, say exactly what the purpose of the Globe program is, please?

Mr. WELDON. Yes. The program is basically a—it's Global Learning and Observations to Benefit the Environment. It establishes a worldwide Internet system of schools that want to focus on science, technology relative to the environment.

In fact, there are teacher training programs underway. Curriculum materials have already been developed.

And, the program is in operation in 16 hundred schools across the country. In fact, there were 180 schools in the members' districts on this Subcommittee that have been designated as Globe schools.

These schools are involving the children in both taking technical data and sharing it with schools all over the world as well as incorporating environmental education and technology into the school curriculum. It is a valid program.

Before coming to Congress, I spent three years as an environmental education specialist. I'm convinced that it's—it's a good value for our dollar.

It leverages private money. And, therefore, that's why I've indicated a willingness to offer this amendment to reinstate funding within the NOAA accounts.

Mr. ROHRABACHER. If that answers the gentleman's question—and in terms of the other gentleman's question, I think that in terms of blame for spending these funds on coloring books and other things that some people might find questionable, I'm certain that in the future Vice President Gore, with his support of this program, will step forward and be willing to accept that responsibility along with Speaker Gingrich who, I guess, supports this program as well. So, with that type of strong bipartisan support, I'm sure that they will be able to have a spirited defense of all this money that is being spent for this program.

Is there anyone else who would like to speak to the—to this amendment?

[No response.]

Mr. ROHRABACHER. If not, a vote on this amendment will move forward. Anyone in favor of the amendment should be saying aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed, say no.

[A chorus of nays.]

Mr. ROHRABACHER. Oh, oh. It sounds like the ayes have it. The Chair rules the ayes have it.

Mr. MINGE. Roll call.

Mr. ROHRABACHER. We will have a roll call. The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Rohrabacher passes at this moment.

The CLERK. Mr. Fawell.

[No response.]

The CLERK. Mr. Weldon.

Mr. WELDON. Yes.

The CLERK. Mr. Weldon votes yes. Mr. Bartlett.

Mr. BARTLETT. Aye.

The CLERK. Mr. Bartlett votes yes. Mr. Wamp.

[No response.]

Mr. WELDON. Mr. Graham.

Mr. GRAHAM. No.

The CLERK. Mr. Graham votes no. Mr. Salmon.

Mr. SALMON. No.

The CLERK. Mr. Salmon votes no. Mr. Davis.

[No response.]

The CLERK. Mr. Largent.

[No response.]

The CLERK. Mrs. Cubin.

[No response.]

The CLERK. Mr. Foley.

[No response.]
The CLERK. Mr. Schiff.
Mr. SCHIFF. Aye.
The CLERK. Mr. Schiff votes yes. Mr. Baker.
Mr. BAKER. No.
The CLERK. Mr. Baker votes no. Mr. Ehlers.
Mr. EHLERS. Yes.
The CLERK. Mr. Ehlers votes yes. Mr. Stockman.
Mr. STOCKMAN. No.
The CLERK. Mr. Stockman votes no. Mr. Walker.
Mr. WALKER. Aye.
The CLERK. Mr. Walker votes yes. Mr. Hayes.
[No response.]
The CLERK. Mr. Minge.
Mr. MINGE. No.
The CLERK. Mr. Minge votes no. Mr. Olver.
[No response.]
The CLERK. Mr. Ward.
[No response.]
The CLERK. Mr. Doyle.
[No response.]
The CLERK. Mr. Roemer.
[No response.]
The CLERK. Mr. Cramer.
[No response.]
The CLERK. Mr. Barcia.
[No response.]
The CLERK. Mr. McHale.
Mr. MCHALE. Yes.
The CLERK. Mr. McHale votes yes. Ms. Johnson.
Ms. JOHNSON. Yes.
The CLERK. Ms. Johnson votes yes. Ms. Rivers.
Ms. RIVERS. Yes.
The CLERK. Ms. Rivers votes yes. Ms. McCarthy.
[No response.]
The CLERK. Mr. Brown.
[No response.]
The CLERK. Mr. Chairman, the roll call tally is yea's eight, nay's five.
Mr. WELDON. Mr. Chairman.
Mr. ROHRABACHER. Yes.
Mr. WELDON. I ask unanimous consent to insert in the record comments that I made as well as a listing of participating schools by congressional district. Thank you.
[The listing follows:]

Name: Jimmy Hayes (D-7-LA)
Contact: Julie Cordell
GLOBE Schools: 9

Name: David Minge (D-2-MN)
Contact: Kari Arfstron
GLOBE Schools: 3

Name: John Olver (D-1-MA)
Contact: David Orlin
GLOBE Schools: 8

Name: Mike Ward (D-3-KY)
Contact: Sandy Sussman
GLOBE Schools: 9

Name: Mike Doyle (D-18-PA)
Contact: Peter Cohen
GLOBE Schools: 2

Name: Tim Roemer (D-3-IN)
Contact: John St Croix
GLOBE Schools: 1

Name: Robert "Bud" Cramer (D-5-AL)
Contact: Stephanie Ortel
GLOBE Schools: 23

Name: James Barcia (D-5-MI)
Contact: Rob Ryan
GLOBE Schools: 5

Name: Paul McHale (D-15-PA)
Contact: Allison Dowd
GLOBE Schools: 3

Name: Eddie B. Johnson (D-30-TX)
Contact: Greg Finley
GLOBE Schools: 1

Name: Lynn Rivers (D-13-MI)
Contact: Tony Gibson
GLOBE Schools: 6

Name: Karen McCarthy (D-5-MO)
Contact: Tim McGrath
GLOBE Schools: 18

Name: George Brown (D-42-CA)
Contact: ~~Bob Palmer~~ Bill Smith
GLOBE Schools: 8

Name: Dana Rohrabacher (R-45-CA)
Contact: Larry Hunt
GLOBE Schools: 0

Name: Harris Fawell (R-13-IL)
Contact: Kristin Wolgemuth
GLOBE Schools: 7

Name: Curt Weldon (R-7-PA)
Contact: Brian Taylor
GLOBE Schools: 2

Name: Roscoe Bartlett (R-6-MD)
Contact: Elise Finley
GLOBE Schools: 12

Name: Zach Wamp (R-3-TN)
Contact: Joe Samuel
GLOBE Schools: 4

Name: Lindsey Graham (R-3-SC)
Contact: Ed Rogers
GLOBE Schools: 17

Name: Matt Salmon (R-1-AZ)
Contact: Kelly Surrick
GLOBE Schools: 8

Name: Thomas Davis III (R-11-VA)
Contact: ~~Peter Smith~~ Mike Hettinger
GLOBE Schools: 4

Name: Steve Largent (R-1-OK)
Contact: Bob Bolster
GLOBE Schools: 1

Name: Barbara Cubin (R-AL-WY)
Contact: Dave DuBose
GLOBE Schools: 22

Name: Mark Foley (R-16-FL)
Contact: Sherrie Lott
GLOBE Schools: 1

Name: Steven Schiff (R-1-NM)
Contact: Kristine Dietz
GLOBE Schools: 0

Name: Bill Baker (R-10-CA)
Contact: Chris Carter
GLOBE Schools: 4

Name: Vernon Ehlers (R-3-MI)
Contact: Will Plaster
GLOBE Schools: 2

Name: Steve Stockman (R-9-TX)
Contact: Wayne Rast
GLOBE Schools: 3

Name: Bob Walker (R-16-PA)
Contact:
GLOBE Schools: 4

Mr. ROHRABACHER. The amendment is agreed to. And, without objection, the motion to reconsider is laid upon the table.

We will now move on to the Cramer amendment. But, Mr. Cramer is not here.

Mr. MCHALE. Mr. Chairman—

Mr. ROHRABACHER. Mr. McHale has an amendment in its stead.

Mr. MCHALE. Mr. Chairman, I do. I offer the McHale amendment, which is identical to the previously listed Cramer amendment. Both appear on the agenda.

Mr. ROHRABACHER. Okay. We will now consider the McHale amendment.

[The amendment offered by Mr. McHale follows:]

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. MCHALE

Page 5, line 18, through page 6, line 13, strike subsection (f).

Mr. ROHRABACHER. Mr. McHale, would you like to move forward and discuss your amendment?

Mr. MCHALE. I would, Mr. Chairman. Mr. Chairman, let me just indicate preliminarily that the—basically the parliamentary inquiry that I had raised earlier was presented in good faith.

I had expected that Mr. Cramer would be here and that his amendment would be offered and that mine would be withdrawn. In light of the changed circumstances, I now offer an amendment that I had not intended to bring before the Subcommittee.

Mr. Chairman, my amendment is very straightforward. When we enacted Public Law 102567 back in October of 1992, we contained in Section 706 of that Act a provision that was described as restructuring field offices.

And, in Subsection B, Certification, we essentially made a promise to the American people and to those geographic areas that could conceivably be affected by the closing of weather stations. And, that promise reads in the current law as follows. ''The Secretary shall not close, consolidate, automate or relocate any field office unless the Secretary has certified that such action will not result in any degradation of service.''

And, so for the past three years in many areas, including my own in the Lehigh Valley of Pennsylvania, we have, in reliance upon existing law, given a good faith commitment to our constituents that a local weather station would not be closed unless there were a certification, as required by law, that the closing of that station would not result in a degradation of service. Those of us who believe that consolidation in certain areas is appropriate and cost effective have said, with absolute good faith to our constituents, ''Before this office is closed, we will give you an assurance, through the Secretary, that you will not, as a result of that closing, experience a degradation of service.'' And, that's what we have said to our constituents for a three year period of time.

My amendment simply retains current law by deleting the provisions in the bill that would eliminate that certification requirement. If we now fail to pass the McHale amendment, we will, in effect, be breaching faith with all of those constituents who have heard us say for three years, ''If this station closes, we can assure you there is no degradation of service to be expected.''

My amendment simply requires that that certification continue in full force and effect as it has since 1992 and that before we close a weather station, as promised, that we require the Secretary to provide such a certification that after closing those who depend on that service will not experience a loss of service.

Thank you, Mr. Chairman. I yield back the balance of my time.

Mr. ROHRABACHER. Mr. McHale, could I ask you a question before you yield back the balance of your time?

Does that mean that if some type of service was being provided by the private sector or such that that would be calculated into the level of service?

Mr. MCHALE. Yes.

Mr. ROHRABACHER. You are not saying that the government has to provide the same level of service but that the public has to be—at least receive that same level of service if it's from a private company or whatever?

Mr. MCHALE. Mr. Chairman, I believe that to be correct. But, more specifically, the certification is described in detail under existing law.

If you turn to Section 706, Subsection B, Certification, while I read to you the actual language at the beginning of that subsection, it goes on in six different subcategories to describe what the certification should include. As far as I'm concerned, a private sector assurance would be satisfactory.

The key is that there be no degradation of service once the station is closed; and, in fact, that the station not be closed if such a certification cannot, in good faith, be given.

Mr. ROHRABACHER. Okay. Mr. McHale, we are not forcing anyone to close. We are not forcing the Weather Service to be closing these offices.

Mr. MCHALE. That's correct.

Mr. ROHRABACHER. It's not part of this authorization that they have to close these offices. But, adding the—your amendment would add pressure to them in the decision-making of their professional decision-making.

Mr. MCHALE. That is correct. But, Mr. Chairman, I would point out what you describe as pressure is the promise currently included in law that we have been repeating to our constituents for three years.

It does, indeed, limit their discretion to some degree. But, we have been telling our constituents, the American people, for three years that those limitations are reasonable, that they are part of the existing statutory framework.

And, in fact, we will be breaking faith with our constituents if, after three years of promises, we suddenly change the statutory requirement.

Mr. ROHRABACHER. Does anyone else seek to be recognized?

Mr. Walker.

Mr. WALKER. Mr. Chairman, for a number of years, NOAA has told us that we will get a far better weather system if we go to the new modernized program primarily described as NEXRAD. They have told us that with that system it would be possible to close outmoded weather offices; and, thereby, save money while producing a better product. Faster, cheaper, better has been a part of what the NOAA new program is all about.

I have gone to the floor on several occasions and fought to try to keep that modernization program in place when Congress has made a determination that what it wants to do is try to preserve the old system along side the new system. That is, in fact, the most costly option—that you preserve the old, inefficient system while at the same time trying to modernize into the new system.

The certification process was designed as a way for Congress to impede the National Service from reducing the old weather stations from roughly 300 to 118 offices. What we have in this bill is an attempt to try to streamline the process to get to the new system because, in large part, in the out years the savings are such that they do help us balance the budget.

When you have totally completed the new system, we, in fact, assume the savings that the Weather Service has always told us would be there; and, therefore, get some of the savings that show

up in the NOAA accounts. If, in fact, what we do is load off on NOAA the need to have both the new system and the old system along side each other in place at the same time, in the out years that, in fact, will put a strain on the rest of NOAA's budget.

And, I've got to tell you, NOAA has been in the paper recently saying some just absolutely absurd things about what the budget document said in—with regard to their programs, because the main assumption in the budget document was that the new system and the savings incumbent thereto would, in fact, be reflected in our budget options in the years hence. Now, I'm beginning to understand why NOAA is doing that, is because we now have people who are suggesting that we don't do that streamlining and NOAA is going to be required to have both in place at the same time.

I just don't think that you can afford to do that. We are either for making the modernization changes which are necessary or we are not.

We are attempting in our bill to streamline that modernization process in a way to assure that we get to the NEXRAD system. It seems to me that by going to—to language which gets in the way of doing that modernization program that we make a—a mistake, not only in terms of better weather delivery but certainly in terms of the—the need to proceed ahead with a balanced budget.

Mr. MCHALE. Mr. Chairman.

Mr. ROHRABACHER. Mr. McHale.

Mr. MCHALE. I don't disagree at all with the concept described by the distinguished Chairman of the Committee. I think we have to go to a new system.

I think that system should be smaller and, if possible, less expensive than the existing system. The question is whether we are going to act dishonorably.

We have made a promise in law for three years, one that I have personally repeated on many occasions, that we will not achieve savings by degrading service. If we can achieve savings while maintaining or improving service, that is an obligation that we have.

But, we should not achieve savings by degrading service. And, worse, after three years of making promises in good faith, including enshrining those promises in existing statutory law, we should not now go back to those people who have believed us for three years and change the system of assurance that we wrote into law three years ago.

All we simply said was, "Before you move to that newer, more efficient, hopefully less expensive system of consolidation," which I support, "before you close an individual weather station, there should quite reasonably be a certification requirement, as written into current law, that there will be no degradation of service."

And, above and beyond the degradation issue, I truly believe there is an issue of good faith here. We have promised people for three years that their station won't be closed unless there is a certification of non-degradation.

And, to break that promise now would be dishonorable.

Mr. WALKER. If the gentleman would yield?

Mr. MCHALE. I certainly will.

Mr. WALKER. The—as with any statute that we put in place, when new information is developed we ought to have the good

sense to look at the new information. The Commerce Inspector General has, in fact, specifically singled out the certification language as an unneeded expense, which is helping to increase the cost of modernization.

Now, given the fact that we now know that, it seems to me that simply because we have put something in the statute before it turns out to have been the wrong thing to do that maybe now we need to revise the statute. And, that is exactly what we are attempting to do in this bill.

We are revising the statute to say we are going to streamline the process to get to the better system faster. And, we are doing it in line with what the Inspector General has already told us is the right thing to do.

Mr. MCHALE. Our citizens believed us. It's a question of not breaking faith.

Mr. STOCKMAN. Mr. Chairman.

Mr. ROHRABACHER. One moment.

Mr. STOCKMAN. I have a question. Was I understanding the gentleman correctly that he said before we close them we have to certify them?

Mr. MCHALE. That's what the law says.

Mr. STOCKMAN. We are changing law?

Mr. MCHALE. Current law.

Mr. STOCKMAN. But, what you are saying is that before we close something we have to certify it?

Mr. MCHALE. No. What the law currently says—and, let me—if I may answer the gentleman's question—

Mr. ROHRABACHER. Yes, Mr. McHale.

Mr. MCHALE.—simply by reading the law for the last three years, existing law says—and I quote. "The Secretary shall not close, consolidate, automate or relocate any field office unless the Secretary has certified that such action will not result in any degradation of service."

That has been the law for the last three years. We have said to people, "Look, your station may have to close. But, we promise you we won't close it unless we can also commit to you there will not be a loss of service in your community."

I have farmers. I have many other citizens who are dependent upon such weather service. And, I'm prepared to look them in the eye and tell them that the weather station in our community, as part of a cost saving measure, should be closed if I can simultaneously promise them that a more efficient consolidated system will provide the same quality of service.

Mr. STOCKMAN. I can just tell you that they closed two in my district. And, you know, I don't think it's much of a—well, never mind.

Mr. ROHRABACHER. Is there any further discussion on this issue?

Mr. MINGE. Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. MINGE. Do we have anything from NOAA or the Weather Service on this proposal?

Mr. ROHRABACHER. Is there—let me ask staff.

[The Chairman is conferring with staff.]

Mr. MINGE. Have they asked that we do this or indicated that they—

[The Chairman is conferring with staff.]

Mr. ROHRABACHER. We have received some communication from them concerning these reform efforts. But, it is not identical to the amendment that we are being offered here today to the bill.

Mr. MINGE. I'm sorry, I didn't hear what you said.

[The Chairman is conferring with staff.]

Mr. RUSSELL. The amendment? We have no communication of this amendment.

Mr. MINGE. This is not something they've suggested or that we've run by them to find out how this was—

Mr. ROHRABACHER. Apparently, the staff tells me, there has been no communication with NOAA about this particular amendment.

Mr. MINGE. Okay. Mr. Walker, you indicated that the Inspector for the Department of Commerce had looked at—

Mr. WALKER. Yes.

Mr. MINGE.—The problems of closing weather stations and indicated that a change of this type was desirable. Could we place that in the record so that—

Mr. WALKER. I will get the document. I will get the document for the record that the Inspector General came forward with.

But, he singled out this certification language. The problem with the certification is not the Secretary simply saying, "I certify this." It's a very, very long and involved process, which means that it makes it extremely difficult to close an office.

And, then even after you close the office, you have to keep the employees on for a couple of years after you've closed the office, whether they have anything to do or not. And, so you—you end up with this long, involved, expensive process that the Inspector General is saying it really does increase the cost of the whole modernization program.

We are simply saying we think that we ought to change the statutory language and get by where some of that is. You know—

Mr. MINGE. And, this change that has made in the Chair's mark is consistent with the recommendation that has come from the Inspector?

Mr. WALKER. That's my understanding.

Mr. ROHRABACHER. And, apparently what—

Mr. WALKER. I'm told he did not propose specific legislation. But, what we did was take the recommendation of the Inspector General and put language into the bill which we think follows what he was saying was needed in order to change the certification process.

Mr. ROHRABACHER. What we have here is Mr. McHale, who is suggesting very sincerely that we have made a commitment not to in any way diminish the level of service to the American people. On the other hand, we have those people opposing, Mr. Walker in particular who is opposing, the amendment saying that the certification that is being demanded to meet Mr. McHale's demands will, indeed, be more costly than they are worth and that it is being indicated by certain members of the Executive Branch that it is unnecessary costs in the certification level.

Mr. WALKER. Mr. Chairman, I do have a document here from NOAA indicating that the cost savings to the modernization budget from the repeal of Public Law 102567, which is the certification law, would amount, during the 1996 to 2000 time frame, to 35 mil-

lion dollars. So, NOAA has, in fact, prepared that kind of document indicating those kinds of savings.

Mr. ROHRABACHER. Mr. McHale.

Mr. MCHALE. Mr. Chairman, I find myself in the unusual situation, in that the distinguished Chairman of the Full Committee is defending the viewpoint of the bureaucrats and I am defending the impact on the ordinary citizen. I certainly understand why NOAA wants to eliminate the challenge of complying with the certification requirement that was written into law three years ago.

It makes their job of closure far easier. I would expect nothing else from those who administer the closure process.

I'm speaking out on behalf of the ordinary citizens, many of them farmers, for instance, in my district who rely on this Weather Service and who have been told by their government and by their congressmen for the last three years that their weather station won't be closed unless there is a simple, straightforward certification that the service will not be degraded by the closure. So, I clearly understand why NOAA supports the position advocated by the Chairman of the Full Committee.

But, we are breaking faith with those people who have believed us for three years if we now change the system three years after the promises were made.

Mr. ROHRABACHER. Mr. McHale, I—the Chair would suggest that Mr. Walker's position is that it's not such a simple and cost effective certification process and that, indeed, if one leaves it up to the professionals that we can trust that the people in NOAA are really there not to decrease quality of service, but adding these extra layers of oversight is a costly and extraneous expense.

Mr. SCHIFF. Mr. Chairman.

Mr. ROHRABACHER. With that, Mr. Schiff.

Mr. SCHIFF. I would like to ask the offeror of this amendment a question briefly, because of the time. Is there any other precedent that the gentleman can offer where the Congress has said we may terminate a facility, may close a facility, but only if we certify that whatever service was provided by that facility won't be degradated for your particular area?

Is there any other subject matter that this has ever been used? I yield to the gentleman to answer.

Mr. MCHALE. Frankly, I think it's implicit in the BRAC process. I think it's implicit in the BRAC process that what we are saying is, "We won't close bases unless we can simultaneously conclude that the national security of the United States isn't adversely affected."

In any event, a requirement of non-degradation was written into the law three years ago. I have said to many of my constituents on numerous occasions that they may well have to face the prospect of a closure but that in good faith their government will promise to them that if that weather station is closed and if another facility several hundred miles away assumes that responsibility and does so with improved technology, though the facility is distant from the area being served, the quality of service will not be degraded.

And, we've been telling them that, not just in my district but as a systematic element of this process, for three years that they can rely on that commitment.

Mr. ROHRABACHER. It is—it is my understanding that what is being advocated here is not a—to go along with the degradation of service but instead what Mr. Walker has been suggesting is that, indeed, we are not advocating degrading the service but we are saying that the certification process is a costly and extraneous expenditure.

Mr. WALKER. Well, Mr. Chairman—

Mr. MCHALE. I don't think the statute requires that.

Mr. WALKER.—The argument of NOAA has been that the NEXRAD system, when fully implemented, is vastly better than the old system. There can be no degradated system if, in fact, NOAA has been correct in telling us what the NEXRAD system is going to do.

I happen to believe that NOAA does have a better system. I believe we ought to move quickly to that better system so that we have better weather forecasting, not worse weather forecasting.

Mr. MCHALE. Will the gentleman yield for a question?

Mr. WALKER. What we are now getting is the idea that somehow we ought to pile one on top of the other so that we end up in the end with more offices, not less. And, I simply believe that at a time when we are trying to have fiscal restraint, that costs too much money.

Mr. ROHRABACHER. Mr. McHale.

Mr. MCHALE. I was going to ask the gentleman to yield for a question. I certainly don't want two systems.

I want a smaller system. I want consolidation.

And, I believe, for the most part, that improved technology will allow the system to move in precisely the direction described by Mr. Walker.

If that is the case, and the statute is clear in terms of certification, the issuance of a certification should not be complicated or expensive. The statute simply says that if Mr. Walker and I are correct and that evolving technology allows for consolidation without a loss of service, then under the statute all the Secretary has to do is issue a certification to that effect.

I don't want cost savings that result from degraded service. And, if the Chairman of the Full Committee is correct and the savings can be achieved through better, technologically enhanced service, why not certify it?

Mr. WALKER. Well, because it costs one whale of a lot of money, 35 million bucks. So, you are going to spend 35 million dollars on something other than good weather service.

And, that's the issue. We don't have 35 million dollars to throw away.

Mr. ROHRABACHER. Ms. Rivers.

Ms. RIVERS. Yes. I need some clarification, because I've been listening to this and I—Mr. Chairman, indulge me.

Does it cost 35 million dollars for the certification process or for the new—or for the new system?

Mr. WALKER. For all the delays caused by the certification process.

Ms. RIVERS. Is 35 million dollars?

Mr. WALKER. Yes.

Ms. RIVERS. Was there an attempt to streamline—to make the recommendation in this process, to streamline the certification process to one that makes sense as opposed to eliminating it?

Mr. WALKER. Well, the problem is that we are operating under this public law that describes the certification process in some detail.

Ms. RIVERS. I understand.

Mr. WALKER. And, what we are attempting to do is streamline the process to go to the new, better weather service.

Ms. RIVERS. But, my recollection—and I could be wrong—is that the—that the bill does not propose a new, easier way to assure people that they are not going to be left in the lurch in the changeover. It simply eliminates the current way of doing so; is that right?

Mr. WALKER. Well, the language does streamline the process in a way that—that basically removes the certification process.

Ms. RIVERS. Because I think the argument that is being put forward and that I can resonate to as a regular citizen is just as when you close down one emergency room and open a brand new one that is more cost effective and that is better equipped, you don't close it and then build the new one. You have both of them for at least the period of time when they overlap when you can open the new one and get it going.

And, that is what I think was being—was being suggested with the original language. And, it sounds like no one is disagreeing with that.

Mr. WALKER. Well, the original law that put NEXRAD into place, in fact—

Ms. RIVERS. Right.

Mr. WALKER.—It fully anticipated—and that is the part of the NEXRAD process—that you build the coverage for the area and then close the stations behind that. We are not going to leave the nation uncovered.

I can't imagine that NOAA would countenance such a thing. This Administration, the Secretary of Commerce, is not going to permit NOAA to allow that to happen in the country.

I mean, that—that is a—the question of the certification process that gets very complicated is, you know, when you say degradated service and so on, there are all kinds of things that that can imply, you know, in fringe areas on the radar. And, so you get all kinds of questions raised.

And, you can take—you can take years to argue through those. And, we—we believe that you ought to go to the more modernized system once you have the modernized system built.

Mr. BARTLETT. Mr. Chairman.

Mr. ROHRABACHER. Who seeks recognition?

Mr. BARTLETT. Yes. I am a farmer. And, there are many farmers in our districts.

And, I depend on the Weather Service. If I'm going to cut hay, I want to look ahead to see whether we are going to have dry weather or not.

Could we meet the goal that Mr. McHale wants to reach by putting in report language that says that it is—the presumption of the

Committee, whatever the proper language is, that stations will not be closed that will degrade service?

I understand from the Chairman that the problem is that there is a very detailed certification procedure that runs costs up. And, I think everybody agrees that we shouldn't close these stations and degrade service.

Can we simply meet his objectives by putting report language in that says that it is presumed that we will not close them if service is going to be degraded and leave it that way?

Mr. ROHRABACHER. The Chair would be very happy to work with Mr. McHale to come up with that report language. I am not sure that that would—that this commitment will satisfy Mr. McHale in terms of his current amendment, however.

Mr. McHale.

Mr. MCHALE. Mr. Chairman, first of all, I thank you for the courtesy of making that offer. And, Mr. Bartlett, I think it's a reasonable proposal.

And, frankly, if this were 1992, prior to the enactment of the statute, you and I at this point would have an agreement and there would be no need to go any further. But, I think, inevitably, now that we've had a statute in place for three years and that statute, in a not very complicated process, takes less than half a page of statutory text, has given a commitment inevitably to remove it from the statutory law and place it in report language communicates a message that weakens the requirement of a certification.

And, so, regrettably, we are three years into the process and I think it's too late to approach it solely from the perspective of report language.

Mr. BARTLETT. How could it cost 35 million dollars if it only is a half a page?

Mr. MCHALE. Well, that is what I'm concerned about. Let us have some skepticism here that those figures, I believe, have come from those who would hope to eliminate the requirement.

And, I don't mean to suggest bad faith. But, I can guarantee you that in determining the cost of certification, those who would like to eliminate it are likely to stretch to the maximum extent of truth the cost involved in complying with the law.

I am extremely skeptical that it cost 35 million dollars to give such a certification.

Mr. ROHRABACHER. Mr. McHale, would you say that that's a pretty good summary of your position and that we might move on now for a vote?

Mr. MCHALE. Mr. Chairman, I think the issue has been well debated on both sides and that it is time for a vote.

Mr. ROHRABACHER. Okay. With no further discussion on the issue, we will move to the vote.

Those in favor of the McHale amendment will signify by saying aye.

[A chorus of ayes.]

Mr. ROHRABACHER. Those opposed, signify by saying no.

[A chorus of nays.]

Mr. ROHRABACHER. It appears that the no's have it.

The next amendment is Mr. Roemer's. Is Mr. Roemer here to present his amendment?

Mr. Ehlers, do you seek recognition?

Mr. EHLERS. Mr. Chairman, I have an amendment at the desk. I have an amendment at the desk.

Mr. ROHRABACHER. Mr. Ehlers has an amendment. And, Mr. Ehlers' amendment is at the desk.

[The amendment offered by Mr. Ehlers follows.]

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. EHLERS

Page 15, lines 18-19, strike paragraph (8)

Page 16, line 3, strike paragraph (15)

Mr. ROHRABACHER. Would you proceed to describe the purpose of your amendment as the Clerk passes it out?

Mr. EHLERS. Thank you, Mr. Chairman. In perusing the bill of NOAA, I was surprised to find on Page 15 and 16 under the Program Terminations, termination of the Great Lakes Environmental Research Lab/Zebra mussel work and also on Page 16 the termination of the Sea Grant/Zebra mussel account.

Now, I'm not sure if everyone here is familiar with the Zebra mussel, but if you aren't and particularly if these programs are terminated you will become very familiar. And, this vote to terminate it would come back to haunt you.

The Zebra mussel appeared in the Great Lakes a few years ago. It came over from Europe, where it is prevalent, and apparently was in the ballast tanks of some ships that came in, entered the Great Lakes through the St. Lawrence Seaway.

It is a very small mussel. It's not eatable. It doesn't have any natural predators here.

And, it has clogged a great many intake pipes of power plants, municipal water supplies and many other areas. It is also troublesome to boaters.

Initially, it was in the Great Lakes. It has now moved through the Chicago channel into the Mississippi River.

And, because boaters haul their boats from lake to lake, it has appeared in fresh water inland lakes from the New England states through the midwest and is rapidly spreading nationwide.

At this point, it's costing hundreds of millions of dollars per year to municipalities, utilities and others just to try to keep their water intake pipes clean, because they grow—they are so prolific that they rapidly block the pipes. And, most pipes, even when not blocked, are running at less than full efficiency and creating problems.

I would say that if we don't get a handle on it and find out what we can do to get rid of the Zebra mussels, either chemically or through importation of predators, we are facing billions of dollars in annual expense here. So, I would certainly oppose terminating those programs.

That's where the research is centered to try to get rid of the Zebra mussel. And, I would certainly appreciate the support of the Committee in removing them from the termination list.

Thank you.

Mr. ROHRABACHER. Is there any other discussion on this issue?

Mr. WALKER. Yes.

Mr. ROHRABACHER. Mr. Walker first, please.

Mr. WALKER. Well, I just wanted to point out that the only reason why these are in the bill is because these are programs zeroed out by the Administration, the specific programs. And, so we included all programs zeroed out by the Administration in the bill.

Nothing in this language precludes that program from competing for the general fund group. I mean, these are specific designations, but nothing would prevent money from going to that kind of research work or to—to the laboratory and so on.

I mean, that is all included under the general framework. But, the Administration, in its budget presentation, has zeroed out a

number of these programs. And, we included those things zeroed by the Administration in the overall document.

Mr. EHLERS. If I may, just to respond—

Mr. ROHRABACHER. Please.

Mr. EHLERS. I just would hate to see the Administration's actions serve as a guideline for this Committee. So, I would hope that we would not terminate this.

Thank you.

Mr. ROHRABACHER. Ms. Rivers first and—

Ms. RIVERS. Thank you.

Mr. ROHRABACHER. Then, Mr. Stockman, you will be next.

Ms. RIVERS. First, I want to commend the maker of this amendment. These are, as he pointed out, indeed, very, very important issues for the whole Great Lakes Basin and now into the midwest as this problem expands across the country.

There are a couple of issues I want to raise, specifically to the Chairman. If you read Line 4 of Page 15 of the bill, it says, "No funds may be appropriated." It expressly says that they may not be appropriated, not that we are not going to compete or that we have a chance to compete.

But, as I read it, it says they may not even compete for dollars.

Mr. WALKER. That's true for the specific account as listed. You have to understand, these are specific accounts within the appropriation.

But, it doesn't stop them from getting money under the general framework.

Ms. RIVERS. These are programs. As I read through and see them, they are all specific programs.

Mr. WALKER. That's right.

Ms. RIVERS. And, it says, "No funds may be appropriated for the following programs and accounts," which suggests to me a different situation than the idea that all of these are still in the mix but they aren't—they aren't going to be handled in the way that they have been in the past.

Mr. WALKER. Well, as I understand it, the Zebra mussel research could be done through Sea Grant. It can be done under our—under our approach.

These are simply the line items. They will be able to get their money under—under the other general accounts. The Sea Grant account remains in place.

Ms. RIVERS. So—oh, I see. So, what you are saying is that the money that will go to those depart—or to those particular entities for their general research, which is probably going to be cut, they can also use that money to cover these programs?

Mr. WALKER. Right.

Ms. RIVERS. So—

Mr. WALKER. That's right. These are specific line items. And, we are striking the line item.

But, there is still the overall pot of money from which they could get money.

Ms. RIVERS. The likely to be very diminished pot of money.

Mr. WALKER. It could be a diminished pot of money. That's right.

Mr. ROHRABACHER. They may want—

Ms. RIVERS. Yes, an extremely diminished pot of money.

Mr. ROHRABACHER. They may want to research the Tiger mussel instead of the Zebra mussel or perhaps some other kind of mussel that they know about.

Ms. RIVERS. Or under-used mussels.

Mr. ROHRABACHER. Or, under-used mussels. They are probably more expert—

[Laughter.]

Mr. ROHRABACHER. They probably have more expertise on which mussels are important than the members of this Committee—

Ms. RIVERS. And, lastly—

Mr. ROHRABACHER. Including the Chairman.

[Laughter.]

Ms. RIVERS:—The point that I would make about whether or not this has been zeroed out in the President's proposed budgets over the years is that's one of the lovely things about the Constitution. The President gets to make decisions down at that end of Pennsylvania Avenue and we get to make decisions here.

Mr. ROHRABACHER. That's correct.

Ms. RIVERS. And, this is one issue that I think should stay in the budget and should be funded, because it's certainly a "you can pay me now or you can pay me later" issue. Zebra mussels are not going away.

They are costing an astronomical amount to this country. They are going to continue to expand. And, we are going to have to do something about it.

Mr. ROHRABACHER. All right. Mr. Stockman has a position.

Mr. STOCKMAN. I will be a little quicker. I—just because I sit next to Vernon and he's buying me dinner tonight doesn't mean that I—I'm actually—

Mr. ROHRABACHER. Even if it's mussel that you get.

Mr. STOCKMAN. That's right.

[Laughter.]

Mr. STOCKMAN. It is a serious problem. And, it is causing problems in Michigan with the drinking water and everything else.

And, I support it even though I am from Texas.

Mr. ROHRABACHER. Well, I appreciate that. Now, Mr. Barcia.

Mr. BARCIA. Thank you, Mr. Chairman. I would just like to reiterate the sentiments of my two colleagues from Michigan and indicate that in the 5th Congressional District in Michigan I have some 500 miles of shoreline on Lake Huron.

And, it is a very important problem that is impacting our sport fishery and recreational boating on the Great Lakes. And, I really think the amount of money involved in the Zebra mussel research is minimal compared to the impact that it could have should we be able to effectively control their growth in the Great Lakes Basin.

Mr. MCHALE. Mr. Chairman, parliamentary inquiry.

Mr. ROHRABACHER. Yes.

Mr. MCHALE. Mr. Ehlers is buying dinner for all of us who vote with him?

[Laughter.]

Mr. ROHRABACHER. Yeah, but, as I say, it's all Zebra mussel. So, if you—

[Laughter.]

Mr. EHLERS. Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. EHLERS. Dinner will be at 10 p.m. this evening.

[Laughter.]

Mr. ROHRABACHER. The—just the Chair will note that this amendment does not necessarily preclude—as we have said, there is nothing in the law right now that precludes any of the various agencies or departments or research facilities that are financed through the legislation, this legislation and other legislation, from delving into this project, delving into the Zebra mussel problem. This is—but, specifically this mandates that money be spent for this problem.

And, again, this is the—the Committee has a perfect right to set the priority. And, this is something that if members of the Committee choose to do so, that—as Ms. Rivers talked about, having—this should be a priority.

And, that's what we will be voting on. With no further discussion, I would like to take this to a vote.

And, it would be all in favor of—and this is Mr. Ehlers' amendment. All in favor will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed will say nay.

[A chorus of nays.]

Mr. ROHRABACHER. It appears that the ayes have it. And, I hope no one calls for a roll call vote on that one.

Okay. The amendment is agreed to.

Now, we will move on to what may be the final amendment. Mr. McHale will offer the Roemer amendment.

Mr. MCHALE. Thank you, Mr. Chairman. Mr. Chairman, my understanding is that the Roemer amendment has been previously accepted by the leadership on both sides of the aisle. That is my understanding.

Mr. Roemer—

Mr. ROHRABACHER. Could you read the amendment?

[The amendment offered by Mr. Roemer (by Mr. McHale) follows:]

F:\M4\ROEMER\ROEMER.036 H.L.C.

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. ROEMER

Page 19, lines 20 and 21, amend paragraph (1) to read as follows:

1 (1) forecasts and shall serve as the sole official
2 source of weather warnings;

Mr. MCHALE. I certainly would. The Roemer amendment, which I offer on behalf of Mr. Roemer. Page 19, Lines 20 and 21, amend paragraph [1] to read as follows. Subparagraph [1] forecasts and shall serve as the sole official source of weather warnings.

I was advised by Mr. Roemer's staff that the Majority leadership had agreed to accept such an amendment. And, in that spirit, I offer it.

Mr. ROHRABACHER. Thank you very much. And, the Chair also accepts this amendment.

And, I compliment Mr. McHale as well as Mr. Roemer for all the good work that they have done on this issue of Weather Service Privatization. I know in both your cases that it's something that is near and dear to your hearts and you believe this is an important responsibility and you make sure that the job is done right.

And, I really appreciate—even if there is some disagreement, you folks are very responsible people. And, you have my admiration for the hard work you've put into this.

So, with that support, I guess we will just bring it to a vote. If there is no further discussion, I will bring the Roemer amendment to a vote.

And, those in favor of the Roemer amendment will signify by saying aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All opposed will say no.

[No response.]

Mr. ROHRABACHER. It appears that the ayes have it. And, the Roemer amendment is agreed to.

Do we have any further amendments? Are there any further amendments?

[No response.]

Mr. ROHRABACHER. Hearing none, the Chair moves the bill, as amended. All those in favor will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. All those opposed will say no.

[A chorus of nays.]

Mr. WALKER. Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. WALKER. Mr. Chairman, I don't believe that you have a quorum in the room. And, so, therefore, we may have to wait until we can round up enough members to come in to finalize the vote, because—

Mr. ROHRABACHER. This is a voice vote right now.

Mr. WALKER. Right.

[The Chairman is conferring with staff.]

Mr. ROHRABACHER. So, with the—it appears that the ayes have it. It is the opinion of the Chair that the ayes have it.

Mr. WALKER. I believe we do have a quorum now. We have 11 of ours in the room. So, okay.

Mr. ROHRABACHER. We are now moving to final passage.

[The Chairman is conferring with staff.]

Mr. ROHRABACHER. We just passed the bill.

[The Chairman is conferring with staff.]

Mr. ROHRABACHER. We have been asked for a roll call vote on the final passage which was—which is what we just voted.

Mr. MCHALE. Right. Ask for a roll call.

[The Chairman is conferring with staff.]

Ms. RIVERS. A point of order. It appears there is not a quorum present.

Mr. ROHRABACHER. A point of order has been raised that a quorum is not present. The Chair calls for a recess of 10 minutes.

And, after that, we will reconvene and hopefully we will have a quorum present at that time.

[Whereupon, a recess is taken at 5:26 p.m., to reconvene at 5:38 p.m., this same date.]

Mr. ROHRABACHER. The Chair will be calling the meeting back to order. The Chair believes a quorum is present.

The Clerk will call the roll.

The CLERK. Mr. Rohrabacher.

Mr. ROHRABACHER. This is a vote on final passage, a vote on final passage.

Mr. Rohrabacher votes yes.

The CLERK. Mr. Rohrabacher votes yes. Mr. Fawell.

[No response.]

The CLERK. Mr. Weldon.

Mr. WELDON. Yes.

The CLERK. Mr. Weldon votes yes. Mr. Bartlett.

Mr. BARTLETT. Yes.

The CLERK. Mr. Bartlett votes yes. Mr. Wamp.

[No response.]

The CLERK. Mr. Graham.

Mr. GRAHAM. Yes.

The CLERK. Mr. Graham votes yes. Mr. Salmon.

[No response.]

The CLERK. Mr. Davis.

Mr. DAVIS. Yes.

The CLERK. Mr. Davis votes yes. Mr. Largent.

[No response.]

The CLERK. Mrs. Cubin.

Mrs. CUBIN. Yes.

The CLERK. Mrs. Cubin votes yes. Mr. Foley.

Mr. FOLEY. Yes.

The CLERK. Mr. Foley votes yes. Mr. Schiff.

Mr. SCHIFF. Yes.

The CLERK. Mr. Schiff votes yes. Mr. Baker.

Mr. BAKER. Yes.

The CLERK. Mr. Baker votes yes. Mr. Ehlers.

Mr. EHLERS. Yes.

The CLERK. Mr. Ehlers votes yes. Mr. Stockman.

Mr. STOCKMAN. Yes.

The CLERK. Mr. Stockman votes yes. Mr. Walker.

Mr. WALKER. Yes.

The CLERK. Mr. Walker votes yes. Mr. Hayes.

[No response.]

The CLERK. Mr. Minge.

[No response.]

The CLERK. Mr. Olver.

[No response.]

The CLERK. Mr. Ward.

[No response.]

The CLERK. Mr. Doyle.

[No response.]

The CLERK. Mr. Roemer.

[No response.]

The CLERK. Mr. Cramer.

[No response.]

The CLERK. Mr. Barcia.

Mr. BARCIA. Yes.

The CLERK. Mr. Barcia votes yes. Mr. McHale.

Mr. MCHALE. No.

The CLERK. Mr. McHale votes no. Ms. Johnson.

Ms. JOHNSON. No.

The CLERK. Ms. Rivers.

Ms. RIVERS. No.

The CLERK. Ms. Rivers votes no. Ms. Johnson votes no. Ms. McCarthy.

[No response.]

The CLERK. Mr. Brown.

[No response.]

Mr. ROHRABACHER. The Clerk will report the vote.

The CLERK. Mr. Chairman, I count 13 yea's, three nay's.

Mr. ROHRABACHER. It appears that the ayes have it. And, the bill is agreed to and passed.

Mr. WALKER. Mr. Chairman, I ask that a clean bill be prepared by the Chairman for introduction in the House for further consideration by the Committee.

Mr. ROHRABACHER. With no objection—

Mrs. CUBIN. Mr. Chairman, may I make a brief statement?

Mr. ROHRABACHER. Mrs. Cubin.

Mrs. CUBIN. I would like to thank you and all of the Committee for the hard work that you've put into this bill. And, I do support this legislation.

Mr. Chairman, I want to ensure that the ongoing effort to modernize the National Weather Service station in Riverton, Wyoming continues to move forward and that the site opens on schedule. I believe that the bill accomplishes this goal, but I would like to make a request that report language be included to this effect.

My office has worked with the Committee staff on suggested language.

Mr. ROHRABACHER. Yes, thank you.

Mr. SCHIFF. Mr. Chairman, may I be recognized?

Mr. ROHRABACHER. One moment. On Mr. Walker's motion, the Subcommittee has heard the motion.

Those in favor will say aye.

[A chorus of ayes.]

Mr. ROHRABACHER. Those opposed will say no.

[No response.]

Mr. ROHRABACHER. The motion is agreed to. And, the bill be reported.

Without objection, the motion to reconsider is laid upon the table.

Mr. Schiff.

Mr. SCHIFF. Five seconds, Mr. Chairman. I just want to compliment you and Mr. Walker.

In the last amendment by Mr. Ehlers, there were two no votes that I heard. And, I heard them both behind me.

And, I've been here long enough in previous congresses to know those two votes would have carried the day in previous committees. So, I congratulate you for standing by your statement that one person, one vote.

Thank you.

Mr. ROHRABACHER. I would just like to close this hearing by saying—this markup, I should say, by saying that we have really accomplished a great deal today. It has been a lot of hard work.

This was the first markup that I have ever chaired. And, so I was a little bit rusty.

But, there is also something that we should all be aware of. We are all in new roles.

I mean, I had the distinguished former Chairman, Mr. Brown, who was here in a totally different role than he has been in for the entire time that I've been in the United States Congress; and, Mr. Walker, who is now the Chairman of the overall Committee. And, we are all trying to make sure that we are not just comfortable but doing what we have to be doing—have to do in our new responsibilities the very best way we can. And, in terms of the way this Committee, the Subcommittee, has functioned during this markup, I am very pleased that we are able to keep the process as open as we did.

We—I operated in good faith that anybody who wanted to try to rearrange the priorities within the caps that we've been given were permitted to have that opportunity. And, in many cases, the decisions were made not by the Republicans on one side versus the Democrats on the other but by groups of people who are members of this Committee making the decision that this was the right priority to have on the particular item that was being voted on.

And, I think that's exactly the type of spirit. It's a democratic spirit that I would like to maintain.

And, I'm very pleased with the way we have turned out.

Mr. WALKER. Mr. Chairman.

Mr. ROHRABACHER. Yes.

Mr. WALKER. Let me compliment you. I mean, this is a tough job for somebody who has never done any markups before as Chairman.

And, to have done three bills today and done them in a way that gave the whole Subcommittee an opportunity to have their voice, I think is a compliment to you and your staff. And, we thank you for the hard work that went into getting us ready for this and taking us through it.

Thank you.

Mr. ROHRABACHER. Okay. With that, I declare that this markup is adjourned.

[Whereupon, the hearing was concluded at 5:35 p.m.]

[Additional material follows:]

COMMITTEE ON SCIENCE

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

SUBCOMMITTEE MARKUP - JUNE 8, 1995

AMENDMENT ROSTER

I. H.R. -- The National Oceanic and Atmospheric Administration Authorization Act of 1995.

-- Motion to report the measure as amended to the Full Committee - Adopted by roll call vote 13-3

No.	Sponsor	Description	Results
1.	Mr. Cramer	Amendment to alter limitation on acquisition of new NEXRAD's	Not offered
2.	Mr. Roemer	Amendment to alter limitation on acquisition of new NEXRAD's	Not offered
3.	Mr. Cramer	Amendment to strike language repealing certification requirements under NWS Modernization Act	Not offered
4.	Mr. McHale	Amendment to strike language repealing certification requirements under NWS Modernization Act	Defeated by voice vote
5.	Mr. Weldon (PA)	En bloc amendment to authorize funding for GLOBE	Adopted by roll call vote 8-5
6.	Mr. Roemer (offered by Mr. McHale)	Amends language in the "Duties of the National Weather Service" section	Adopted by voice vote
7.	Mr. Ehlers	En bloc amendment to strike Section 401(a) paragraphs 8 and 15	Adopted by voice vote

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS ---- ROLL CALL

SUBJECT: Motion to report measure to Full Committee

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA			✓		
2159	5-3515	Mr. Fawell , R-IL			✓		
2452	5-2011	Mr. Weldon, R-PA			✓		
322	5-2721	Mr. Bartlett, R-MD			✓		
423	5-3271	Mr. Wamp, R-TN					
1429	5-5301	Mr. Graham, R-SC			✓		
115	5-2635	Mr. Salmon, R-AZ					
415	5-1492	Mr. Davis, R-VA			✓		
410	5-2211	Mr. Largent, R-OK					
1114	5-2311	Mrs. Cubin, R-WY			✓		
506	5-5792	Mr. Foley, R-FL			✓		
2404	5-6316	Mr. Schiff, R-NM			✓		
1724	5-1880	Mr. Baker, R-CA			✓		
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX			✓		
2369	5-2411	Mr. Walker, R-PA			✓		
2432	5-2031	Mr. Hayes, D-LA					
1415	5-2331	Mr. Minge, D-MN					
1027	5-5335	Mr. Olver, D-MA					
1032	5-5401	Mr. Ward, D-KY					
1218	5-2135	Mr. Doyle, D-PA					
407	5-3915	Mr. Roemer, D-IN					
236	5-4801	Mr. Cramer, D-AL					
1410	5-8171	Mr. Barcia, D-MI			✓		
217	5-6411	Mr. McHale, D-PA				✓	
1123	5-8885	Ms. Johnson, D-TX				✓	
1116	5-6261	Ms. Rivers, D-MI				✓	
1232	5-4535	Ms. McCarthy, D-MO					
2300	5-6161	Mr. Brown, D-CA					

Attest: Ellen A. Rome (Clerk) Total: Y 13 N 3

AMENDMENT TO THE NOAA
AUTHORIZATION BILL

OFFERED BY REP. CRAMER

Page 4, strike lines 3 through 6, and insert the following:

3 (1) it is identified as a National Weather Service
4 NEXRAD installation in a National Implementation
5 Plan for modernization of the National
6 Weather Service for any fiscal year, as required under

AMENDMENT TO THE SUBCOMMITTEE PRINT OFFERED BY MR. ROEMER

Page 4, line 9, strike "or".

Page 4, after line 9, insert the following new paragraph:

1 (2) the National Research Council recommends
2 the establishment of such installation in the report
3 on National Weather Service modernization re-
4 quested by the National Weather Service; or

Page 4, line 10, strike "(2)" and insert in lieu thereof "(3)".

AMENDMENT TO THE NOAA AUTHORIZATION BILL

OFFERED BY REP. CRAMER

Page 5, strike lines 18 through 25.

Page 6, strike lines 1 through 13.

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. MCHALE

Page 5, line 18, through page 6, line 13, strike subsection (f).

AMENDMENT TO THE NOAA AUTHORIZATION BILL

OFFERED BY REP. CURT WELDON

Page 7, after line 3, insert the following new subsection:

1 (c) GLOBE AUTHORIZATION.--There are authorized to be
2 appropriated to the Secretary to enable the National
3 Oceanic and Atmospheric Administration to carry out the
4 Global Learning and Observations to Benefit the Environment
5 program, $7,000,000 for fiscal year 1996.

Page 13, line 2, strike "$23,883,000" and insert in lieu thereof "20,632,000".

Page 13, line 9, strike "$33,749,000" and insert in lieu thereof "$30,000,000".

Page 15, line 20 and 21, strike "Global Learning and Observations to Benefit the Environment." and insert in lieu thereof "National Institute for Environmental Renewal."

Page 16, line 15, strike paragraph (22).

SUBCOMMITTEE ON ENERGY AND ENVIRONMENT - 104TH CONGRESS **** ROLL CALL

SUBJECT: Weldon Amendment (#5)

Rm.	Phone	Name	Present	Absent	Yea	Nay	Not Voting
2338	5-2415	Mr. Rohrabacher, R-CA					
2159	5-3515	Mr. Fawell , R-IL				✓	
2452	5-2011	Mr. Weldon, R-PA			✓		
322	5-2721	Mr. Bartlett, R-MD			✓		
423	5-3271	Mr. Wamp, R-TN					
1429	5-5301	Mr. Graham, R-SC				✓	
115	5-2635	Mr. Salmon, R-AZ				✓	
415	5-1492	Mr. Davis, R-VA					
410	5-2211	Mr. Largent, R-OK					
1114	5-2311	Mrs. Cubin, R-WY					
506	5-5792	Mr. Foley, R-FL					
2404	5-6316	Mr. Schiff, R-NM			✓		
1724	5-1880	Mr. Baker, R-CA				✓	
1717	5-3831	Mr. Ehlers, R-MI			✓		
417	5-6565	Mr. Stockman, R-TX				✓	
2369	5-2411	Mr. Walker, R-PA			✓		
2432	5-2031	Mr. Hayes, D-LA					
1415	5-2331	Mr. Minge, D-MN				✓	
1027	5-5335	Mr. Olver, D-MA					
1032	5-5401	Mr. Ward, D-KY					
1218	5-2135	Mr. Doyle, D-PA					
407	5-3915	Mr. Roemer, D-IN					
236	5-4801	Mr. Cramer, D-AL					
1410	5-8171	Mr. Barcia, D-MI					
217	5-6411	Mr. McHale, D-PA			✓		
1123	5-8885	Mrs. Johnson, D-TX			✓		
1116	5-6261	Mrs. Rivers, D-MI			✓		
1232	5-4535	Ms. McCarthy, D-MO					
2300	5-6161	Mr. Brown, D-CA					

Attest: Jennifer Dickerson (Clerk) Total: Y 8 N 5

-6-

F:\M4\ROEMER\ROEMER.036 H.L.C.

AMENDMENT TO THE SUBCOMMITTEE PRINT

OFFERED BY MR. ROEMER

Page 19, lines 20 and 21, amend paragraph (1) to read as follows:

1 (1) forecasts and shall serve as the sole official
2 source of weather warnings;

AMENDMENT TO THE SUBCOMMITTEE PRINT
OFFERED BY MR. EHLERS

Page 15, lines 18-19, strike paragraph (8)

Page 16, line 3, strike paragraph (15)

XVIII. PROCEEDINGS FROM FULL COMMITTEE MARKUP

FULL COMMITTEE MARKUP—H.R. 1815, THE NOAA AUTHORIZATION ACT OF 1995

WEDNESDAY, JUNE 28, 1995

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE,
Washington, DC.

The committee met at 12:10 p.m. in Room 2318 of the Rayburn House Office Building, the Honorable Robert S. Walker, chairman of the committee, presiding.÷

The CHAIRMAN. Good afternoon.

Pursuant to notice, the Committee on Science is meeting today to consider the following measures:

HR 1815—the National Oceanic and Atmospheric Administration Authorization Act of 1995;

HR 1175, the Marine Resources Revitalization Act of 1995;

HR 1601, the International Space Station Authorization Act of 1995;

HR 1851, the U.S. Fire Administration Act;

HR 1852, the National Science Foundation Authorization Act; and

HR 1870, the American Technology Advancement Act of 1995.

The Chair would request unanimous consent for authority to recess.

Is there objection?

[No response.]

The CHAIRMAN. If there is no objection, so ordered.

I have an opening statement then on the bill HR 1815.

Then we'll recognize Mr. Brown for an opening statement.

[The bill follows:]

I

104TH CONGRESS
1ST SESSION

H. R. 1815

To authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 13, 1995

Mr. ROHRABACHER (for himself and Mr. HAYES) 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

---

A BILL

To authorize appropriations for the National Oceanic and Atmospheric Administration for fiscal year 1996, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Oceanic and Atmospheric Administration Authorization Act of 1995".

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

1 (1) "Act of 1890" means the Act entitled "An
2 Act to increase the efficiency and reduce the ex-
3 penses of the Signal Corps of the Army, and to
4 transfer the Weather Bureau to the Department of
5 Agriculture", approved October 1, 1890 (26 Stat.
6 653);
7 (2) "Act of 1947" means the Act entitled "An
8 Act to define the functions and duties of the Coast
9 and Geodetic Survey, and for other purposes", ap-
10 proved August 6, 1947 (33 U.S.C. 883a et seq.);
11 (3) "Act of 1970" means the Act entitled "An
12 Act to clarify the status and benefits of commis-
13 sioned officers of the National Oceanic and Atmos-
14 pheric Administration, and for other purposes", ap-
15 proved December 31, 1970 (33 U.S.C. 857–1 et
16 seq.);
17 (4) "Administrator" means the Administrator
18 of the National Oceanic and Atmospheric Adminis-
19 tration; and
20 (5) "Secretary" means the Secretary of Com-
21 merce.

TITLE I—ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS

SEC. 101. NATIONAL WEATHER SERVICE.

(a) OPERATIONS AND RESEARCH.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the operations and research duties of the National Weather Service, $472,338,000 for fiscal year 1996. Such duties include meteorological, hydrological, and oceanographic public warnings and forecasts, as well as applied research in support of such warnings and forecasts.

(b) SYSTEMS ACQUISITION.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out the public warning and forecast systems duties of the National Weather Service, $79,034,000 for fiscal year 1996. Such duties include the development, acquisition, and implementation of major public warning and forecast systems. None of the funds authorized under this subsection shall be used for the purposes for which funds are authorized under section 102(b) of the National Oceanic and Atmospheric Administration Authorization Act of 1992 (Public Law 102–567). None of the funds authorized by such sec-

1 tion 102(b) shall be expended for a particular NEXRAD
2 installation unless—
3 (1) it is identified as a National Weather Serv-
4 ice NEXRAD installation in the National Implemen-
5 tation Plan for modernization of the National
6 Weather Service for fiscal year 1995, required under
7 section 703 of the National Oceanic and Atmos-
8 pheric Administration Authorization Act of 1992
9 (Public Law 102–567); or
10 (2) it is to be used only for spare parts, not as
11 an installation at a particular site.
12 (c) ASOS PROGRAM AUTHORIZATION.—Of the sums
13 authorized in subsection (b), $16,952,000 for fiscal year
14 1996 are authorized to be appropriated to the Secretary,
15 for the acquisition and deployment of—
16 (A) the Automated Surface Observing System
17 and related systems, including multisensor and
18 backup arrays for National Weather Service sites at
19 airports; and
20 (B) Automated Meteorological Observing Sys-
21 tem and Remote Automated Meteorological Observ-
22 ing System replacement units,
23 and to cover all associated activities, including program
24 management and operations and maintenance.

1 (d) AWIPS AUTHORIZATION.—Of the sums author-
2 ized in subsection (b), there are authorized to be appro-
3 priated to the Secretary $52,097,000 for fiscal year 1996,
4 to remain available until expended, for—
5 (1) the acquisition and deployment of the Ad-
6 vanced Weather Interactive Processing System and
7 NOAA Port and associated activities; and
8 (2) associated program management and oper-
9 ations and maintenance.
10 (e) CONSTRUCTION OF WEATHER FORECAST OF-
11 FICES.—There are authorized to be appropriated to the
12 Secretary to enable the National Oceanic and Atmospheric
13 Administration to carry out construction, repair, and
14 modification activities relating to new and existing weath-
15 er forecast offices, $20,628,000 for fiscal year 1996. Such
16 activities include planning, design, and land acquisition re-
17 lated to such offices.
18 (f) STREAMLINING WEATHER SERVICE MODERNIZA-
19 TION.—
20 (1) REPEALS.—Sections 706 and 707 of the
21 Weather Service Modernization Act (15 U.S.C. 313
22 note) are repealed.
23 (2) CONFORMING AMENDMENTS.—The Weather
24 Service Modernization Act (15 U.S.C. 313 note) is
25 amended—

(A) in section 702, by striking paragraph (3) and redesignating paragraphs (4) through (10) as paragraphs (3) through (9), respectively; and

(B) in section 703—

(i) by striking "(a) NATIONAL IMPLEMENTATION PLAN.—";

(ii) by striking paragraph (3) and redesignating paragraphs (4), (5), and (6) as paragraphs (3), (4), and (5), respectively; and

(iii) by striking subsections (b) and (c).

SEC. 102. ATMOSPHERIC RESEARCH.

(a) CLIMATE AND AIR QUALITY RESEARCH.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its climate and air quality research duties, $86,757,000 for fiscal year 1996. Such duties include interannual and seasonal climate research and long-term climate and air quality research.

(b) ATMOSPHERIC PROGRAMS.—There are authorized to be appropriated to the Secretary to enable the National Oceanic and Atmospheric Administration to carry out its atmospheric research duties, $39,894,000 for fiscal

1 year 1996. Such duties include research for developing im-
2 proved prediction capabilities for atmospheric processes,
3 as well as solar-terrestrial research and services.

4 (c) GLOBE AUTHORIZATION.—There are authorized
5 to be appropriated to the Secretary to enable the National
6 Oceanic and Atmospheric Administration to carry out the
7 Global Learning and Observations to Benefit the Environ-
8 ment program, $7,000,000 for fiscal year 1996.

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

11 (a) SATELLITE OBSERVING SYSTEMS.—There are
12 authorized to be appropriated to the Secretary to enable
13 the National Oceanic and Atmospheric Administration to
14 carry out its satellite observing systems duties,
15 $323,906,000 for fiscal year 1996, to remain available
16 until expended. None of the funds authorized under this
17 subsection shall be used for the purposes for which funds
18 are authorized under section 105(d) of the National Oce-
19 anic and Atmospheric Administration Authorization Act
20 of 1992 (Public Law 102–567). Such duties include space-
21 craft procurement, launch, and associated ground station
22 systems involving polar orbiting and geostationary envi-
23 ronmental satellites, as well as the operation of such sat-
24 ellites. None of the funds authorized under this subsection
25 shall be used for the purposes for which funds are author-

1 ized under section 105(d) of the National Oceanic and At-
2 mospheric Administration Authorization Act of 1992
3 (Public Law 102–567).

4 (b) POES PROGRAM AUTHORIZATION.—Of the sums
5 authorized in subsection (a), there are authorized to be
6 appropriated to the Secretary $188,883,000 for fiscal year
7 1996, to remain available until expended, for the procure-
8 ment of Polar Orbiting Environmental Satellites K, L, M,
9 N, and N[1], and the procurement of the launching and sup-
10 porting ground systems of such satellites.

11 (c) GEOSTATIONARY OPERATIONAL ENVIRONMENTAL
12 SATELLITES.—Of the sums authorized in subsection (a),
13 there are authorized to be appropriated to the Adminis-
14 trator $46,300,000 for fiscal year 1996, to remain avail-
15 able until expended—

16 (1) to procure up to three additional Geo-
17 stationary Operational Environmental NEXT Sat-
18 ellites (GOES I–M clones) and instruments; and

19 (2) for contracts, and amendments or modifica-
20 tions of contracts, with the developer of previous
21 GOES-NEXT satellites for the acquisition of the ad-
22 ditional satellites and instruments described in para-
23 graph (1).

24 (d) ENVIRONMENTAL DATA AND INFORMATION
25 SERVICES.—There are authorized to be appropriated to

1 the Secretary to enable the National Oceanic and Atmos-
2 pheric Administration to carry out its environmental data
3 and information services duties, $31,207,000 for fiscal
4 year 1996. Such duties include climate data services, geo-
5 physical data services, and environmental assessment and
6 information services.

7 (e) NATIONAL POLAR-ORBITING OPERATIONAL EN-
8 VIRONMENTAL SATELLITE SYSTEM PROGRAM AUTHOR-
9 IZATION.—Of the sums authorized in subsection (a), there
10 are authorized to be appropriated to the Secretary, for fis-
11 cal year 1996, $39,500,000, to remain available until ex-
12 pended, for the procurement of the National Polar-
13 Orbiting Operational Environmental Satellite System, and
14 the procurement of the launching and supporting ground
15 systems of such satellites.

16 TITLE II—MARINE RESEARCH

17 **SEC. 201. NATIONAL OCEAN SERVICE.**

18 (a) MAPPING AND CHARTING.—There are authorized
19 to be appropriated to the Secretary, to enable the National
20 Oceanic and Atmospheric Administration to carry out
21 mapping and charting activities under the Act of 1947 and
22 any other law involving those activities, $29,149,000.

23 (b) GEODESY.—There are authorized to be appro-
24 priated to the Secretary, to enable the National Oceanic
25 and Atmospheric Administration to carry out geodesy ac-

1 tivities under the Act of 1947 and any other law involving
2 those activities, $19,927,000 for fiscal year 1996.
3 (c) OBSERVATION AND PREDICTION.—
4 (1) IN GENERAL.—There are authorized to be
5 appropriated to the Secretary, to enable the Na-
6 tional Oceanic and Atmospheric Administration to
7 carry out observation and prediction activities under
8 the Act of 1947 and any other law involving those
9 activities, $11,279,000 for fiscal year 1996.
10 (2) CIRCULATORY SURVEY PROGRAM.—In addi-
11 tion to amounts authorized under paragraph (1),
12 there are authorized to be appropriated to the Sec-
13 retary, to enable the National Oceanic and Atmos-
14 pheric Administration to carry out the Circulatory
15 Survey Program, $695,000 for fiscal year 1996.
16 (3) OCEAN AND EARTH SCIENCES.—In addition
17 to amounts authorized under paragraph (1), there
18 are authorized to be appropriated to the Secretary,
19 to enable the National Oceanic and Atmospheric Ad-
20 ministration to carry out ocean and earth science ac-
21 tivities, $4,231,000 for fiscal year 1996.
22 (d) ESTUARINE AND COASTAL ASSESSMENT.—
23 (1) IN GENERAL.—There are authorized to be
24 appropriated to the Secretary, to enable the Na-
25 tional Oceanic and Atmospheric Administration to

1 support estuarine and coastal assessment activities
2 under the Act of 1947 and any other law involving
3 those activities, $1,171,000 for fiscal year 1996.
4 (2) OCEAN ASSESSMENT.—In addition to
5 amounts authorized under paragraph (1), there are
6 authorized to be appropriated to the Secretary, to
7 enable the National Oceanic and Atmospheric Ad-
8 ministration to carry out the National Status and
9 Trends Program, the Strategic Environmental As-
10 sessment Program, and the Hazardous Materials
11 Response Program, $8,401,000 for fiscal year 1996.
12 (3) DAMAGE ASSESSMENT PROGRAM.—In addi-
13 tion to amounts authorized under paragraph (1),
14 there are authorized to be appropriated to the Sec-
15 retary, to enable the National Oceanic and Atmos-
16 pheric Administration to carry out the Damage As-
17 sessment Program, $585,000 for fiscal year 1996.
18 (4) COASTAL OCEAN PROGRAM.—In addition to
19 amounts authorized under paragraph (1), there are
20 authorized to be appropriated to the Secretary, to
21 enable the National Oceanic and Atmospheric Ad-
22 ministration to carry out the Coastal Ocean Pro-
23 gram, $9,158,000 for fiscal year 1996.

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

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
5 carry out marine prediction research activities under the
6 Act of 1947, the Act of 1890, and any other law involving
7 those activities, $13,763,000 for fiscal year 1996.

8 (b) NATIONAL SEA GRANT COLLEGE PROGRAM.—(1)
9 Section 212(a) of the National Sea Grant College Pro-
10 gram Act (33 U.S.C. 1131(a)) is amended to read as fol-
11 lows:

12 "(a) GRANTS AND CONTRACTS; FELLOWSHIPS.—
13 There are authorized to be appropriated to carry out sec-
14 tions 205 and 208, $34,500,000 for fiscal year 1996.".

15 (2) Section 212(b) of the National Sea Grant College
16 Program Act (33 U.S.C. 1131(b)) is amended by striking
17 "an amount" and all that follows through "not to exceed
18 $2,900,000" and inserting in lieu thereof "$1,500,000 for
19 fiscal year 1996".

20 (3) Section 203(4) of the National Sea Grant College
21 Program Act (33 U.S.C. 1122(4)) is amended by striking
22 "discipline or field" and all that follows through "public
23 administration)" and inserting in lieu thereof "field or dis-
24 cipline involving scientific research".

TITLE III—PROGRAM SUPPORT

SEC. 301. PROGRAM SUPPORT.

(a) EXECUTIVE DIRECTION AND ADMINISTRATIVE ACTIVITIES.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out executive direction and administrative activities under the Act of 1970 and any other law involving those activities, $20,632,000 for fiscal year 1996.

(b) CENTRAL ADMINISTRATIVE SUPPORT.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out central administrative support activities under the Act of 1970 and any other law involving those activities, $30,000,000 for fiscal year 1996.

(c) RETIRED PAY.—There are authorized to be appropriated to the Secretary, for retired pay for retired commissioned officers of the National Oceanic and Atmospheric Administration under the Act of 1970, $7,706,000 for fiscal year 1996.

(d) MARINE SERVICES.—

(1) CONTRACTING AUTHORITY.—Notwithstanding any other provision of law, the Secretary is authorized to enter into contracts for data or days-at-sea to fulfill the National Oceanic and Atmospheric

1 Administration missions of marine research, climate
2 research, fisheries research, and mapping and chart-
3 ing services.
4 (2) UNOLS VESSEL AGREEMENTS.—In fulfill-
5 ing the National Oceanic and Atmospheric Adminis-
6 tration mission requirements described in paragraph
7 (1), the Secretary shall use excess capacity of Uni-
8 versity-National Oceanographic Laboratory System
9 vessels where appropriate, and may enter into
10 memoranda of agreement with operators of those
11 vessels to carry out those mission requirements.
12 (3) AUTHORIZATION OF APPROPRIATIONS.—
13 There are authorized to be appropriated to the Sec-
14 retary, to enable the National Oceanic and Atmos-
15 pheric Administration to carry out marine services
16 activities, including activities described in para-
17 graphs (1) and (2), $60,689,000 for fiscal year
18 1996.
19 (e) AIRCRAFT SERVICES.—There are authorized to be
20 appropriated to the Secretary, to enable the National Oce-
21 anic and Atmospheric Administration to carry out aircraft
22 services activities (including aircraft operations, mainte-
23 nance, and support) under the Act of 1970 and any other
24 law involving those activities, $9,548,000 for fiscal year
25 1996.

(f) FACILITIES REPAIRS AND RENOVATIONS.—There are authorized to be appropriated to the Secretary, to enable the National Oceanic and Atmospheric Administration to carry out facilities repairs and renovations, $7,374,000 for fiscal year 1996.

TITLE IV—STREAMLINING OF OPERATIONS

SEC. 401. PROGRAM TERMINATIONS.

(a) TERMINATIONS.—No funds may be appropriated for the following programs and accounts:

(1) The National Undersea Research Program.

(2) The Fleet Modernization, Shipbuilding, and Construction Account.

(3) The Charleston, South Carolina, Special Management Plan.

(4) Chesapeake Bay Observation Buoys.

(5) Federal/State Weather Modernization Grants.

(6) The Southeast Storm Research Account.

(7) The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program.

(8) National Institute for Environmental Renewal.

(9) The Lake Champlain Study.

1 (10) The Maine Marine Research Center.

2 (11) The South Carolina Cooperative Geodetic
3 Survey Account.

4 (12) Pacific Island Technical Assistance.

5 (13) Sea Grant/Oyster Disease Account.

6 (14) National Coastal Research and Develop-
7 ment Institute Account.

8 (15) VENTS program.

9 (16) National Weather Service Agriculture and
10 Fruit Frost Program.

11 (17) National Weather Service Fire Weather
12 Service.

13 (18) National Weather Service Regional Cli-
14 mate Centers.

15 (19) National Weather Service Samoa Weather
16 Forecast Office Repair and Upgrade Account.

17 (b) REPORT.—Not later than 60 days after the date
18 of the enactment of this Act, the Secretary shall submit
19 to the Committee on Science of the House of Representa-
20 tives and the Committee on Commerce, Science, and
21 Transportation of the Senate a report certifying that all
22 the programs listed in subsection (a) will be terminated
23 no later than September 30, 1995.

24 (c) REPEAL OF SEA GRANT PROGRAMS.—

1 (1) REPEALS.—(A) Section 208(b) of the Na-
2 tional Sea Grant College Program Act (33 U.S.C.
3 1127(b)) is repealed.
4 (B) Section 3 of the Sea Grant Program Im-
5 provement Act of 1976 (33 U.S.C. 1124a) is re-
6 pealed.
7 (2) CONFORMING AMENDMENT.—Section
8 209(b)(1) of the National Sea Grant College Pro-
9 gram Act (33 U.S.C. 1128(b)(1)) is amended by
10 striking "and section 3 of the Sea Grant Improve-
11 ment Act of 1976".
12 (d) ADDITIONAL REPEAL.—The NOAA Fleet Mod-
13 ernization Act (33 U.S.C. 851 note) is repealed.
14 **SEC. 402. LIMITATION ON APPROPRIATIONS.**
15 (a) SUBSEQUENT FISCAL YEARS.—Notwithstanding
16 any other provision of law, no funds are authorized to be
17 appropriated for any fiscal year after fiscal year 1996 for
18 carrying out the programs for which funds are authorized
19 by this Act.
20 (b) FISCAL YEAR 1996.—No more than
21 $1,692,470,000 is authorized to be appropriated to the
22 Secretary for fiscal year 1996, by this Act or any other
23 Act, to enable the National Oceanic and Atmospheric Ad-
24 ministration to carry out all activities associated with Op-
25 erations, Research, and Facilities.

1 (c) REDUCTION IN TRAVEL BUDGET.—Of the sums
2 appropriated under this Act for Operations, Research, and
3 Facilities, no more than $20,000,000 may be used for re-
4 imbursement of travel and related expenses for National
5 Oceanic and Atmospheric Administration personnel.

6 **SEC. 403. REDUCTION IN THE COMMISSIONED OFFICER**
7 **CORPS.**

8 (a) MAXIMUM NUMBER.—The total number of com-
9 missioned officers on the active list of the National Oce-
10 anic and Atmospheric Administration shall not exceed—
11 (1) 369 for fiscal year 1996;
12 (2) 100 for fiscal year 1997; and
13 (3) 50 for fiscal year 1998.
14 No such commissioned officers are authorized for any fis-
15 cal year after fiscal year 1998.
16 (b) SEPARATION PAY.—The Secretary may make
17 separations required pursuant to subsection (a) without
18 providing separation pay.

19 **TITLE V—MISCELLANEOUS**

20 **SEC. 501. WEATHER DATA BUOYS.**

21 (a) PROHIBITION.—It shall be unlawful for any unau-
22 thorized person to remove, change the location of, ob-
23 struct, willfully damage, make fast to, or interfere with
24 any weather data buoy established, installed, operated, or
25 maintained by the National Data Buoy Center.

1 (b) CIVIL PENALTIES.—The Administrator is author-
2 ized to assess a civil penalty against any person who vio-
3 lates any provision of this section in an amount of not
4 more than $10,000 for each violation. Each day during
5 which such violation continues shall be considered a new
6 offense. Such penalties shall be assessed after notice and
7 opportunity for a hearing.

8 (c) REWARDS.—The Administrator may offer and
9 pay rewards for the apprehension and conviction, or for
10 information helpful therein, of persons found interfering,
11 in violation of law, with data buoys maintained by the Na-
12 tional Data Buoy Center; or for information leading to
13 the discovery of missing National Weather Service prop-
14 erty or the recovery thereof.

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

16 (a) IN GENERAL.—To protect life and property and
17 enhance the national economy, the Secretary, through the
18 National Weather Service, except as outlined in subsection
19 (b), shall be responsible for—

20 (1) forecasts and shall serve as the sole official
21 source of weather warnings;

22 (2) the issue of storm warnings;

23 (3) the collection, exchange, and distribution of
24 meteorological, hydrological, climatic, and oceano-
25 graphic data and information; and

1 (4) the preparation of hydrometeorological guid-
2 ance and core forecast information.
3 (b) COMPETITION WITH PRIVATE SECTOR.—The
4 National Weather Service shall not compete, or assist
5 other entities to compete, with the private sector when a
6 service is currently provided or can be provided by com-
7 mercial enterprise, unless—
8 (1) the Secretary finds that the private sector
9 is unwilling or unable to provide the services; and
10 (2) the service provides vital weather warnings
11 and forecasts for the protection of lives and property
12 of the general public.
13 (c) AMENDMENTS.—The Act of 1890 is amended—
14 (1) by striking section 3 (15 U.S.C. 313); and
15 (2) in section 9 (15 U.S.C. 317), by striking all
16 after "Department of Commerce" and inserting in
17 lieu thereof a period.
18 (d) REPORT.—Not later than 60 days after the date
19 of the enactment of this Act, the Secretary shall submit
20 to the Committee on Science of the House of Representa-
21 tives and the Committee on Commerce, Science, and
22 Transportation of the Senate a report detailing all Na-
23 tional Weather Service activities which do not conform to
24 the requirements of this section and outlining a timetable
25 for their termination.

1 **SEC. 503. REIMBURSEMENT OF EXPENSES.**

2 (a) IN GENERAL.—Notwithstanding section 3302 (b)
3 and (c) of title 31, United States Code, and subject to
4 subsection (b) of this section, all amounts received by the
5 United States in settlement of, or judgment for, damage
6 claims arising from the October 9, 1992, allision of the
7 vessel ZACHERY into the National Oceanic and Atmos-
8 pheric Administration research vessel DISCOVERER—

9 (1) shall be retained as an offsetting collection
10 in the Marine Services account of the National Oce-
11 anic and Atmospheric Administration;

12 (2) shall be deposited in that account upon re-
13 ceipt by the United States Government; and

14 (3) shall be available only for obligation for Na-
15 tional Oceanic and Atmospheric Administration ves-
16 sel repairs.

17 (b) LIMITATION.—Not more than $518,757.09 of the
18 amounts referred to in subsection (a) may be deposited
19 into the Marine Services account pursuant to subsection
20 (a).

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SECTION BY SECTION
H.R. 1815
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1995

Section 1. Short Title.

Entitles the act the "National Oceanic and Atmospheric Administration Authorization Act of 1995".

Section 2. Definitions.

Contains definitions of terms used in the Act.

TITLE I. -- ATMOSPHERIC, WEATHER, AND SATELLITE PROGRAMS

SEC. 101 NATIONAL WEATHER SERVICE.

(a) Authorizes $472,338,000 for fiscal year (FY) 1996 for operations and research activities of the National Weather Service.

(b) Authorizes $79,034,000 for acquisition of major public warning and forecast systems. None of the funds authorized under this subsection can be used for the purposes for which funds are authorized under 102 (b) of the NOAA Authorization Act of 1992 (Public Law 102-567) which authorizes NEXRAD. None of the funds authorized for NEXRAD will be expended for a particular NEXRAD installation unless (1) it is identified as a National Weather Service (NWS) NEXRAD installation in the National Implementation Plan for modernization of NWS for fiscal year 1995, required under section 703 of NOAA Authorization Act of 1992 (Public Law 102-567) or (2) it is to be used only for spare parts, not as an installation at a particular site.

(c) (1) Authorizes $16,952,000 of the sums authorized in subsection (a) in FY 1996 for (A) the Automated Surface Observing System and (B) the Automated and Remote Automated Meteorological Observing System.

(d) (1) Authorizes $52,097,000 of the sums authorized in subsection (a) for the acquisition and deployment of the Advanced Weather Interactive Processing System (AWIPS) and NOAA Port and associated activities; and associated program management and operations and maintenance.

(e) Authorizes $20,628,000 for the planning, design, and land acquisition related to the construction of Weather Forecasting Offices.

(f) repeals certification requirements under Sections 706 and 707 of the Weather Service Modernization Act (15 U.S.C. 313 note) for closure of weather service offices and conforms the Act accordingly (15 U.S.C. 313 note).

Sec. 102 ATMOSPHERIC RESEARCH.

(a) Authorizes $86,757,000 for Climate and Air Quality Research, including interannual and seasonal climate research and long-term climate and air quality research.

(b) Authorizes $39,894,000 for Atmospheric Programs, including research for developing improved prediction capabilities for atmospheric processes, as well as solar-terrestrial research and services.

(c) Authorizes $7,000,000 for the Global Learning and Observations to Benefit the Environment program.

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

(a) Authorizes $323,906,000 for Satellite Observing Systems including spacecraft procurement, launch, and associated ground station systems involving polar orbiting and geostationary environmental satellites (GOES), as well as the operation of such satellites. None of these funds will be used for GOES I-M, authorized under section 105(d) of the NOAA Authorization Act of 1992.

(b) Authorizes $188,883,000 of the sums authorized in subsection (a) for the procurement of the Polar Orbiting Environmental Satellites (POES) K, L, M, N, and N^1 and their launching and supporting ground systems.

(c) Authorizes $46,300,000 of the sums authorized in subsection (a) for GOES NEXT (1) to procure up to three additional Geostationary Operational Environmental NEXT Satellites (GOES I-M clones) and instruments, (2) for contracts, and amendments or modifications of contracts, with the developer of previous GOES-NEXT satellites, for the acquisition of the additional satellites and instruments.

(d) Authorizes $31,207,000 for Environmental Data and Information Services including climate data services, geophysical data services, and environmental assessment and information services.

(e) Authorizes $39,500,000 of the sums authorized in subsection (a) for the procurement of the National Polar-Orbiting Operational Environmental Satellite System and its launching and supporting ground systems.

TITLE II. -- MARINE RESEARCH

SEC. 201 NATIONAL OCEAN SERVICE.

(a) Authorizes $29,149,000 for Mapping and Charting activities under the Act of 1947.

(b) Authorizes $19,927,000 for Geodesy activities under the Act of 1947.

(c) (1) Authorizes $11,279,000 for observation and prediction activities under the Act of 1947, (2) authorizes $695,000 for the Circulatory Survey Program, (3) authorizes $4,231,000 for ocean and earth science activities.

(d) (1) Authorizes $1,171,000 to support estuarine and coastal assessment activities under the Act of 1947; (2) authorizes $8,401,000 for the National Status and Trends, the Strategic Environmental Assessment, and the Hazardous Materials Response Programs; (3) authorizes $585,000 for the Damage Assessment Program; and (4) authorizes $9,158,000 for the Coastal Ocean Program.

SEC. 202 OCEAN AND GREAT LAKES RESEARCH.

(a) Authorizes $13,763,000 for marine prediction research activities under the Act of 1947, the Act of 1890, and any other law involving those activities.

(b) Authorizes 36,000,000 for the National Sea Grant College Program Act (33 U.S.C. 1121 et. seq.) of which (1) $34,500,000 will be used for the extramural program and (2) $1,500,000 will be used for NOAA administrative support; and (3) amends the National Sea Grant College Program Act to focus on scientific research.

TITLE III. -- PROGRAM SUPPORT

SEC. 301 PROGRAM SUPPORT.

(a) Authorizes $20,632,000 for executive and administrative activities.

(b) Authorizes $30,000,000 for central administrative support activities.

(c) Authorizes $7,706,000 for retired pay of retired commissioned officers of NOAA under the Act of 1970.

(d) (1) Gives the Secretary of Commerce the authority to contract out for data and days-at-sea. (2) Requires the Secretary to use excess days-at-sea from University-National Oceanographic Laboratory System vessels "where appropriate" and authorizes the Secretary to enter into a memorandum of agreement with University-National Oceanographic Laboratory System vessel operators. (3) Authorizes $60,689,000 for marine service activities (including activities outlined in (1) and (2)) for FY 1996.

(e) Authorizes $9,548,000 for aircraft service activities (including aircraft operations, maintenance, and support) under the Act of 1970 and any other law involving those activities.

(f) Authorizes $ 7,374,000 for facilities repairs and renovations.

TITLE IV. -- STREAMLINING OF OPERATIONS

SEC. 401 PROGRAM TERMINATIONS.

(a) The following programs and accounts are terminated:

(1) The National Undersea Research Program
(2) The Fleet Modernization, Shipbuilding, and Construction Account
(3) The Charleston, South Carolina, Special Management Plan
(4) Chesapeake Bay Observation Buoys
(5) Federal/State Weather Modernization Grants
(6) The Southeast Storm Research Account
(7)The Southeast United States Caribbean Fisheries Oceanographic Coordinated Investigations Program
(8) National Institute for Environmental Renewal
(9) The Lake Champlain Study
(10) The Maine Marine Research Center
(11) The South Carolina Cooperative Geodetic Survey Account
(12) Pacific Island Technical Assistance
(13) Sea Grant/Oyster Disease Account
(14) National Coastal Research and Development Institute Account
(15) VENTS program
(16) National Weather Service Agriculture and Fruit Frost Program
(17) National Weather Service Fire Weather Service
(18) National Weather Service Regional Climate Centers
(19) National Weather Service Samoa Weather Forecast Office Repair and Upgrade Account

(b) The Secretary, no later than 60 days after the date of this Act's enactment, will submit a report to Congress certifying that all programs listed in subsection (a) will be terminated by September 30, 1995.

(c) Repeals two programs of the National Sea Grant College Program Act (33 U.S.C. 1121 et seq.). (A) The Dean John Knauss Marine Policy Fellowship Program (33 U.S.C. 1127(b)) and (B) Sea Grant International Program (section 3 of The Sea Grant Program Improvement Act of 1976 (33 U.S.C. 1124a)).

(2) Conforms the National Sea Grant College Program Act to changes made in (c).

(d) Repeal of NOAA Fleet Modernization Act (33 U.S.C. 851 note).

SEC. 402 LIMITATION ON APPROPRIATIONS.

(a) Does not authorize funding for any fiscal year after 1996 for carrying out programs authorized under this Act.

(b) Authorizes no more than $1,692,470,000 to be appropriated to the Secretary to carry out all activities under NOAA's Operations, Research, and Facilities account.

(c) Authorizes no more than $20,000,000 of the sums appropriated to the Operations, Research, and Facilities account for travel and related expenses for NOAA personnel.

SEC. 403 REDUCTION IN THE COMMISSIONED OFFICER CORPS.

(a) Sets the total number of commissioned officers of the NOAA Corps at no more than 369 in FY 1996, 100 in FY 1997, 50 in FY 1998, and eliminates authorization for any fiscal year after 1998.

(b) Authorizes the Secretary to make separations required pursuant to (a) without providing separation pay.

TITLE V. -- MISCELLANEOUS

SEC. 501 WEATHER DATA BUOYS.

(a) Prohibits unauthorized persons from interfering with any National Data Buoy Center weather data buoys.

(b) Authorizes the Administrator to assess a penalty of not more than $10,000 for each violation of this section.

(c) Authorizes the Administrator to offer and pay rewards for information regarding violations of this section.

SEC. 502 DUTIES OF THE NATIONAL WEATHER SERVICE.

(a) Provides that the Secretary of Commerce, in order to protect life and property and enhance the national economy, through the NWS, shall be responsible for forecasts and shall serve as the sole official source of weather warnings; the issue of storm warnings; the collection, exchange, and distribution of meteorological, hydrological, climatic, and oceanographic data and information; and the preparation of hydrometeorological guidance and core forecast information; except as provided in subsection (b).

(b) Stipulates that the NWS will not compete with the private sector when a service is provided or can be provided by commercial enterprise unless the Secretary finds that the private sector is unwilling or unable to provide the service, and the service provides vital weather warnings and forecasts for the protection of lives and property of the general public.

(c) Amends the Act of 1890 accordingly.

(d) Requires the Secretary submit a report no later than 60 days after the enactment of this Act to Congress detailing all NWS activities which do not conform to the requirements of this section and outlining a timetable for their termination.

SEC. 503 REIMBURSEMENT OF EXPENSES.

(a) Stipulates that all amounts received by the United States in settlement of damage claims arising from the allision of the vessel ZACHERY into the NOAA vessel DISCOVERER shall be retained as an offsetting collection in the Marine Services account, shall be deposited in that account upon receipt by the United States Government, and shall be available only for obligation for NOAA vessel repairs.

(b) Stipulates that not more than $518,757.09 of the amounts in subsection (a) may be deposited into the Marine Services account.

SUBCOMMITTEE PRINT: NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION AUTHORIZATION ACT OF 1995 (H.R. 1815) AS ADOPTED BY THE SUBCOMMITTEE ON ENERGY AND ENVIRONMENT

COMMITTEE ON SCIENCE

U.S. HOUSE OF REPRESENTATIVES

HON. ROBERT S. WALKER

JUNE 20, 1995

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SUMMARY

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
National Ocean Service					
Mapping, Charting, and Geodesy	49,816	53,513	49,076	-740	-4,437
Observation and Assessment	66,591	74,091	42,732	-23,859	-31,359
Ocean and Coastal Management	63,811	71,222	10,927	-52,884	-60,295
Total, National Ocean Service	180,218	198,826	102,735	-77,483	-96,091
Oceanic and Atmospheric Research					
Climate and Air Quality Research	119,542	159,528	93,757	-25,785	-65,771
Atmospheric Programs	46,946	46,908	39,894	-7,052	-7,015
Ocean & Great Lakes Programs	92,091	64,384	49,763	-42,328	-14,621
Total, Oceanic and Atmospheric Research	258,579	270,821	183,414	-75,165	-87,407
National Weather Service					
Operations and Research	513,269	487,289	472,338	-40,931	-14,951
Systems Acquisition	145,429	137,043	132,369	-13,060	-4,674
Total, National Weather Service	658,698	624,332	604,707	-53,991	-19,625
National Environmental Satellite, Data, and Information Service (NESDIS)					
Satellite Observing Systems	351,741	508,837	439,879	+88,138	-68,958
Environmental Data Management Systems	35,665	43,664	31,207	-4,458	-12,457
Total, NESDIS	387,406	552,501	471,086	+83,680	-81,415
Program Support					
Administration and Services	72,847	91,127	58,338	-14,509	-32,789
Marine Services	62,011	62,202	60,689	-1,322	-1,513
Aircraft Services	13,153	10,248	9,548	-3,605	-700
Total, Program Support	148,011	163,577	128,575	-19,436	-35,002

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION SUMMARY

(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
*National Marine Fisheries Service (NMFS)	268,050	316,828	210,851	-57,999	-105,177
GENERAL REDUCTION to OPERATIONS, RESEARCH AND FACILITIES	------	------	-8,698	------	------
TOTAL, OPERATIONS, RESEARCH AND FACILITIES	1,901,562	2,125,885	1,692,470	-209,092	-433,415
CONSTRUCTION	97,254	52,299	32,731	-64,523	-19,568
NOAA FLEET MODERNIZATION	22,936	23,347	0	-22,936	-23,347
TOTAL, NOAA	*2,021,752*	*2,201,531*	*1,725,201*	*-296,551*	*-476,330*

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
NATIONAL OCEAN SERVICE					
Mapping, Charting, and Geodesy					
Mapping and Charting	$27,899	$31,086	$27,899	0	-3,187
Automated Nautical Charting System II	1,250	2,500	1,250	0	-1,250
Total, Mapping and Charting	29,149	33,586	29,149	0	-4,437
Geodesy:					
National Spatial Reference System (including LIS)	19,667	19,927	19,927	+260	0
South Carolina Cooperative Geodetic Survey	1,000	0	0	-1,000	0
Total, Geodesy	20,667	19,927	19,927	-740	0
Total, Mapping, Charting, and Geodesy	*49,816*	*53,513*	*49,076*	*+260*	*-4,437*
Observation and Assessment					
Observation and Prediction	12,358	12,899	11,279	-1,079	-1,620
Circulatory Survey Program	700	700	695	-5	-5
Chesapeake Bay Observation Buoys	400	0	0	-400	0
Ocean Services	4,418	4,451	4,231	-187	-220
Total, Observation and Prediction	17,876	18,050	16,205	-1,671	-1,845
Estuarine and Coastal Assessment	2,674	3,130	1,171	-1,503	-1,959
Ocean Assessment Program	24,528	21,925	8,401	-16,127	-13,524
Damage Assessment	1,200	4,500	585	-615	-3,915
* Transfer from Damage Assessment Fund	6,770	6,550	6,550	-220	0
* Oil Pollution Act of 1990	1,300	1,395	662	-638	-733
Total, Estuarine and Coastal Assessment	36,472	37,500	17,369	-19,103	-20,131

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
Observation and Assessment (Continued)					
Coastal Ocean Science:					
Coastal Ocean Program	$10,943	$18,541	9,158	-1,785	-9,383
Oil Spill Research	800	0	0	-800	0
National Institute of Environmental Renewal	500	0	0	-500	0
Total, Coastal Ocean Science	12,243	18,541	9,158	-3,085	-9,383
Total, Observation and Assessment	*66,591*	*74,091*	*42,732*	*-23,859*	*-31,359*
**Ocean and Coastal Management*	*63,811*	*71,222*	*10,927*	*-52,884*	*-60,295*
TOTAL, NATIONAL OCEAN SERVICE	*180,218*	*198,826*	*102,735*	*-77,483*	*-96,091*

* Illustrative. Not in Science Committee jurisdiction or bill.

National Ocean Service (NOS): -$96,091,000 to FY 1996 request

- -$4,437,000 from Mapping, Charting and Geodesy, including -$3,187,000 from Mapping and Charting, and -$1,250,000 from Automated Nautical Charting System II.

- -$31,359,000 from Observation and Assessment, including -$1,845,000 from Observation and Prediction, -$20,131,000 from Estuarine and Coastal Assessment, -$31,359,000 from the Ocean Assessment Program, -$3,915,000 from Damage Assessment, -$733,000 from the Oil Pollution Act of 1990, and -$9,383,000 from Coastal Ocean Program to fund at the FY 1994 levels for each.

- -$60,295,000 from Ocean and Coastal Management.*

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
OCEANIC AND ATMOSPHERIC RESEARCH					
Climate and Air Quality Research					
Interannual & Seasonal Climate Research	7,933	8,284	59,883	-396	-747
Long-Term Climate and Air Quality Research	27,272	39,144	25,874	-1,398	-13,270
High Performance Computing	6,500	15,558	1,000	-5,500	-14,558
Climate and Global Change	70,837	89,542	(see above)	-18,491	-37,196
GLOBE	7,000	7,000	7,000	0	0
Total, Climate and Air Quality Research	*119,542*	*159,528*	*93,757*	*-26,785*	*-65,771*
Atmospheric Programs					
Weather Research	33,613	34,720	30,325	-3,288	-4,395
Wind Profiler	4,350	4,350	4,350	0	0
Federal/State Weather Modification Grants	3,100	0	0	-3,100	0
Southeastern Storm Research	400	0	0	-400	0
Total, Weather Research	41,463	39,070	34,675	-6,788	-4,395
Solar-Terrestrial Services and Research	5,483	7,839	5,219	-264	-2,620
Total, Atmospheric Programs	*46,946*	*46,909*	*39,894*	*-7,052*	*-7,015*

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
Ocean and Great Lakes Programs					
Marine Prediction Research	15,175	14,984	13,763	-1,412	-1,221
VENTS	2,496	0	0	-2,496	0
Southeast Fisheries Oceanographic Coordinated Investigations	450	0	0	-450	0
Lake Champlain Study	150	0	0	-150	0
Pacific Island Technical Assistance	190	0	0	-190	0
Total, Marine Prediction Research	18,461	14,984	13,763	-4,698	-1,221
Sea Grant:					
Sea Grant College Program	51,698	49,400	36,000	-15,698	-13,400
Sea Grant-Oyster Disease	1,500	0	0	-1,500	0
National Coastal R&D Institute	1,000	0	0	-1,000	0
Total, Sea Grant	54,198	49,400	36,000	-18,198	-13,400
Undersea Research Program:					
NOAA Undersea Research Program (NURP)	$17,932	0	0	-17,932	0
Maine Marine Research Center	1,500	0	0	-1,500	0
Total, Undersea Research Program	19,432	0	0	-19,432	0
Total, Ocean & Great Lakes Programs	*92,091*	*64,384*	*49,763*	*-42,328*	*-14,621*
TOTAL, OCEANIC AND ATMOSPHERIC RESEARCH	*258,579*	*270,821*	*183,414*	*-75,165*	*-87,407*

Oceanic and Atmospheric Research (OAR): -$75,165,000 to FY 1996 request

•-$65,771,000 from Climate and Air Quality Research, including -$747,000 from Interannual & Seasonal Climate Research, -$13,270,000 from Long-Term Climate and Air Quality Research, and -$14,658,000 from the High Performance Computing Account to fund at the FY 1994 levels for each.

•-$37,196,000 from the Climate and Global Change account which has been rolled into the Interannual & Seasonal Climate Research line to ensure research is relevant to near- to mid- term climatic events such as El Nino, including -$1,407,000 from Economic and Human Interactions research to fund at the FY 1994 level, and -$2,496,000 from eliminating monies for the study of underseas vents and their impact on global climate change.

•-$7,015,000 from the Atmospheric Programs, including -$4,395,000 from the Weather Research Account to fund at the 1994 level, and -$2,620,000 from Solar-Terrestrial Services and Research.

•-$14,621,000 from the Ocean and Great Lakes Programs, including -$1,221,000 from Marine Prediction Research which is funded at the FY 1994 level. The National Sea Grant College Program is reduced by -$13,400,000, including -$1,589,000 from increased outreach, -$4,881,000 from education (fellowship programs, etc.) and reductions to administrative funding. The SE US/Caribbean FOCI program, the GLERL/Zebra mussel research account, the Lake Champlain study, and Pacific Island technical assistance are all eliminated in keeping with the Administration's FY 1996 request. VENTS is moved to Global Climate Change in the Administration's FY 1996 budget request.

•The National Undersea Research Program (NURP) is eliminated, including the Maine Marine Research Center, in keeping with the Administration's FY1996 request.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
NATIONAL WEATHER SERVICE (NWS)					
Operations and Research					
Local Warnings and Forecasts	323,579	418,567	405,689	-34,417	-12,878
Modernization and Restructuring Demonstration and Implementation (MARDI)	115,946	(see above)	(see above)	----	----
Agricultural & Fruit Frost Program	2,316	0	0	-2,316	0
Fire Weather Services	449	0	0	-449	0
Aviation Forecasts	35,596	35,596	35,596	0	0
Samoa	100	0	0	-100	0
Regional Climate Centers	3,200	0	0	-3,200	0
Total, Local Warnings and Forecasts	481,787	454,163	441,285	-40,482	-12,878
Central Forecast Guidance	29,015	30,457	29,015	0	-1,382
Atmospheric and Hydrological Research	2,487	2,669	2,038	-449	-631
Total, Operations and Research	*513,269*	*487,289*	*472,338*	*-40,931*	*-14,951*

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
Systems Acquisition					
Public Warning and Forecast Systems:					
Next Generation Weather Radar (NEXRAD)	82,982	55,249	53,335	-29,647	-1,914
Automated Surface Observing System (ASOS)	17,515	16,952	16,952	-563	0
Advanced Weather Interactive Processing System (AWIPS)/NOAA Port	34,947	52,097	52,097	+17,150	0
Computer Facility Upgrades	9,985	12,745	9,985	0	-2,760
Total, Systems Acquisition	*145,429*	*137,043*	*132,369*	*-13,060*	*-4,674*
TOTAL, NATIONAL WEATHER SERVICE	*658,698*	*624,332*	*604,707*	*-53,991*	*-19,625*

National Weather Service (NWS): -$19,625,000 to FY 1996 request

- -$14,951,000 from NWS Operations and Research, including -$12,878,000 (or 3% below the Administration's request) from the Local Warnings and Forecast account (since MARDI is basically complete, the account has been rolled into this line) savings will be generated for reduced administrative costs and closure of duplicative or unneeded non-modernized weather offices; Agricultural Fruit Frost, Fire Weather Services, Samoa, and Regional Climate Centers are all eliminated in keeping with the Administration's FY 1996 request; also Central Forecast Guidance is funded at FY 1995 level, and -$631,000 from Atmospheric and Hydrological Research is funded at the FY 1994 level.

- -$4,674,000 from System Acquisition, including -$2,760,000 from Computer Facility Upgrades to fund at the FY 1995 level; and -$1,914,000 from elimination of Planned Product Improvements for NEXRAD.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1996 Adjusted	Mark Compared With (+ or -) FY 1996 Request
OPERATIONS, RESEARCH, AND FACILITIES					
NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE (NESDIS)					
Satellite Observing Systems					
Polar Spacecraft and Launching	146,228	198,824	188,883	+42,655	-9,941
Polar Convergence/Joint Program Office	16,000	54,000	39,500	+23,500	-14,500
Geostationary Spacecraft and Launching	132,242	186,501	162,273	+30,031	-24,228
Ocean Remote Sensing	6,000	1,600	0	-6,000	-1,600
Environmental Observing Services	51,271	55,912	49,223	-2,048	-6,689
LandSat Operations	0	12,000	0	0	-12,000
Total, Satellite Observing Systems	***351,741***	***508,837***	***439,879***	***+88,138***	***-68,958***
Environmental Data Management Systems					
Data and Information Services	24,366	28,564	19,907	-4,458	-8,657
Environmental Services Data and Information Management (ESDIM)	11,300	15,100	11,300	0	-3,800
Total, Environmental Data Management Systems	***35,666***	***43,664***	***31,207***	***-4,458***	***-12,457***
TOTAL, NESDIS	***387,406***	***552,501***	***471,086***	***+83,680***	***-81,415***

National Environmental Satellite, Data, and Information Service: -$81,415,000 to FY 1996 request

- -$68,958,000 from Satellite Observing Systems, including -$24,228,000 from GOES (construction of three GOES Next satellites, GOES I-M funding reduced by 5%), elimination of Ocean Remote Sensing, and -$6,689,000 from Environmental Observing Systems to fund at the FY 1994 level. No LandSat 7 funding (-$12,000,000). Polar Spacecraft and Launching are reduced by 5% in FY 1996. -$14,500,000 from Polar Convergence is reduced by requiring a 50/50 split with the Department of Defense.

- Environmental Data Management Systems (EDMS) is reduced to the FY 1994 level. Data and Information Service is reduced to FY 1995 level.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

				Mark Compared With (+ or -)	
	FY 1995 Adjusted	*FY 1996 Request*	*FY 1996 Mark*	*FY 1996 Adjusted*	*FY 1996 Request*
OPERATIONS, RESEARCH, AND FACILITIES					
PROGRAM SUPPORT					
Administration and Services					
Executive Direction and Administration	27,288	28,489	20,632	-6,656	-7,857
Central Administrative Support	37,853	54,749	30,000	-4,104	-24,749
Retired Pay Commissioned Officers	7,706	7,889	7,706	0	-183
Total, Administration and Services	*72,847*	*91,127*	*58,338*	*-14,509*	*-32,789*
Marine Services	*62,011*	*62,202*	*60,689*	*-1,322*	*-1,513*
Aircraft Services					
Aircraft Services	9,153	9,853	9,153	0	-700
Critical Safety & Instrumentation	4,000	395	395	-3,605	0
Total, Aircraft Services	*13,153*	*10,248*	*9,548*	*-3,605*	*-700*
TOTAL, PROGRAM SUPPORT	*148,011*	*163,577*	*128,575*	*-19,436*	*-35,002*
**NATIONAL MARINE FISHERIES SERVICE (NMFS)*	*268,650*	*316,828*	*210,651*	*-57,999*	*-106,177*
GENERAL REDUCTIONS to OPERATIONS, RESEARCH AND FACILITIES	----	----	-8,696	----	----
TOTAL, OPERATIONS, RESEARCH AND FACILITIES	1,901,562	2,125,885	1,692,470	-209,092	-433,415

* Illustrative. Not in Science Committee jurisdiction or bill.

Program Support: -$35,002,000 to FY 1996 request

- -$32,789,000 from Administration and Services, including -$7,857,000 from Executive Direction and Administration, and -$24,749,000 from Central Administrative Support.

- -$183,000 from Retired Pay Commissioned Officers funded at the FY 1995 level.

- -$1,513,000 from Marine Services to fund at the FY 1994 level and the Navigational Data Products and Services item is eliminated in keeping with the Administration's FY 1996 request.

- -$700,000 from Aircraft Services to fund at FY 1994 level.

National Marine Fisheries Service (NMFS): -$105,177,000 to FY 1996 request

- -$105,177,000 from NMFS Total to fund at the FY 1994 level, including elimination of all FY 1994 Congressional add-ons.*

General Reductions: -$8,698,000 from NOAA travel budget.
- Reduce to $20,000,000 for agency. This represents a reduction of $8,698,000 from FY 1995 or $11,069,00 from FY 1996.

* Illustrative. Not in Science Committee jurisdiction or bill.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION
(DOLLARS IN THOUSANDS)

	FY 1995 Adjusted	FY 1996 Request	FY 1996 Mark	Mark Compared With (+ or -) FY 1995 Adjusted	Mark Compared With (+ or -) FY 1996 Request
CONSTRUCTION					
NWS Modernization & WFO Maintenance	20,226	20,628	20,628	+402	0
Facilities Repairs & Renovations	7,374	11,207	7,374	0	-3,833
*Environmental Compliance	5,979	16,024	4,729	-1,250	-11,295
New Construction	63,675	4,440	0	-63,675	-4,400
TOTAL, CONSTRUCTION	97,254	52,299	32,731	-64,523	-19,568
NOAA FLEET MOD.	22,936	23,347	0	-22,936	-23,347
NOAA TOTAL	2,021,752	2,201,531	1,725,201	-296,551	-476,330

* Illustrative. Not in Science Committee jurisdiction or bill.

Other Accounts: -$42,915,000 to FY 1996 request

- The NOAA fleet modernization account is eliminated.

- -$19,568,000 from the Construction account, including eliminating New Construction (-$4,400,000), reducing Environmental Compliance (-$11,295,000, FY 1995 funding less reprogramming request) and Facility Repairs and Renovations (-$3,833,000) to FY 1995 levels.

"DRAFT"

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 20, 1995

AMENDMENT ROSTER

H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995

No.	Sponsor	Description	Results
1.	Mr. Walker	En bloc amendment	
2.	Mr. Brown	Amendment in the Nature of a Substitute	
3.	Mr. Cramer	En bloc amendment	
4.	Mr. McHale	Page 5, line 18, through page 6, line 13, strike subsection (f)	
5.	Mr. Cramer	Amends subsection (f) to read: Weather Service Modernization	
6.	Mr. Boehlert	Maintains NOAA extramural funding in climate research	
7.	Mr. Weldon (PA)	Creates a new Sec. 203--Use of Ocean Research Resources Of Other Federal Agencies	
8.	Mr. Weldon (PA)	Creates a new Sec. 504--Alternative Authorization	
9.	Mr. Cramer	Creates a new Sec. 504--Additional Authorization for National Weather Service Modernization	
10.	Mr. Traficant	Buy American Amendment	
11.	Mr. Brown	Creates a new Title VI--Contingent Authorization	

AMENDMENT TO H.R. 1815
OFFERED BY MR. WALKER

Page 8, line 6, strike "$188,883,000" and insert in lieu thereof "$184,425,000".

Page 9, line 3, strike "$31,207,000" and insert in lieu thereof "$35,665,000".

Page 16, line 11, insert "non-Federal, non-wildlife," after "National Weather Service".

Page 17, line 18, insert ", projects, and activities" after "carrying out the programs".

Page 21, after line 20, insert the following new sections:

1 SEC. 504. REPORT ON LABORATORIES.

2 (a) IN GENERAL.—No later than 120 days after the
3 date of the enactment of this Act, the Inspector General
4 of the Department of Commerce shall conduct a review
5 of the laboratories operated by the National Oceanic and
6 Atmospheric Administration and submit a report to the
7 Committee on Science of the House of Representatives
8 and the Committee on Commerce, Science, and Transpor-
9 tation of the Senate.

10 (b) REQUIREMENTS.—The report required by sub-
11 section (a) shall—

1 (1) address potential efficiencies and savings
2 which could be achieved through closing or consoli-
3 dating laboratory facilities;
4 (2) review each laboratory's—
5 (A) mission and activities and their cor-
6 relation to the mission priorities of the National
7 Oceanic and Atmospheric Administration;
8 (B) physical assets, equipment, condition,
9 and personnel resources; and
10 (C) organization and program manage-
11 ment; and
12 (3) address other issues the Inspector General
13 considers relevant.
14 SEC. 505. PROHIBITION OF LOBBYING ACTIVITIES.
15 None of the funds authorized by this Act shall be
16 available for any activity whose purpose is to influence leg-
17 islation pending before the Congress.
18 SEC. 506. ELIGIBILITY FOR AWARDS.
19 (a) IN GENERAL.—The Administrator shall exclude
20 from consideration for awards of financial assistance made
21 by the National Oceanic and Atmospheric Administration
22 after fiscal year 1995 any person who received funds,
23 other than those described in subsection (b), appropriated
24 for a fiscal year after fiscal year 1995, from any Federal
25 funding source for a project that was not subjected to a

1 competitive, merit-based award process. Any exclusion
2 from consideration pursuant to this section shall be effec-
3 tive for a period of 5 years after the person receives such
4 Federal funds.

5 (b) EXCEPTION.—Subsection (a) shall not apply to
6 awards to persons who are members of a class specified
7 by law for which assistance is awarded to members of the
8 class according to a formula provided by law.

AMENDMENT IN THE NATURE OF A SUBSTITUTE OFFERED BY Mr. Brown

Strike all after the enacting clause and insert in lieu thereof the following:

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the "National Oceanic and
3 Atmospheric Administration Authorization Act of 1995".

4 **SEC. 2. POLICY AND PURPOSE.**

5 It is the policy of the United States and the purpose
6 of this Act to—

7 (1) support and promote continuing the mission
8 of the National Oceanic and Atmospheric Adminis-
9 tration to monitor, describe and predict changes in
10 the Earth's environment, protect lives and property,
11 and conserve and manage the Nation's coastal and
12 marine resources to ensure sustainable economic op-
13 portunities;

14 (2) affirm that such mission involves basic re-
15 sponsibilities of the Federal Government for ensur-
16 ing general public safety, national security, and envi-
17 ronmental well-being, and promising economic
18 growth;

19 (3) affirm that the successful execution of such
20 mission depends strongly on interdependency and

1 synergism among component activities of the Na-
2 tional Oceanic and Atmospheric Administration;
3 (4) recognize that the activities of the National
4 Oceanic and Atmospheric Administration underlie
5 the societal and economic well-being of many sectors
6 of our Nation; and
7 (5) recognize that such mission is most effec-
8 tively performed by a single Federal agency with the
9 capability to link societal and economic decisions
10 with a comprehensive understanding of the Earth's
11 environment, as provided for in this Act.

12 SEC. 3. NATIONAL WEATHER SERVICE OPERATIONS AND
13 RESEARCH.

14 There are authorized to be appropriated to the Sec-
15 retary of Commerce to enable the National Oceanic and
16 Atmospheric Administration to carry out the operations
17 and research activities of the National Weather Service
18 $483,124,000 for fiscal year 1996.

19 SEC. 4. NATIONAL WEATHER SERVICE SYSTEMS ACQUISI-
20 TION.

21 (a) AUTHORIZATION.—There are authorized to be ap-
22 propriated to the Secretary of Commerce to enable the Na-
23 tional Oceanic and Atmospheric Administration to im-
24 prove its public warning and forecast systems $90,343,000
25 for fiscal year 1996. None of the funds authorized under

1 this section may be used for the purposes for which funds
2 are authorized under section 102(b) of the National Oce-
3 anic and Atmospheric Administration Authorization Act
4 of 1992 (Public Law 102–567).

5 (b) CONTRACTOR ACTIVITIES.—Activities of any non-
6 Federal entity, including the purchase, transportation, re-
7 ceipt, and installation of property and materials, on behalf
8 of the National Oceanic and Atmospheric Administration
9 pursuant to the modernization of the National Weather
10 Service as set forth in the Weather Service Modernization
11 Act (title VII of Public Law 102–567), are hereby ex-
12 pressly exempted from taxation in any manner or form
13 by any State, county, or municipality, or any subdivision
14 thereof.

15 (c) REPEAL.—Section 102(b)(2) of the National Oce-
16 anic and Atmospheric Administration Authorization Act
17 of 1992 is repealed.

18 **SEC. 5. WEATHER SERVICE MODERNIZATION.**

19 (a) AMENDMENTS.—The Weather Service Mod-
20 ernization Act is amended—

21 (1) in section 706—

22 (A) by striking "60-day" in subsection
23 (c)(2) and inserting in lieu thereof "30-day";

24 (B) by amending subsection (b)(6) to read
25 as follows:

1 "(6) any recommendations of the Committee
2 submitted under section 707(c) that evaluate the
3 certification.";
4 (C) by amending subsection (d) to read as
5 follows:
6 "(d) FINAL DECISION.—If the Secretary decides to
7 close, consolidate, automate, or relocate any such field of-
8 fice, the Secretary shall publish the certification in the
9 Federal Register and submit the certification to the Com-
10 mittee on Commerce, Science, and Transportation of the
11 Senate and the Committee on Science of the House of
12 Representatives."; and
13 (D) by amending subsection (f) to read as
14 follows:
15 "(f) PUBLIC LIAISON.—The Secretary shall maintain
16 for a period of at least two years after the closure of any
17 weather office a program to—
18 "(1) provide timely information regarding the
19 activities of the National Weather Service which may
20 affect service to the community, including mod-
21 ernization and restructuring; and
22 "(2) work with area weather service users, in-
23 cluding persons associated with general aviation,
24 civil defense, emergency preparedness, and the news

1 media, with respect to the provision of timely weath-
2 er warnings and forecasts."; and
3 (2) by amending section 707(c) to read as fol-
4 lows:
5 "(c) DUTIES.—The Committee may review any cer-
6 tification under section 706, for which the Secretary has
7 provided a notice of intent to certify, in the plan, including
8 any certification for which there is a significant potential
9 for degradation of service within the affected area. Upon
10 the request of the Committee, the Secretary shall make
11 available to the Committee the supporting documents de-
12 veloped by the Secretary in connection with the certifi-
13 cation. The Committee shall evaluate any certification re-
14 viewed on the basis of the modernization criteria and with
15 respect to the requirement that there be no degradation
16 of service, and advise the Secretary accordingly.".
17 (b) SENSE OF CONGRESS REGARDING ADDITIONAL
18 MODERNIZATION ACTIVITIES.—It is the sense of Congress
19 that the Secretary of Commerce should plan for the imple-
20 mentation of a follow-on modernization program aimed at
21 improving weather services provided to areas which do not
22 receive weather radar coverage at 10,000 feet. In carrying
23 out such a program, the Secretary should plan for a pro-
24 curement of Block II NEXRAD radar units.

1 SEC. 6. BASIC FUNCTIONS AND PRIVATIZATION OF NA-
2 TIONAL WEATHER SERVICE.
3 (a) BASIC FUNCTIONS.—The basic functions of the
4 National Weather Service shall be—
5 (1) the provision of forecasts and warnings in-
6 cluding forecasts and warnings, of severe weather,
7 flooding, hurricanes, and tsunami events;
8 (2) the collection, exchange, and distribution of
9 meteorological, hydrologic, climatic, and oceano-
10 graphic data and information; and
11 (3) the preparation of hydrometeorological guid-
12 ance and core forecast information.
13 (b) PROHIBITION.—The National Weather Service
14 shall not provide any new or enhanced weather services
15 for the sole benefit of an identifiable private entity or
16 group of such entities operating in any sector of the na-
17 tional or international economy in competition with the
18 private weather service industry.
19 (c) NEW OR ENHANCED SERVICE.—If the Secretary
20 determines, after consultation with appropriate Federal
21 and State officials, that a new or enhanced weather service
22 is necessary and in the public interest to fulfill the inter-
23 national obligations of the United States, to enable State
24 or Federal emergency or resource managers to better per-
25 form their State or Federal duties, or to carry out the
26 functions of the National Weather Service described in

1 subsection (a), the National Weather Service may provide
2 such new or enhanced service as one of its basic functions
3 if—
4 (1) each new or enhanced service provided by
5 the National Weather Service will be limited to the
6 level that the Secretary determines necessary to ful-
7 fill the requirements of this subsection, taking into
8 account the capabilities and limitations of resources
9 available, scientific knowledge, and technological ca-
10 pability of the National Weather Service; and
11 (2) upon request, the National Weather Service
12 will promptly make available to any person the data
13 or data products supporting the new or enhanced
14 service provided pursuant to this section, at a cost
15 not greater than that sufficient to recover the cost
16 of dissemination.
17 (d) FEDERAL REGISTER.—The Secretary shall
18 promptly publish in the Federal Register each determina-
19 tion made under subsection (c).
20 (e) PRIVATIZATION REVIEW.—The Secretary shall,
21 by February 15, 1996, conduct a review of all existing
22 weather services and activities performed by the National
23 Oceanic and Atmospheric Administration in order to iden-
24 tify those activities which may be transferred to the pri-
25 vate sector. Such review shall include a determination that

1 activities identified for privatization will continue to be
2 disseminated to users on a reasonably affordable basis
3 with no degradation of service. The Secretary shall, by
4 March 15, 1996, provide to the Speaker of the House of
5 Representatives and the President of the Senate a plan
6 for transferring these identified services to the private sec-
7 tor.

8 SEC. 7. CLIMATE AND AIR QUALITY RESEARCH.

9 (a) AUTHORIZATION.—There are authorized to be ap-
10 propriated to the Secretary of Commerce to enable the Na-
11 tional Oceanic and Atmospheric Administration to carry
12 out its climate and air quality research activities
13 $139,238,000 for fiscal year 1996.

14 (b) GLOBE.—Of the amount authorized in sub-
15 section (a), $7,000,000 are authorized for fiscal year 1996
16 for a program to increase scientific understanding of the
17 Earth and student achievement in math and science by
18 using a worldwide network of schools to collect environ-
19 mental observations. Beginning in fiscal year 1996,
20 amounts appropriated for such program may be obligated
21 only to the extent that an equal or greater amount of non-
22 Federal funding is provided for such program.

23 SEC. 8. ATMOSPHERIC RESEARCH.

24 There are authorized to be appropriated to the Sec-
25 retary of Commerce to enable the National Oceanic and

1 Atmospheric Administration to carry out its atmospheric
2 research activities $46,909,000 for fiscal year 1996.

3 **SEC. 9. OCEANS AND GREAT LAKES PROGRAMS.**

4 (a) MARINE PREDICTION RESEARCH.—There are au-
5 thorized to be appropriated to the Secretary of Commerce
6 to enable the National Oceanic and Atmospheric Adminis-
7 tration to carry out its oceans and Great Lakes research
8 activities, including Marine Prediction Research,
9 $14,984,000 for fiscal year 1996.

10 (b) SEA GRANT.—Section 212(a) and (b) of the Na-
11 tional Sea Grant College Program Act (33 U.S.C. 1131
12 (a) and (b)) are amended to read as follows:

13 "(a) The Secretary shall maintain within the Admin-
14 istration a program to be known as the National Sea
15 Grant College Program. The National Sea Grant College
16 Program shall consist of the financial assistance and other
17 activities provided for in this Act, and shall be adminis-
18 tered by a National Sea Grant Office within the Adminis-
19 tration. The Secretary shall establish long-range planning
20 guidelines and priorities for, and adequately evaluate, this
21 program.

22 "(b) There are authorized to be appropriated to carry
23 out all aspects of the National Sea Grant College Pro-
24 gram, including research directed toward zebra mussel

1 and other aquatic nuisance mitigation, $49,400,000 for
2 fiscal year 1996.".
3 (c) NATIONAL UNDERSEA RESEARCH.—By February
4 15, 1996, the Administrator of the National Oceanic and
5 Atmospheric Administration shall submit to the Commit-
6 tee on Science of the House of Representatives and the
7 Committee on Commerce, Science, and Transportation of
8 the Senate a report setting forth those specific actions
9 taken to ensure that the research activities formerly car-
10 ried out under the National Undersea Research Program
11 are transferred to and sustained within other existing re-
12 search programs of the National Oceanic and Atmospheric
13 Administration. In providing for this transfer, the Admin-
14 istrator shall afford the maximum practicable consider-
15 ation to extending the existing extramural grants and con-
16 tracts of the National Undersea Research Program. With-
17 in the amounts authorized by this Act, there are author-
18 ized such sums as may be necessary for carrying out the
19 purposes of this subsection.

20 **SEC. 10. SATELLITE OBSERVING AND ENVIRONMENTAL**
21 **DATA MANAGEMENT SYSTEMS.**

22 (a) AUTHORIZATION.—There are authorized to be ap-
23 propriated to the Secretary of Commerce to enable the Na-
24 tional Oceanic and Atmospheric Administration to carry
25 out its satellite observing systems activities and data and

1 information services, $357,381,000 for fiscal year 1996.
2 None of the funds authorized in this subsection may be
3 used for the purposes for which funds are authorized
4 under section 105(d) of the National Oceanic and Atmos-
5 pheric Administration Act of 1992 (Public Law 102–567).
6 (b) METEOROLOGICAL SATELLITE ACQUISITION
7 STRATEGIC PLAN.—By February 15, 1996, the Secretary
8 of Commerce shall submit to the Committee on Commerce,
9 Science, and Transportation of the Senate and the Com-
10 mittee on Science of the House of Representatives a stra-
11 tegic plan for the acquisition of meteorological satellite
12 systems which provides options for reducing the annual
13 costs of acquisition. The Secretary shall consider alter-
14 native contractual approaches including—
15 (1) single prime contracts which provide for
16 satellite delivery on orbit;
17 (2) acquisition of data services rather than
18 hardware procurement; and
19 (3) Government-private sector cost sharing.
20 (c) AMENDMENT TO THE LAND REMOTE SENSING
21 ACT OF 1992.—Section 101 of the Land Remote Sensing
22 Act of 1992 (15 U.S.C. 5601 et seq.) is amended—
23 (1) by redesignating subsections (d) and (e) as
24 subsections (e) and (f), respectively; and

1 (2) by inserting after subsection (c) the follow-
2 ing new subsection:
3 "(d) AUTHORITY TO RETAIN FEES.—The Landsat
4 Program Management Member responsible for operation
5 of the Landsat 7 system may retain fees collected from
6 foreign ground stations and from other Landsat 7 data
7 sales to offset the costs of operating the Landsat 7 sys-
8 tem.".
9 (d) SOLE SOURCE CONTRACTS.—Of the sums au-
10 thorized under subsection (a) of this section, $44,561,000
11 for fiscal year 1996 are authorized to remain available
12 until expended to procure additional Geostationary Oper-
13 ational Environmental NEXT satellites and instruments
14 together with the launch and supporting ground systems
15 for such satellites, to enter through the National Aero-
16 nautics and Space Administration into contracts and
17 amendments or modifications of contracts with the devel-
18 oper of previous GOES–NEXT satellites to ensure and fa-
19 cilitate the acquisition of the additional GOES–NEXT
20 satellites and instruments, if the Secretary of Commerce
21 certifies to the Speaker of the House of Representatives
22 and the President of the Senate that the exercise of such
23 authority is necessary to ensure continuous service in geo-
24 stationary satellite imagery equivalent to that provided by
25 the GOES I–M system.

1 (e) INTERAGENCY FACILITY CONSOLIDATION.—By
2 February 15, 1996, the Secretary, in consultation with the
3 Administrator of the National Aeronautics and Space Ad-
4 ministration, shall submit to the Committee on Commerce,
5 Science, and Transportation of the Senate and the Com-
6 mittee on Science of the House of Representatives a report
7 assessing the costs and impacts on operations that would
8 result from the consolidation of satellite command and
9 control, and data acquisition and transfer functions now
10 being carried out at the Satellite Operations Control Cen-
11 ter and Command and Data Acquisition Centers with
12 functionally compatible facilities located at the Goddard
13 Space Flight Center.
14 (f) REPEAL.—Section 105(d)(2) of the National Oce-
15 anic and Atmospheric Administration Authorization Act
16 of 1992 is repealed.

17 **SEC. 11. NATIONAL OCEAN SERVICE OBSERVATION AND AS-**
18 **SESSMENT.**

19 There are authorized to be appropriated to the Sec-
20 retary of Commerce to enable the National Oceanic and
21 Atmospheric Administration to carry out observation and
22 assessment activities $48,521,000 for fiscal year 1996.

23 **SEC. 12. PROGRAM SUPPORT.**

24 (a) EXECUTIVE DIRECTION AND ADMINISTRATIVE
25 ACTIVITIES.—There are authorized to be appropriated to

1 the Secretary of Commerce to enable the National Oceanic
2 and Atmospheric Administration to carry out executive di-
3 rection and administrative activities, including manage-
4 ment, administrative support, provision of retired pay of
5 National Oceanic and Atmospheric Administration com-
6 missioned officers, and policy development, $55,725,000
7 for fiscal year 1996.

8 (b) ACQUISITION, CONSTRUCTION, MAINTENANCE,
9 AND OPERATION OF FACILITIES.—There are authorized
10 to be appropriated to the Secretary of Commerce for ac-
11 quisition, construction, maintenance, and operation of fa-
12 cilities of the National Oceanic and Atmospheric Adminis-
13 tration $52,299,000 for fiscal year 1996.

14 (c) MARINE SERVICES.—There are authorized to be
15 appropriated to the Secretary of Commerce to enable the
16 National Oceanic and Atmospheric Administration to
17 carry out marine service activities, including ship oper-
18 ations, maintenance, and support, $62,011,000 for fiscal
19 year 1996.

20 (d) AIRCRAFT SERVICES.—There are authorized to
21 be appropriated to the Secretary of Commerce to enable
22 the National Oceanic and Atmospheric Administration to
23 carry out aircraft services activities, including aircraft op-
24 erations, maintenance, and support, $10,248,000 for fiscal
25 year 1996.

1 (e) VOLUNTARY SEPARATIONS AND RETIREMENTS.—
2 To ease the transition into the civilian workforce of mem-
3 bers of the National Oceanic and Atmospheric Administra-
4 tion Commissioned Officer Corps and to facilitate the re-
5 duction of active duty officers—
6 (1) section 1174a of title 10, United States
7 Code, shall apply to the NOAA Corps in the same
8 manner and to the same extent as that provision ap-
9 plies to the Department of Defense, and the Sec-
10 retary of Commerce shall implement the provisions
11 of that section with respect to the NOAA Corps and
12 apply the applicable provisions of title 33, United
13 States Code, relating to separation of NOAA Corps
14 personnel; and
15 (2) section 4403(a) and (g) through (i) of the
16 Defense Authorization Act for Fiscal Year 1993
17 (Public Law 102–484; 106 Stat. 2315) shall apply
18 to the NOAA Corps in the same manner and to the
19 same extent as those provisions apply to the Depart-
20 ment of Defense, and the Secretary of Commerce
21 shall implement those provisions with respect to the
22 NOAA Corps and apply the applicable provisions of
23 title 33, United States Code, relating to retirement
24 of NOAA Corps personnel.

1 SEC. 13. NOAA FLEET MODERNIZATION.

2 There are authorized to the Secretary of Commerce
3 to enable the National Oceanic and Atmospheric Adminis-
4 tration to carry out fleet modernization activities, includ-
5 ing repair, construction, acquisition, leasing, charter, or
6 conversion of vessels, including related equipment to main-
7 tain and modernize the existing fleet and to continue plan-
8 ning the modernization of the fleet, $5,950,000 for fiscal
9 year 1996.

10 SEC. 14. EDUCATIONAL PROGRAMS AND ACTIVITIES.

11 The Secretary of Commerce may conduct educational
12 programs and activities related to the responsibilities of
13 the National Oceanic and Atmospheric Administration.
14 For the purposes of this section, the Secretary may award
15 grants and enter into cooperative agreements and con-
16 tracts with States, private sector, and nonprofit entities.

17 SEC. 15. SUBPOENA.

18 (a) GENERAL RULE.—Except as provided in sub-
19 section (c), no employee of the National Weather Service
20 shall give testimony or introduce evidence before any court
21 in any proceeding in which the United States is not a
22 party concerning any function of the National Weather
23 Service or any data, information, or record created or ac-
24 quired by the National Weather Service unless a court of
25 competent jurisdiction determines that—

1 (1) the evidence is not contained in the official
2 records maintained by the National Weather Service
3 at the National Climatic Data Center and is not oth-
4 erwise available from any other source; or
5 (2) the evidence is contained in the official
6 records maintained by the National Weather Service
7 at the National Climatic Data Center but the appli-
8 cable laws of evidence provide no basis, including
9 stipulation by the parties, under which the requested
10 data, information, or records can be introduced in
11 evidence without the employee's testimony.
12 (b) COURT ORDER.—No National Weather Service
13 employee shall honor any subpoena to provide testimony
14 or introduce evidence under the circumstances described
15 in this section unless the subpoena is accompanied by the
16 requisite court order.
17 (c) EXCEPTION.—The National Weather Service may
18 authorize an employee to give testimony or introduce evi-
19 dence in proceedings in which the United States is not
20 a party if such testimony will further the interests of the
21 National Weather Service or the public.
22 **SEC. 16. WORKING CAPITAL FUND.**
23 (a) ESTABLISHMENT.—The Administrator of the Na-
24 tional Oceanic and Atmospheric Administration is author-
25 ized to establish a working capital fund (in this section

1 referred to as the "Fund"), to be available without fiscal
2 year limitation, for expenses necessary for the mainte-
3 nance and operation of such administrative services as the
4 Administrator shall find to be desirable in the interest of
5 economy and efficiency.

6 (b) TRANSFER FROM FUND.—The Administrator
7 may transfer services out of the Fund upon a determina-
8 tion that centralization of particular services is no longer
9 advantageous.

10 (c) TRANSFERS TO FUND.—There shall be trans-
11 ferred to the Fund the stocks of supplies, equipment, as-
12 sets, liabilities, and unpaid obligations relating to the serv-
13 ices which the Administrator determines will be performed
14 through the Fund.

15 (d) APPROPRIATIONS.—Appropriations to the Fund,
16 in such amounts as may be necessary to provide additional
17 working capital, are authorized.

18 (e) CREDITS TO FUND.—The Fund shall be credited
19 with receipts from the sale or exchange of its property,
20 and receipts in payment for loss or damage to property
21 owned by the Fund.

22 (f) RECOVERY TO FUND.—The Fund shall recover,
23 from the appropriations and funds for which services are
24 performed, either in advance or by way of reimbursement,
25 at rates which will return in full all expenses of operation,

1 including reserves for annual leave, sick leave used, and
2 the depreciation of real and personal property: *Provided,*
3 That such services shall, to the fullest extent practicable,
4 be used to avoid duplication of separate like services in
5 the National Oceanic and Atmospheric Administration:
6 *Provided further,* That an adequate system of accounts for
7 the Fund shall be maintained on the accrual method and
8 financial records shall be prepared on the basis of such
9 accounts. An annual business type budget shall be pre-
10 pared for operations under the Fund. The Fund shall be
11 subject to an annual audit to ensure that it is being oper-
12 ated in accordance with all applicable accounting rules.
13 (g) DISPOSITION OF NET INCOME.—The amount of
14 any earned net income resulting from the operation of the
15 Fund at the close of each fiscal year may be applied to
16 restore any previous impairment of the Fund, and to en-
17 sure the availability of working capital necessary to re-
18 place equipment and inventories: *Provided,* That any re-
19 maining net income after such restoration shall be paid
20 into the General Fund of the Treasury.
21 (h) DELEGATION.—The Administrator is authorized
22 to delegate the responsibility for the management of the
23 Fund.

1 (i) EFFECTIVE DATE.—This section shall take effect
2 on October 1, 1995, or the date of the enactment of this
3 Act, whichever is later.

4 **SEC. 17. WEATHER DATA BUOYS.**

5 (a) PROHIBITION.—It shall be unlawful for any unau-
6 thorized person to remove, change the location of, ob-
7 struct, willfully damage, make fast to, or interfere with
8 any weather data buoy established, installed, operated, or
9 maintained by the National Data Buoy Center. Any per-
10 son who violates this section may be assessed a civil pen-
11 alty by the Administrator of the National Oceanic and At-
12 mospheric Administration of not more than $10,000 for
13 each violation. Each day during which a violation contin-
14 ues shall be considered a new offense. Such penalties will
15 be assessed after notice and opportunity for a hearing.

16 (b) REWARDS.—The Administrator may offer and
17 pay rewards for the apprehension and conviction, or for
18 information helpful therein, of persons violating subsection
19 (a), or for information leading to the discovery of missing
20 National Weather Service property or the recovery thereof.

21 **SEC. 18. REIMBURSEMENT OF EXPENSES.**

22 (a) IN GENERAL.—Notwithstanding section 3302 (b)
23 and (c) of title 31, United States Code, and subject to
24 subsection (b) of this section, all amounts received by the
25 United States in settlement of, or judgment for, damage

1 claims arising from the October 9, 1992, allision of the
2 vessel ZACHERY into the National Oceanic and Atmos-
3 pheric Administration research vessel DISCOVERER—
4 (1) shall be retained as an offsetting collection
5 in the Operations, Research, and Facilities account
6 of the National Oceanic and Atmospheric Adminis-
7 tration;
8 (2) shall be deposited in that account upon re-
9 ceipt by the United States Government; and
10 (3) shall be available only for obligation for Na-
11 tional Oceanic and Atmospheric Administration ma-
12 rine services.
13 (b) LIMITATION.—Not more than $518,757.09 of the
14 amounts referred to in subsection (a) may be deposited
15 into the Operations, Research, and Facilities account pur-
16 suant to subsection (a).
17 SEC. 19. CONSTRUCTION PROJECTS.
18 (a) WEATHER FORECAST OFFICE.—The Secretary of
19 Commerce is authorized to enter into a contract with Flor-
20 ida State University which shall—
21 (1) provide the University with appropriated
22 funds to assist in the construction and associated ex-
23 penses, including parking, of a meteorological
24 sciences building on its Tallahassee, Florida, cam-
25 pus; and

1 (2) include a space agreement with the Univer-
2 sity at no cost to the Government, other than for
3 operational expenses, for space in this building for
4 use as the Weather Forecast Office.
5 (b) OPERATIONS AND RESEARCH CENTER.—The
6 Secretary of Commerce is authorized, subject to the avail-
7 ability of appropriations, to construct, on approximately
8 10 acres of land at Goddard Space Flight Center, a facility
9 for a National Oceanic and Atmospheric Administration
10 Operations and Research Center.

11 **SEC. 20. ADDITIONAL AUTHORIZATION FOR GAPS IN**
12 **WEATHER SERVICE COVERAGE.**

13 From sums otherwise provided in this Act, up to
14 $7,000,000 may be used to augment National Weather
15 Service coverage for those geographic areas identified in
16 the June, 1995 report of the National Research Council
17 as having potentially degraded service.

AMENDMENT TO H.R. 1815

OFFERED BY MR. CRAMER

Page 4, line 6, strike "for fiscal year 1995".

Page 4, line 12, add the following new subsection (c) and redesignate subsections (c), (d), (e), and (f) accordingly:

"(c) New NEXRAD Installations.-- No funds previously authorized for NEXRAD may be obligated for NEXRAD installations not identified in the National Implementation Plan for 1996, unless the Secretary certifies that such NEXRAD installations can be acquired within the existing NEXRAD authorization."

AMENDMENT TO H.R. 1815
OFFERED BY MR. MCHALE

Page 5, line 18, through page 6, line 13, strike subsection (f).

AMENDMENT TO H.R. 1815
OFFERED BY MR. CRAMER

Page 5, line 18, through page 6, line 13, amend subsection (f) to read as follows:

1 (f) WEATHER SERVICE MODERNIZATION.—Title VII
2 of the National Oceanic and Atmospheric Administration
3 Authorization Act of 1992 is amended—
4 (1) in section 706—
5 (A) by amending subsection (b)(6) to read
6 as follows:
7 "(6) any recommendations of the Committee
8 submitted under section 707(c) that evaluate the
9 certification.";
10 (B) by striking "60-day" in subsection
11 (c)(2) and inserting in lieu thereof "30-day";
12 (C) by amending subsection (d) to read as
13 follows:
14 "(d) FINAL DECISION.—If the Secretary decides to
15 close, consolidate, automate, or relocate any such field of-
16 fice, the Secretary shall publish the certification in the
17 Federal Register and submit the certification to the Com-
18 mittee on Commerce, Science, and Transportation of the
19 Senate and the Committee on Science of the House of
20 Representatives."; and

1 (D) by amending subsection (f) to read as
2 follows:
3 "(f) TRANSITION PROGRAM.—The Secretary shall
4 maintain for a period of at least two years after the clo-
5 sure of any weather office a program to—
6 "(1) provide timely information regarding the
7 activities of the National Weather Service which may
8 affect service to the community, including mod-
9 ernization and restructuring; and
10 "(2) work with area weather service users, in-
11 cluding persons associated with general aviation,
12 civil defense, emergency preparedness, and the news
13 media, with respect to the provision of timely weath-
14 er warnings and forecasts."; and
15 (2) by amending section 707(c) to read as fol-
16 lows:
17 "(c) DUTIES.—The Committee may review any cer-
18 tification under section 706 for which the Secretary has
19 provided a notice of intent to certify in the plan, including
20 any certification for which there is a significant potential
21 for degradation of service within the affected area. Upon
22 the request of the Committee, the Secretary shall make
23 available to the Committee the supporting documents de-
24 veloped by the Secretary in connection with the certifi-
25 cation. The Committee shall evaluate any certification re-

1 viewed on the basis of the modernization criteria and with
2 respect to the requirement that there be no degradation
3 of service, and advise the Secretary accordingly.".

AMENDMENT TO H.R. 1815
OFFERED BY MR. BOEHLERT

Page 6, line 15, insert "(1)" after "AIR QUALITY RESEARCH.—".

Page 6, after line 21, insert the following new paragraph:

(2) The Administrator shall ensure that at least the same percentage of the climate and air quality research funds that were provided to institutions of higher education for fiscal year 1995 is provided to institutions of higher education from funds authorized by this subsection.

AMENDMENT TO H.R. 1815

OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 12, after line 24, insert the following new section:

1 **SEC. 203. USE OF OCEAN RESEARCH RESOURCES OF OTHER**
2 **FEDERAL AGENCIES.**

3 (a) FINDINGS.—The Congress finds the following:
4 (1) Observing, monitoring, and predicting the
5 ocean environment has been a high priority for the
6 defense community to support ocean operations.
7 (2) Many advances in ocean research have been
8 made by the defense community which could be
9 shared with civilian researchers.
10 (3) The National Oceanic and Atmospheric Ad-
11 ministration's missions to describe and predict the
12 ocean environment, manage the Nation's ocean and
13 coastal resources, and promote stewardship of the
14 world's oceans would benefit from increased coopera-
15 tion with defense agencies.
16 (b) SENSE OF CONGRESS.—It is the sense of the
17 Congress that the National Oceanic and Atmospheric Ad-
18 ministration should expand its efforts to develop inter-
19 agency agreements to further the use of defense-related

1 technologies, data, and other resources to support its oce-
2 anic missions.
3 (c) REPORT.—
4 (1) IN GENERAL.—Not later than 120 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Commerce shall submit to the Committee
7 on Science of the House of Representatives and the
8 Committee on Commerce, Science, and Transpor-
9 tation of the Senate a report on the feasibility of ex-
10 panding the use of defense-related technologies,
11 data, and other resources to support and enhance
12 the oceanic missions of the National Oceanic and At-
13 mospheric Administration.
14 (2) CONTENTS.—The report required under
15 paragraph (1) shall include—
16 (A) a detailed listing of defense-related re-
17 sources currently available to the National Oce-
18 anic and Atmospheric Administration and the
19 National Oceanic and Atmospheric Administra-
20 tion missions which utilize those resources;
21 (B) detailed findings and recommenda-
22 tions, including funding requirements, on the
23 potential for expanding the use of available de-
24 fense-related resources;

1 (C) a detailed listing and funding history
2 of the National Oceanic and Atmospheric Ad-
3 ministration resources, including data and tech-
4 nology, which could be supplemented by de-
5 fense-related resources;
6 (D) a listing of currently unavailable de-
7 fense-related resources, including data and
8 technology, which if made available would en-
9 hance the National Oceanic and Atmospheric
10 Administration mission performance;
11 (E) recommendations on the regulatory
12 and legislative structures needed to maximize
13 the use of defense-related resources;
14 (F) an assessment of the respective roles
15 in the use of defense-related resources of the
16 Army Corps of Engineers, data centers, oper-
17 ational centers, and research facilities of the
18 National Oceanic and Atmospheric Administra-
19 tion; and
20 (G) recommendations on how to provide
21 access to relevant defense-related data for non-
22 Federal scientific users.

AMENDMENT TO H.R. 1815

OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 21, after line 20, insert the following new section:

1 SEC. 504. ALTERNATIVE AUTHORIZATION.

2 Notwithstanding any other provision of this Act, if
3 the concurrent resolution approved by the House of Rep-
4 resentatives and the Senate on the budget for fiscal year
5 1996 is based on an assumption of a tax cut of less than
6 $350,000,000,000—

7 (1) the total amount authorized by section
8 102(a) shall be increased by the amount equal to
9 $32,785,000 multiplied by the fraction whose nu-
10 merator is $350,000,000,000 minus the amount of
11 the tax cut reflected in the concurrent resolution and
12 whose denominator is $350,000,000,000;

13 (2) the total amount authorized by section
14 201(d)(4) shall be increased by the amount equal to
15 $1,785,000 multiplied by the fraction whose numer-
16 ator is $350,000,000,000 minus the amount of the
17 tax cut reflected in the concurrent resolution and
18 whose denominator is $350,000,000,000; and

19 (3) the total amount authorized by the amend-
20 ments made by section 202(b) shall be increased by

1 the amount equal to $17,198,000 multiplied by the
2 fraction whose numerator is $350,000,000,000
3 minus the amount of the tax cut reflected in the
4 concurrent resolution and whose denominator is
5 $350,000,000,000.

Page 16, line 5, strike paragraph (13).

Page 16, lines 6 through 16, redesignate paragraphs (14) through (19) as paragraphs (13) through (18), respectively.

AMENDMENT TO H.R. 1815

OFFERED BY MR. CRAMER

Page 21, after line 20, insert the following new section:

"Sec. 504. ADDITIONAL AUTHORIZATION FOR NATIONAL WEATHER SERVICE MODERNIZATION.

From the sums otherwise authorized in this Act, up to $7,000,000 may be used to augment National Weather Service Modernization for those geographic areas identified in the June, 1995,. National Research Council study, Assessment of NEXRAD Coverage and Associated Weather Services, as having potentially degraded service.

AMENDMENT TO H.R. 1815
OFFERED BY MR. TRAFICANT

Page 21, after line 20, insert the following new section:

1 **SEC. 504. 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
5 the assistance the entity will comply with sections 2
6 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
7 10c, popularly 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.

AMENDMENT TO H.R. 1815

Offered by Mr. Brown

On page 21, after line 20, insert the following;

TITLE VI--Contingent Authorization

Notwithstanding any other provision of this Act, if the concurrent resolution approved by the House of Representatives and the Senate on the budget for fiscal year 1996 is based on an assumption of a tax cut of less than $350,000,000,000, an amount equal to $110,000,000 multiplied by the fraction whose numerator is $350,000,000,000 minus the tax cut reflected in the concurrent resolution and whose denominator is $350,000,000,000 is authorized to be appropriated for fiscal year 1996 for Atmospheric Research and for Ocean and Great Lakes Research."

The CHAIRMAN. Prior to that opening statement, I do want to indicate that included in your packs that you received at your offices last week, I'll be offering a substitute text to HR 1175, the Sea Grant bill, and incorporating portions of 1815, the NOAA Authorization Act of 1995, as passed by the Committee, which are relevant to the National Sea Grant College Program Act.

If you desire to amend the Sea Grant Reauthorization in any manner that is different from what is currently in 1815, you should offer an amendment to debate the issue during the consideration of the bill 1815.

Am I making that clear?

All we're going to do is take the language out of 1815 and put it into this other bill a little later on, and so what we ought to do is get the amendments that you might want to offer in that case taken care of while we consider 1815.

HR 1815, the National Oceanic and Atmospheric Administration Authorization Act of '95, provides authorizations for NOAA programs within the Science Committee's jurisdiction for fiscal year 1996.

With few exceptions, such as the Next Generation Weather Radar, NEXRAD, and the GOE Stationary Satellite Observing Systems, GOES, all of NOAA's programs are currently unauthorized.

HR 1815 authorization levels are in keeping with the House budget resolution spending cap of $1.752 billion for NOAA. This authorization level represents a decrease of almost $300 million below NOAA's 1995 total and over a $475 million reduction below the President's FY 1996 request.

I might also say that this is a figure which is precisely the same as what was in the Conference Report adopted for the budget. That Conference Report accepted the House figures in this arena.

Shortly after the passage of the House Budget Resolution, NOAA released an analysis claiming that its budget could not be cut without jeopardizing American lives and property.

Specifically, NOAA stated that the budget of $1.725 billion would cause the agency to reduce weather satellite coverage by half, leading to gaps in service and loss of the ability to predict severe weather events.

NOAA went on to claim that meeting the budget resolution target would force the agency to suspend its $4 billion National Weather Service modernization program and close already modernized offices across the country.

Miraculously, HR 1815 meets the House passed budget targets without fulfilling any of NOAA's grave predictions. In truth, this is no miracle, it's just sound budgeting.

NOAA's budget has grown almost exponentially over the last five years. Between 1990 and 1995 fiscal years, NOAA's budget increased from $1.3 billion to $2 billion. That's over 50 percent.

HR 1815 would pare this astronomic growth back to just over 30 percent through fiscal year 1996.

Contrary to NOAA's dire forecasts, HR 1815 fully funds the National Weather Service Modernization Acquisition Initiative, allowing the Weather Service to build and turn on all of its new doppler radar units on schedule.

The National Weather Service account is trimmed only slightly, around three percent, from the President's budget request. This reduction can be absorbed as the Weather Service downsizes with the completion of modernization.

HR 1815 also provides a 25 percent increase for NOAA's satellite programs over fiscal year 1995. This increase, although below the President's request, would give the program the funding it requires to maintain healthy polar and geostationary satellite programs without degrading service.

The bill also contains numerous cost saving measures. It eliminates cumbersome and costly certification requirements for the National Weather Service, allowing the Service to close old and unneeded weather offices.

It terminates NOAA's ill-conceived $1.9 billion fleet modernization effort, transitioning NOAA out of owning and operating its own vessels in favor of private, non-profit ships and data gathering.

The bill also phases out the uniformed NOAA corps over the next three years, an anachronistic throwback to the 1800s when mapping of the U.S. coastline was considered military, not civilian endeavors.

HR 1815 also contains important privatization initiatives, refocusing the National Weather Service's charter to ensure it concentrates on providing basic weather forecasting warnings but does not compete with the growing private weather forecasting industry, which is ideally suited to provide specialized weather services.

The bill language should not only expand the availability of specialized commercial products, but also save the taxpayers money as the private sector continues to build the capacity to provide the same high quality service which at one time only the U.S. Government could offer.

HR 1815 is an important measure. It is fiscally sound, and will make needed reforms in the way NOAA conducts its business.

The bill's authors, Subcommittee Chairman Dana Rohrabacher, and Ranking Member Jimmy Hayes, deserve praise for their good work, and I encourage all my colleagues to support this measure.

I would now recognize Mr. Brown for an opening statement.

Mr. BROWN. Thank you very much, Mr. Chairman.

I would just like to make some general comments.

First of all, I think that the Chairman and the Subcommittee Chairmen and Ranking Members all deserve commendation for bringing the full list of authorization bills to the floor this early in the session.

While we have in the past been able to bring some bills to the floor earlier than this, I doubt if the Committee record will ever reflect that we brought this number of bills before the Committee for action this early in the session.

This praise is modified somewhat by the fact that in most cases, we felt, on our side, that there was an inadequate hearing record and inadequate opportunity to fully discuss, at the Subcommittee level, all of the policy implications of these bills.

We recognize, of course, that this is in part due to scheduling matters which the Chair had no control over, and we hope that these will not be repeated in the future.

I also want to point out that the Chair is not bringing up a bill which is extremely important, an authorizing bill, to the Members of the minority and the Administration, and apparently he's doing this deliberately to avoid any action on authorizing the continuation of the Advanced Technology Programs in NIST and the Manufacturing Extension Program.

We regret this very much, and hope that this can be resolved.

Proceeding into some other, more general items, I have a very strong objection to the process that the Chair has used this year, and I've expressed it previously, in indicating that he was following a certain mandate dictated by the Budget Act, or the budget actions. He's described it as a 602[b] process. And to the degree to which he implies that there's any legality to what he's done in assigning arbitrary numbers to the subcommittees which needed to be met, that is not the case.

As we all know, the Budget Act and the 602[b] process, which describes the way in which the Appropriations Committee shall act, has no relevance to, bearing on, or in any way relates to what the Authorizing Committee does.

This is indicated in every authorizing bill that comes before the House and which, under the Section CBO cost estimate, it says this measure is an authorization bill and is not covered by spending limitations in the Budget Act or any budget resolution, because it does not directly result in expenditures.

I think what the Chairman has done appears to contradict this actual factual situation, and to that degree, I think he has, deliberately or not, misled the Committee as to the relevance of his proposals.

I should note also that in making a survey of what other Committees have done, we find that, other than the Appropriations Committee, there is no other Committee that has followed this procedure.

And I ask unanimous consent to include in the record a survey conducted by the staff, showing the practices of the various other Committees.

The CHAIRMAN. Without objection.

[“Current Authorization Practices of the Various Committees” follows:]

Current Authorization Practices of the Various Committees

Our survey of the Democratic staffs shows that our Committee's new authorization procedures are not part of a House-wide effort. Our Committee is the only one to have made major changes in its authorization procedures from last year. Our Committee also appears to be almost unique in its degree of deference to the Budget Committee's report language. The Committee by Committee results of our survey follow.

Agriculture. The authorization process for agriculture follows its practice from past years and has not implemented new procedures similar to those being used in the Committee on Science. Last Wednesday, the Chairman of the Committee on Agriculture announced a task force of eight Republicans and six Democrats to work out the allocation of resources among agricultural programs. This process reflects the fact that there is often more loyalty to specific crops than to party on this committee. Agriculture is not rushing to report a farm bill ahead of appropriations; instead, they are likely to report a series of authorization bills later in the year. Budget allocations have not been made by subcommittee. The Committee is also likely to continue its tradition of ignoring Budget Committee report language.

Banking and Financial Services. The Banking Committee is not pushing the authorization process. No authorization markups are scheduled, and subcommittee budget caps have not been assigned to date. Although housing programs are operating without an authorization, there will be no housing bill until later this summer. While the Banking Committee's actions will be budget-driven, the Committee expects to use the reconciliation process rather than a new authorization process to come into agreement with the budget resolution. Leadership initiatives will be followed by the Banking Committee. Congressman Rick Lazio, who serves as the Banking Committee's representative on the Budget Committee, has had a say in the Budget Committee report; therefore, the Committee's actions when they occur are likely to track the Budget Committee report fairly closely.

Commerce. Only a couple of authorization bills have been scheduled so far this year: the Ryan White reauthorization and FCC Reauthorization. The Commerce Committee is not worrying about Budget Committee instructions, and it is not trying to get authorization bills out in front of appropriations. No Subcommittee caps have been set. In the case of the FCC, the Committee will be marking up last year's bill although the Budget Committee favors abolishing the agency.

Economic and Educational Opportunities. This committee is facing pressures to cut back 20 to 30 percent on programs within its jurisdiction, but the pressure for the cuts does not seem to be emanating from the Budget Committee. It did not wait for the

Budget Committee to act to consider job training and welfare reform authorizations, and it does not appear to be trying to get additional authorization bills out before the appropriations bills go to the floor. The welfare reform legislation considered during the Contract with America contained authorizations as did the job training consolidation legislation which was reported from the committee a couple weeks ago. It is too early in the Committee's markup process to know how budget report language will be used.

Government Reform and Oversight. This Committee is not moving any authorization bills. The Office of Personnel Management is its only major agency under the Committee's purview, and the Committee generally does not provide annual authorizations for it.

Intelligence. This Committee's Chairman did not go through a process of allocating budgets to subcommittees and holding them to it. There were rumors early in the authorization process that they would be expected to adopt certain leadership priorities, but this did not materialize. The final draft of the bill did not reflect the rumors. The Committee also did not face instructions in the budget report.

International Relations. This Committee authorizes both the State Department and U.S. Aid in one bill. Markup this year was held at the full committee level, and the State Department authorization levels were worked out cordially between the Full Committee and Subcommittee Chairmen. The Committee will follow its tradition and stay within the Budget Committee's number for international relations budget function. It will set the priorities within the budget totals and does not have specific Budget Committee instructions to follow. The Committee expects the House-Senate compromise on the budget to be lower than the House-passed number and will make adjustments accordingly.

Judiciary. There have been very few authorization bills considered by the Judiciary Committee this year, and the Committee is currently working on more pressing business. The Department of Justice has not been authorized for a long time. An overall authorization for the FBI has yet to be considered this year, though selected increases in FBI authorizations, to be funded from the Crime Trust Fund, were reported by the Committee earlier this year. There is no committee policy on overall or subcommittee caps on authorizations or adherence to the Budget Committee's report language.

National Security. There is a long-standing tradition on this Committee to move an authorization bill in advance of the Appropriations bill and to come in at the same numbers as the appropriators. The National Security Committee's authorization bill is exactly at House Budget Resolution levels for budget authority and $550 million below the budget allocation on outlays. The Committee Chairman divided the Budget Committee's

total mark among the subcommittees and passed on a half dozen leadership initiatives to follow. The budget committee report had very few instructions for them. The Committee's House budget allocation was up $9.5 billion, but the House-Senate compromise will be considerably lower. The Committee's authorization bill will be adjusted to match the revised number.

Resources. There is no obvious relationship between the work of the Budget Committee and that of the Committee on Resources. The six-year Bureau of Land Management Authorization, the only authorization bill to be considered this year, was driven by the desire to have the program authorized rather than by an action of the Budget Committee. Other authorizations, such as the Alaska National Wildlife Refuge bill, are not moving; in some instances hearings have not even been held. Resources Subcommittees have not been given been given budget-based caps for their programs.

Transportation and Infrastructure. There have been no budget allocations to Subcommittee Chairman and no attempt to move authorization bills in advance of appropriations. Even though the Congress must pass legislation by the end of September if $6.5 billion for the National Highway System is to be released, the Subcommittee is not trying to report legislation in advance of the Committee on Appropriations and has not scheduled a meeting on the subject. The Committee also is not likely to follow the Budget Committee report language in areas like new transit starts and cost-sharing levels for transit and highway projects.

Veterans Affairs. This committee does not report an overall annual authorization bill. The Committee has various expiring authorities that will be taken up in due course. The Committee chairman has not made allocations to subcommittees based on the budget resolution and does not appear to be trying to report authorizations ahead of the Committee on Appropriations.

Mr. BROWN. Now, Mr. Chairman, in addition to that, I was personally affronted by the fact that the process that you followed involved no consultation with the minority in any way, shape, or form. I regret that very much, and I hope it can be remedied in the future.

I would like to quote a paragraph from a recent book that describes the operations of the—

Mr. ROHRABACHER. Would the gentleman yield for a question?

Mr. BROWN. Certainly.

Mr. ROHRABACHER. Is the distinguished Ranking Member aware that I did call him in the Subcommittee process?

I know that I called him, the ranking minority member, and consulted with him, and my staff, and instructed my staff to consult with his staff during the process.

We did, at least on my part, I can tell you that we consulted quite a bit.

Mr. BROWN. I accept that comment. I think that the gentleman did exactly what he describes, but that is not what I'm talking about. I'm talking about the assignment to you by the Chairman of a number which he described as a 602[b] cap which you were not going to be allowed to exceed, until of course the Chairman subsequently changed that number.

Proceeding, I would like to quote just one paragraph from this book describing the Appropriations Committee process, and I quote:

"Although Appropriations remains the most bipartisan of Congressional Committees, interparty bickering has increased."

This was written about two years ago. When Silvio Conte served as the House Panels Ranking Republican throughout the nineties, it didn't seem to matter that the minority party didn't participate in the allocation process since Conte informally worked with Whitten to get what he wanted.

Relations changed in February, 1991, after Conte died suddenly and the more conservative Joseph McDade took over and demanded increased control. When Whitten, as usual, informed the Ranking Republicans of the allocations only after the cardinals, that's the Democratic cardinals, had met, McDade filed a formal protest calling the process troubling and at present unsatisfactory. Joined by the Committee's 21 other Minority Members, McDade declared that the allocations, and this is quoting McDade's and the Minority Leader, "heavily influence and in some instances, dictate the future funding decisions of each of the Subcommittees, and complained that there is no consultation, no solicitation of opinions, and no sharing of information prior to the time the allocations are brought forth in Full Committee for ratification. Whitten promised to investigate ways to open the process but no one on the panel expects new procedures."

Now, and that's the end of the quotation. This is precisely the process which Mr. Walker followed without the benefit of clergy. In other words, there was no legal basis for him to do it. There was a legal basis for the Appropriations Committee to do it.

I am protesting. I will put it in writing and have it filed later on, but I'm making the statement at this point to try and discourage the Chairman from working this kind of magic on the Committee in the future.

And while he may say that if it was good enough for Whitten, it's good enough for him, I had hoped that the new revolutionary majority would set a higher standard of conduct in accordance with what, when they were in the minority, they thought ought to be done by the majority at that time.

That concludes my opening statement.

The CHAIRMAN. I thank the gentleman for his opening statement.

Just a couple of points.

The Chair did share with the gentleman from California the numbers that he was giving to the Subcommittee Chairman at exactly the same time that he gave them to the Subcommittee Chairman.

So to suggest that this information came as a surprise to the gentleman, it was in fact a process where the Chair did share that information. And secondly, the Chair has never suggested that there was any legal mandate to do this.

The Chair, in consultation with his Subcommittee Chairmen, decided this was the way we wanted to proceed in order to make ourselves relevant in the process. And the bottom line was that in the bill that we are about to consider, if we could get back to the subject matter, the budget number ends up being exactly the number to which we are working.

Now that does in fact mean that we have some ability then to set priorities within the number that is going to be real throughout the process.

It seems to me that there's some advantage to us in proceeding that way. There's no legal mandate on it. It just simply is something which in fact increases our chance to participate in a meaningful way. Some people may not want to participate in that meaningful way. That's certainly their right.

Mr. BROWN. May I respond briefly, Mr. Chairman?

The CHAIRMAN. Sure.

Mr. BROWN. The example the Chairman has given of course is a fluke actually in which the final budget number is the same as the House passed number. That is not true in most other budget categories.

The Chair, himself, has recognized this by making a major change in the number that he handed down on energy research and development, and if he were to be consistent, he would make similar changes in the other numbers that he handed down from on high.

The CHAIRMAN. Well, the fact is that in most cases, the numbers, other than the energy number, have not changed.

They are, the Committee is working within those numbers. And if anything, in a couple of cases, we may end up with lower numbers than what were in the Budget Resolution.

Mr. BROWN. That's always possible.

The CHAIRMAN. And so, you know, we are proceeding in good faith to try to maintain that kind of relevance. But, you know, we are hopeful that all of this will result in some better policy initiatives. We'll just have to wait and see.

Part of the revolutionary majority is to in fact change things not only in the operational style of Congress, but also ultimately

change things that have been going wrong in terms of the policies of the country, and we're making a big effort in that regard.

The Chairman would ask unanimous consent that the bill be considered read, open to amendment at any point.

I ask the members would proceed then with amendments in the order of the roster.

The first amendment on the roster on this bill is an en bloc amendment that the Chairman is offering.

Is that in the package?

That amendment will have to be distributed.

[The amendment offered by Mr. Walker follows:]

EN BLOC AMENDMENTS TO H.R. 1815

OFFERED BY MR. WALKER

Page 4, line 6, strike "for fiscal year 1995".

Page 4, after line 11, insert the following new subsection:

1 (c) NEW NEXRAD INSTALLATIONS.—No funds may
2 be obligated for NEXRAD installations not identified in
3 the National Implementation Plan for 1996, unless the
4 Secretary certifies that such NEXRAD installations can
5 be acquired within the authorization for NEXRAD con-
6 tained in section 102(b) of the National Qceanic and At-
7 mospheric Administration Authorization Act of 1992.

Page 4, line 12, through page 5, line 18, redesignate subsections (c) through (f) as subsections (d) through (g), respectively.

Page 6, line 15, insert "(1)" after "AIR QUALITY RESEARCH.—".

Page 6, after line 21, insert the following new paragraph:

8 (2) The Administrator shall ensure that at least the
9 same percentage of the climate and air quality research
10 funds that were provided to institutions of higher edu-

1 cation for fiscal year 1995 is provided to institutions of
2 higher education from funds authorized by this subsection.

Page 8, line 6, strike "$188,883,000" and insert in lieu thereof "$184,425,000".

Page 9, line 3, strike "$31,207,000" and insert in lieu thereof "$35,665,000".

Page 12, after line 24, insert the following new section:

3 SEC. 203. USE OF OCEAN RESEARCH RESOURCES OF OTHER
4 FEDERAL AGENCIES.

5 (a) FINDINGS.—The Congress finds the following:

6 (1) Observing, monitoring, and predicting the
7 ocean environment has been a high priority for the
8 defense community to support ocean operations.

9 (2) Many advances in ocean research have been
10 made by the defense community which could be
11 shared with civilian researchers.

12 (3) The National Oceanic and Atmospheric Ad-
13 ministration's missions to describe and predict the
14 ocean environment, manage the Nation's ocean and
15 coastal resources, and promote stewardship of the
16 world's oceans would benefit from increased coopera-
17 tion with defense agencies.

1 (b) SENSE OF CONGRESS.—It is the sense of the
2 Congress that the National Oceanic and Atmospheric Ad-
3 ministration should expand its efforts to develop inter-
4 agency agreements to further the use of defense-related
5 technologies, data, and other resources to support its oce-
6 anic missions.
7 (c) REPORT.—
8 (1) IN GENERAL.—Not later than 120 days
9 after the date of the enactment of this Act, the Sec-
10 retary of Commerce shall submit to the Committee
11 on Science of the House of Representatives and the
12 Committee on Commerce, Science, and Transpor-
13 tation of the Senate a report on the feasibility of ex-
14 panding the use of defense-related technologies,
15 data, and other resources to support and enhance
16 the oceanic missions of the National Oceanic and At-
17 mospheric Administration.
18 (2) CONTENTS.—The report required under
19 paragraph (1) shall include—
20 (A) a detailed listing of defense-related re-
21 sources currently available to the National Oce-
22 anic and Atmospheric Administration and the
23 National Oceanic and Atmospheric Administra-
24 tion missions which utilize those resources;

1 (B) detailed findings and recommenda-
2 tions, including funding requirements, on the
3 potential for expanding the use of available de-
4 fense-related resources;
5 (C) a detailed listing and funding history
6 of the National Oceanic and Atmospheric Ad-
7 ministration resources, including data and tech-
8 nology, which could be supplemented by de-
9 fense-related resources;
10 (D) a listing of currently unavailable de-
11 fense-related resources, including data and
12 technology, which if made available would en-
13 hance the National Oceanic and Atmospheric
14 Administration mission performance;
15 (E) recommendations on the regulatory
16 and legislative structures needed to maximize
17 the use of defense-related resources;
18 (F) an assessment of the respective roles
19 in the use of defense-related resources of the
20 Army Corps of Engineers, data centers, oper-
21 ational centers, and research facilities of the
22 National Oceanic and Atmospheric Administra-
23 tion; and

1 (G) recommendations on how to provide
2 access to relevant defense-related data for non-
3 Federal scientific users.

Page 15, line 17, strike "Modernization" and insert in lieu thereof "Modification".

Page 16, line 11, insert "non-Federal, non-wildfire," after "National Weather Service".

Page 17, line 18, insert ", projects, and activities" after "carrying out the programs".

Page 18, lines 16 and 17, strike "make separations required pursuant to subsection (a)" and insert in lieu thereof "separate commissioned officers from the active list of the National Oceanic and Atmospheric Administration, and may do so".

Page 21, after line 20, insert the following new sections:

SEC. 504. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Administrator shall exclude from consideration for awards of financial assistance made by the National Oceanic and Atmospheric Administration after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from

any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 505. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. Mr. Brown?

Mr. BROWN. I have no objection to considering an en bloc amendment, provided we agree that the text of the bill as amended would be considered as original text for the purposes of amendment.

The CHAIRMAN. The gentleman is correct. That's what we'll be doing. That will leave you the availability for your substitute, then.

Let me explain the en bloc while it's being distributed.

What I'm trying to do is make several minor technical changes, and it combines noncontroversial amendments to the NOAA bill in order to speed consideration of the bill. The bill as originally drafted or the en bloc amendment, as originally drafted, included an authorization report from the Inspector General of the Department of Commerce on consolidating NOAA laboratory facilities.

This item was considered controversial by Mr. Brown, so therefore I will offer that as a separate amendment, rather than having it considered as part of the en bloc.

The en bloc amendment adds language supported by, first of all, Mr. Boehlert, which specifies that NOAA should expend the same percentage on extramural climate research as it did last year, with reductions the climate research accounts. Some have speculated that NOAA would simply cut extramural research. The Boehlert amendment preserves a working relationship between NOAA and the academic community.

Mr. Weldon's is included to initiate a study within NOAA to ensure that defense-related assets and data which could assist the agency in doing research are not lost.

A number of important defense-related systems such as the Over the Horizon Radar, the Navy's Underwater Sonar Arrays, have exciting potential to assist in data collection for climate, weather and marine research.

Some work has already been done in this area. However, the Weldon amendment should be a clear indication that this Committee supports NOAA's exploring the dual use area.

I will also note that identical language, also sponsored by Mr. Weldon, passed the House last year but died in the Senate.

The en bloc amendment also includes an amendment by Mr. Cramer to allow for new NEXRADs to be sited if two criteria are met. They are contained within the National Weather Service modernization implementation plan, and second, the Secretary of Commerce can certify that they can be acquired and sited without requiring additional authorizations of funds.

At the Administration's request, it shifts over $4 million to within two satellite accounts. The increase is taken from the Polar Orbiting Satellite Account and is shifted to the Data and Information Services.

If my amendment is adopted, Data and Information Services will be funded at its 1995 level. This change is being made at the Administration's request.

The amendment also makes some minor technical changes to the bill, including narrowing the definition of Fire Weather Forecasts, correcting the term Weather Modification Grants, and giving the Secretary of Commerce the authority to reduce the number of

NOAA Corps offices in keeping with the bill's intent to do away with the Corps by the end of fiscal year 1998.

It also adds the same language prohibiting lobbying activities and earmarking, as we have added to the DOE and EPA bills.

Are there additional members who wish to be heard?

Mr. Cramer and then I'll come to Mr. Weldon.

Mr. CRAMER. Thank you, Mr. Chairman.

I want to say very quickly, I thank you for accepting my amendment.

My amendment would have simply corrected the limitation on the Weather Service's modernization plan that was contained in the bill.

The current bill language that was offered would not have allowed any flexibility for changes in that modernization plan.

As this Committee knows, we began a process last summer, even a field hearing in my district there, over the Weather Service's modernization plan. Several of us on this Committee, others in Congress were concerned that perhaps we were in gap areas.

We started a National Research Council review of the Weather Service modernization plan. That review was completed two weeks ago. It identified five geographic areas, my district included, Mr. Wamp, Mr. Roemer and others in the Congress of course, as areas that would likely experience a degradation of service under the existing Weather Service modernization plan.

So I think by the language that the Chairman has accepted here, we've allowed flexibility to meet the safety needs of the public and to accommodate needed changes in the modernization plan if that is eventually recommended. And we now expect that that will be recommended.

So I thank the Chairman.

The CHAIRMAN. I thank the gentleman very much.

Mr. Weldon?

Mr. CURT WELDON. I thank the Chairman for yielding. I thank the Chairman for also accepting our amendment in his en bloc amendment.

The amendment that I've offered, I offer as the Chairman of the Research and Development Subcommittee for the National Security Committee, and it's partly because of my frustration with the level of funding for ocean research coming out of our budget mark.

I happen to think that we've gone too far in that area. I understand the realities of the budget situation. But I want to be able to look for possible ways that what we're doing for the military can be shared with the environmental community where that use is in fact compatible.

I also want to thank our colleague, Mr. McHale, who sits on the Research and Development Subcommittee and who helped in this amendment because I think it sends a signal to both NOAA and to the military that we want to maximize those dollars we're spending on an extensive undersea research effort by the military, where possible, for civilian use and for on-going environmental activities.

I think it's fairly noncontroversial.

And once again, Mr. Chairman, I want to thank you for your willingness to accept this amendment in your en bloc.

The CHAIRMAN. I thank the gentleman.

Mr. Roemer?

Mr. ROEMER. Thank you, Mr. Chairman.

I rise in strong support of the Chairman's en bloc amendments. We have been working with a number of people on the Committee, including Mr. Cramer, Mr. Wamp, in making sure that the 15-year-old national weatherization plan incorporates true science and protection of public safety.

This plan is 15 years old. It is not perfect by any stretch of the imagination. The National Resource Council just came out with a new, scientific report saying that there are five areas that are going to experience gaps in current coverage.

And my area, Northern Indiana, is particularly vulnerable to lake effect snow and thunderstorms coming off of Lake Michigan with absolutely no warning, threatening school children on buses and farmers out in the field. And the next generation, NEXRAD radar would certainly help in providing protection that the current radar in Illinois and Michigan cannot provide. It's based upon true science, it seeks to protect the public, and I strongly encourage support of the Chairman's amendment.

The CHAIRMAN. Mr. Brown?

Mr. BROWN. Mr. Chairman, I have a perfecting amendment at the desk.

The CHAIRMAN. The Clerk will distribute the amendment.

[The amendment offered by Mr. Brown follows:]

AMENDMENT OFFERED BY MR. BROWN TO THE WALKER EN BLOC AMENDMENT TO H.R. 1815

Page 2, line 17, strike "Congress." and insert in lieu thereof the following:

1 Congress, provided that this shall not prevent officers or
2 employees of the United States or of its departments or
3 agencies from communicating to Members of Congress on the
4 request of any Member or to Congress, through the proper
5 channels, requests for legislation or appropriations which they
6 deem necessary for the efficient conduct of the public
7 business.

Mr. BROWN. And, Mr. Chairman, I ask unanimous consent that it be modified to make the proper page and line references.

The CHAIRMAN. Without objection.

Mr. BROWN. Mr. Chairman,—

The CHAIRMAN. The Chair is prepared to take the amendment so the gentleman can describe it.

Mr. BROWN. —I will very briefly describe it.

The purpose is to slightly focus the rather broad section 505 and to conform it to the existing law which prohibits lobbying by officers and employees of the United States.

And as the gentleman has already indicated, he's willing to accept it. We think that it will make the language both more specific and more in conformity with the present law so that it can be enforced more effectively.

The CHAIRMAN. I thank the gentleman. The Chair understands that this is language that presently exists in the U.S. Code, and thinks that this does help conform the language to present law, and is prepared to accept the amendment to the en bloc amendment.

Is there any further discussion on the amendment to the en bloc amendment?

[No response.]

The CHAIRMAN. If not, those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it. The amendment to the en bloc amendment is agreed to.

Is there further discussion of the en bloc amendment?

[No response.]

The CHAIRMAN. If not, the Chair will put the question.

Those in favor of the en bloc amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it. The en bloc amendment is adopted.

The next amendment would be Mr.—

Oh, I'm sorry, I have an additional amendment that we pulled out of the en bloc and the Clerk will distribute the amendment.

[The amendment offered by Mr. Walker follows:]

AMENDMENT TO H.R. 1815
OFFERED BY MR. WALKER

Page 21, after line 20, insert the following new section:

1 **SEC. 504. REPORT ON LABORATORIES.**

2 (a) IN GENERAL.—No later than 120 days after the
3 date of the enactment of this Act, the Inspector General
4 of the Department of Commerce shall conduct a review
5 of the laboratories operated by the National Oceanic and
6 Atmospheric Administration and submit a report to the
7 Committee on Science of the House of Representatives
8 and the Committee on Commerce, Science, and Transpor-
9 tation of the Senate.

10 (b) REQUIREMENTS.—The report required by sub-
11 section (a) shall—

12 (1) address potential efficiencies and savings
13 which could be achieved through closing or consoli-
14 dating laboratory facilities;

15 (2) review each laboratory's—

16 (A) mission and activities and their cor-
17 relation to the mission priorities of the National
18 Oceanic and Atmospheric Administration;

19 (B) physical assets, equipment, condition,
20 and personnel resources; and

1 (C) organization and program manage-
2 ment; and
3 (3) address other issues the Inspector General
4 considers relevant.

The CHAIRMAN. This is a study by the Inspector General, and the Chair will indicate his intention on the amendment.

The Chief Scientist at NOAA has already completed a study of the NOAA laboratory functions, and although we have not seen the study yet, indications are that NOAA judges all of its laboratories to be models of efficiency.

As long as NOAA or the Department of Commerce is reviewing itself, I'm afraid we're going to get the same result. The Commerce Inspector General is far more likely to look objectively at NOAA's labs and see if there are areas where money can be saved.

There's nothing wrong with the I.G. investigating ways to save money. The Commerce I.G. has a dual charter. One portion is ferreting out waste, fraud and abuse. The other, however, is improving the efficiency and effectiveness of the programs within Commerce.

This study falls under that category and is fully consistent with the I.G.'s charter.

The Committee, by adopting this language, is not accusing NOAA's labs of graft or corruption, but rather is ensuring that NOAA's facilities are run in the most efficient and effective manner possible.

Neither the Secretary of Commerce nor the Congress is required to follow the I.G.'s recommendations. I, however, think that it would be very worthwhile to hear his opinion, and have that to consider as we do our deliberations in further authorizations.

Is there further discussion of the amendment?

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. Gentleman from California.

Mr. BROWN. Again, I have a perfecting amendment which I would like to offer at this time.

The CHAIRMAN. The Clerk will distribute the perfecting amendment.

[The amendment offered by Mr. Brown follows:]

AMENDMENT TO THE WALKER EN BLOC
Offered by Mr. Brown

In the portion of the en bloc amending Page 21, after line 20, amend the proposed new section 504 as follows:

on lines 3 of the amendment, strike "Inspector General" and insert in lieu thereof "Secretary".

Mr. BROWN. And I ask unanimous consent that my amendment be modified so it makes the proper page and line corrections.

The CHAIRMAN. The Chair has not seen this amendment, and so therefore would reserve a point of order until I've had a chance to look at the language.

Mr. BROWN. Certainly.

Mr. Chairman, this is really a very simple amendment. It substitutes, for the Inspector General, the Secretary of the Department, and we feel that the main justification for this is that the scope of the study requested here, which obviously would establish a base for the closing of facilities and activities within the department, and as such is probably comparable to a base closing process as much as anything else, and is a much broader function than that which the Inspector General is normally called upon to perform.

We're talking here about factors such as the organization of activities, their location, their mission, their detailed activities, and while we concur that the Inspector General will have familiarity with some of these things, we feel that the broad policy nature of the activity would be better served if the Secretary, acting of course in cooperation with the Inspector General as he deems necessary, were to be the one responsible for the actual carrying out of this mission.

The CHAIRMAN. Would the gentleman yield?

Mr. BROWN. I certainly would yield.

The CHAIRMAN. The concern that has been expressed about giving it to the Secretary is the fact that the likelihood is that the Secretary would simply give it back to NOAA who have already given us a report telling us that everything is hunky dory, and that's the concern.

Would the gentleman, if the Chair was prepared to accept this language, be willing to accept report language that specifically tells the Secretary he cannot give it to NOAA to do, and with a recommendation that the Secretary assign this to the Inspector General?

Mr. BROWN. This gentleman would like to be flexible on that point, and appreciates the Chair's willingness to be flexible also. We think that that kind of language could be done, and I'd like to see the exact form of the language in the report, of course.

But I would like to also point out that in connection with similar activities in other departments, such as the Department of Energy, for example, the Secretary has been the one who carried out these functions, and has done so very aggressively and has done so to initiate actions which have resulted in major reductions in the functions of the department.

We think that this is a parallel situation. But if the language that you suggest in the report—

The CHAIRMAN. Well, the Chair's principal concern is that the Secretary simply not hand this off to the agency and allow the agency to do another study.

So I mean if we could have at least report language indicating that that would not be acceptable, the Chair would also prefer that we give some indication that the appropriate place to handle this

may be the Inspector General but has some flexibility with regard to that.

If that's acceptable to the gentleman in terms of having some report language in that sense, then I'm prepared to accept his amendment.

Mr. BROWN. I'll accept as approved, but the gentleman is getting to the point where he likes to see the specific language, however.

The CHAIRMAN. Sure, that being the case.

Mr. Graham?

Mr. GRAHAM. One thing that struck me is I'd like to get rid of the Department of Commerce. What are we going to do if we do that?

The CHAIRMAN. Well,—

Mr. BROWN. All bets are off then.

The CHAIRMAN. Yes. Let me say to the gentleman that all this is predicated on the fact that we're authorizing within the present framework, and this is a one-year authorization. The chances are that even if we have a proposal to get rid of the Department of Commerce, it will take most a year for that to play out.

This would simply be language that will assure that the appropriate policies are being pursued during the time of transition to something other than the Department of Commerce.

This is not an assumption that we're keeping the Department of Commerce in any way, shape. We're just doing our work relative to the present structure.

The Chair will put the question on the amendment to the amendment.

All those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes appear to have it. The ayes have it.

Is there further discussion on the amendment as amended?

[No response.]

The CHAIRMAN. If not, the Chair will put the question.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The amendment is approved.

The next amendment is Mr. Brown's amendment.

Mr. BROWN. We've already taken that up, Mr. Chairman, or have we?

The CHAIRMAN. No, you have one in the nature of a substitute. That amendment is in the package.

[Pause.]

[The amendment offered by Mr. Brown follows:]

AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY Mr. Brown

Strike all after the enacting clause and insert in lieu thereof the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "National Oceanic and
3 Atmospheric Administration Authorization Act of 1995".

4 SEC. 2. POLICY AND PURPOSE.

5 It is the policy of the United States and the purpose
6 of this Act to—

7 (1) support and promote continuing the mission
8 of the National Oceanic and Atmospheric Adminis-
9 tration to monitor, describe and predict changes in
10 the Earth's environment, protect lives and property,
11 and conserve and manage the Nation's coastal and
12 marine resources to ensure sustainable economic op-
13 portunities;

14 (2) affirm that such mission involves basic re-
15 sponsibilities of the Federal Government for ensur-
16 ing general public safety, national security, and envi-
17 ronmental well-being, and promising economic
18 growth;

19 (3) affirm that the successful execution of such
20 mission depends strongly on interdependency and

1 synergism among component activities of the Na-
2 tional Oceanic and Atmospheric Administration;
3 (4) recognize that the activities of the National
4 Oceanic and Atmospheric Administration underlie
5 the societal and economic well-being of many sectors
6 of our Nation; and
7 (5) recognize that such mission is most effec-
8 tively performed by a single Federal agency with the
9 capability to link societal and economic decisions
10 with a comprehensive understanding of the Earth's
11 environment, as provided for in this Act.

12 SEC. 3. NATIONAL WEATHER SERVICE OPERATIONS AND
13 RESEARCH.

14 There are authorized to be appropriated to the Sec-
15 retary of Commerce to enable the National Oceanic and
16 Atmospheric Administration to carry out the operations
17 and research activities of the National Weather Service
18 $483,124,000 for fiscal year 1996.

19 SEC. 4. NATIONAL WEATHER SERVICE SYSTEMS ACQUISI-
20 TION.

21 (a) AUTHORIZATION.—There are authorized to be ap-
22 propriated to the Secretary of Commerce to enable the Na-
23 tional Oceanic and Atmospheric Administration to im-
24 prove its public warning and forecast systems $90,343,000
25 for fiscal year 1996. None of the funds authorized under

1 this section may be used for the purposes for which funds
2 are authorized under section 102(b) of the National Oce-
3 anic and Atmospheric Administration Authorization Act
4 of 1992 (Public Law 102–567).

5 (b) CONTRACTOR ACTIVITIES.—Activities of any non-
6 Federal entity, including the purchase, transportation, re-
7 ceipt, and installation of property and materials, on behalf
8 of the National Oceanic and Atmospheric Administration
9 pursuant to the modernization of the National Weather
10 Service as set forth in the Weather Service Modernization
11 Act (title VII of Public Law 102–567), are hereby ex-
12 pressly exempted from taxation in any manner or form
13 by any State, county, or municipality, or any subdivision
14 thereof.

15 (c) REPEAL.—Section 102(b)(2) of the National Oce-
16 anic and Atmospheric Administration Authorization Act
17 of 1992 is repealed.

18 SEC. 5. WEATHER SERVICE MODERNIZATION.

19 (a) AMENDMENTS.—The Weather Service Mod-
20 ernization Act is amended—

21 (1) in section 706—

22 (A) by striking "60-day" in subsection
23 (c)(2) and inserting in lieu thereof "30-day";

24 (B) by amending subsection (b)(6) to read
25 as follows:

1 "(6) any recommendations of the Committee
2 submitted under section 707(c) that evaluate the
3 certification.";
4 (C) by amending subsection (d) to read as
5 follows:
6 "(d) FINAL DECISION.—If the Secretary decides to
7 close, consolidate, automate, or relocate any such field of-
8 fice, the Secretary shall publish the certification in the
9 Federal Register and submit the certification to the Com-
10 mittee on Commerce, Science, and Transportation of the
11 Senate and the Committee on Science of the House of
12 Representatives."; and
13 (D) by amending subsection (f) to read as
14 follows:
15 "(f) PUBLIC LIAISON.—The Secretary shall maintain
16 for a period of at least two years after the closure of any
17 weather office a program to—
18 "(1) provide timely information regarding the
19 activities of the National Weather Service which may
20 affect service to the community, including mod-
21 ernization and restructuring; and
22 "(2) work with area weather service users, in-
23 cluding persons associated with general aviation,
24 civil defense, emergency preparedness, and the news

1 media, with respect to the provision of timely weath-
2 er warnings and forecasts."; and
3 (2) by amending section 707(c) to read as fol-
4 lows:
5 "(c) DUTIES.—The Committee may review any cer-
6 tification under section 706, for which the Secretary has
7 provided a notice of intent to certify, in the plan, including
8 any certification for which there is a significant potential
9 for degradation of service within the affected area. Upon
10 the request of the Committee, the Secretary shall make
11 available to the Committee the supporting documents de-
12 veloped by the Secretary in connection with the certifi-
13 cation. The Committee shall evaluate any certification re-
14 viewed on the basis of the modernization criteria and with
15 respect to the requirement that there be no degradation
16 of service, and advise the Secretary accordingly.".
17 (b) SENSE OF CONGRESS REGARDING ADDITIONAL
18 MODERNIZATION ACTIVITIES.—It is the sense of Congress
19 that the Secretary of Commerce should plan for the imple-
20 mentation of a follow-on modernization program aimed at
21 improving weather services provided to areas which do not
22 receive weather radar coverage at 10,000 feet. In carrying
23 out such a program, the Secretary should plan for a pro-
24 curement of Block II NEXRAD radar units.

1 SEC. 6. BASIC FUNCTIONS AND PRIVATIZATION OF NA-
2 TIONAL WEATHER SERVICE.
3 (a) BASIC FUNCTIONS.—The basic functions of the
4 National Weather Service shall be—
5 (1) the provision of forecasts and warnings in-
6 cluding forecasts and warnings, of severe weather,
7 flooding, hurricanes, and tsunami events;
8 (2) the collection, exchange, and distribution of
9 meteorological, hydrologic, climatic, and oceano-
10 graphic data and information; and
11 (3) the preparation of hydrometeorological guid-
12 ance and core forecast information.
13 (b) PROHIBITION.—The National Weather Service
14 shall not provide any new or enhanced weather services
15 for the sole benefit of an identifiable private entity or
16 group of such entities operating in any sector of the na-
17 tional or international economy in competition with the
18 private weather service industry.
19 (c) NEW OR ENHANCED SERVICE.—If the Secretary
20 determines, after consultation with appropriate Federal
21 and State officials, that a new or enhanced weather service
22 is necessary and in the public interest to fulfill the inter-
23 national obligations of the United States, to enable State
24 or Federal emergency or resource managers to better per-
25 form their State or Federal duties, or to carry out the
26 functions of the National Weather Service described in

1 subsection (a), the National Weather Service may provide
2 such new or enhanced service as one of its basic functions
3 if—

4 (1) each new or enhanced service provided by
5 the National Weather Service will be limited to the
6 level that the Secretary determines necessary to ful-
7 fill the requirements of this subsection, taking into
8 account the capabilities and limitations of resources
9 available, scientific knowledge, and technological ca-
10 pability of the National Weather Service; and

11 (2) upon request, the National Weather Service
12 will promptly make available to any person the data
13 or data products supporting the new or enhanced
14 service provided pursuant to this section, at a cost
15 not greater than that sufficient to recover the cost
16 of dissemination.

17 (d) FEDERAL REGISTER.—The Secretary shall
18 promptly publish in the Federal Register each determina-
19 tion made under subsection (c).

20 (e) PRIVATIZATION REVIEW.—The Secretary shall,
21 by February 15, 1996, conduct a review of all existing
22 weather services and activities performed by the National
23 Oceanic and Atmospheric Administration in order to iden-
24 tify those activities which may be transferred to the pri-
25 vate sector. Such review shall include a determination that

1 activities identified for privatization will continue to be
2 disseminated to users on a reasonably affordable basis
3 with no degradation of service. The Secretary shall, by
4 March 15, 1996, provide to the Speaker of the House of
5 Representatives and the President of the Senate a plan
6 for transferring these identified services to the private sec-
7 tor.

8 SEC. 7. CLIMATE AND AIR QUALITY RESEARCH.

9 (a) AUTHORIZATION.—There are authorized to be ap-
10 propriated to the Secretary of Commerce to enable the Na-
11 tional Oceanic and Atmospheric Administration to carry
12 out its climate and air quality research activities
13 $139,238,000 for fiscal year 1996.

14 (b) GLOBE.—Of the amount authorized in sub-
15 section (a), $7,000,000 are authorized for fiscal year 1996
16 for a program to increase scientific understanding of the
17 Earth and student achievement in math and science by
18 using a worldwide network of schools to collect environ-
19 mental observations. Beginning in fiscal year 1996,
20 amounts appropriated for such program may be obligated
21 only to the extent that an equal or greater amount of non-
22 Federal funding is provided for such program.

23 SEC. 8. ATMOSPHERIC RESEARCH.

24 There are authorized to be appropriated to the Sec-
25 retary of Commerce to enable the National Oceanic and

1 Atmospheric Administration to carry out its atmospheric
2 research activities $46,909,000 for fiscal year 1996.

3 **SEC. 9. OCEANS AND GREAT LAKES PROGRAMS.**

4 (a) MARINE PREDICTION RESEARCH.—There are au-
5 thorized to be appropriated to the Secretary of Commerce
6 to enable the National Oceanic and Atmospheric Adminis-
7 tration to carry out its oceans and Great Lakes research
8 activities, including Marine Prediction Research,
9 $14,984,000 for fiscal year 1996.

10 (b) SEA GRANT.—Section 212(a) and (b) of the Na-
11 tional Sea Grant College Program Act (33 U.S.C. 1131
12 (a) and (b)) are amended to read as follows:

13 "(a) The Secretary shall maintain within the Admin-
14 istration a program to be known as the National Sea
15 Grant College Program. The National Sea Grant College
16 Program shall consist of the financial assistance and other
17 activities provided for in this Act, and shall be adminis-
18 tered by a National Sea Grant Office within the Adminis-
19 tration. The Secretary shall establish long-range planning
20 guidelines and priorities for, and adequately evaluate, this
21 program.

22 "(b) There are authorized to be appropriated to carry
23 out all aspects of the National Sea Grant College Pro-
24 gram, including research directed toward zebra mussel

1 and other aquatic nuisance mitigation, $49,400,000 for
2 fiscal year 1996.".

3 (c) NATIONAL UNDERSEA RESEARCH.—By February
4 15, 1996, the Administrator of the National Oceanic and
5 Atmospheric Administration shall submit to the Commit-
6 tee on Science of the House of Representatives and the
7 Committee on Commerce, Science, and Transportation of
8 the Senate a report setting forth those specific actions
9 taken to ensure that the research activities formerly car-
10 ried out under the National Undersea Research Program
11 are transferred to and sustained within other existing re-
12 search programs of the National Oceanic and Atmospheric
13 Administration. In providing for this transfer, the Admin-
14 istrator shall afford the maximum practicable consider-
15 ation to extending the existing extramural grants and con-
16 tracts of the National Undersea Research Program. With-
17 in the amounts authorized by this Act, there are author-
18 ized such sums as may be necessary for carrying out the
19 purposes of this subsection.

20 SEC. 10. SATELLITE OBSERVING AND ENVIRONMENTAL
21 DATA MANAGEMENT SYSTEMS.

22 (a) AUTHORIZATION.—There are authorized to be ap-
23 propriated to the Secretary of Commerce to enable the Na-
24 tional Oceanic and Atmospheric Administration to carry
25 out its satellite observing systems activities and data and

1 information services, $357,381,000 for fiscal year 1996.
2 None of the funds authorized in this subsection may be
3 used for the purposes for which funds are authorized
4 under section 105(d) of the National Oceanic and Atmos-
5 pheric Administration Act of 1992 (Public Law 102–567).
6 (b) METEOROLOGICAL SATELLITE ACQUISITION
7 STRATEGIC PLAN.—By February 15, 1996, the Secretary
8 of Commerce shall submit to the Committee on Commerce,
9 Science, and Transportation of the Senate and the Com-
10 mittee on Science of the House of Representatives a stra-
11 tegic plan for the acquisition of meteorological satellite
12 systems which provides options for reducing the annual
13 costs of acquisition. The Secretary shall consider alter-
14 native contractual approaches including—
15 (1) single prime contracts which provide for
16 satellite delivery on orbit;
17 (2) acquisition of data services rather than
18 hardware procurement; and
19 (3) Government-private sector cost sharing.
20 (c) AMENDMENT TO THE LAND REMOTE SENSING
21 ACT OF 1992.—Section 101 of the Land Remote Sensing
22 Act of 1992 (15 U.S.C. 5601 et seq.) is amended—
23 (1) by redesignating subsections (d) and (e) as
24 subsections (e) and (f), respectively; and

1 (2) by inserting after subsection (c) the follow-
2 ing new subsection:
3 "(d) AUTHORITY TO RETAIN FEES.—The Landsat
4 Program Management Member responsible for operation
5 of the Landsat 7 system may retain fees collected from
6 foreign ground stations and from other Landsat 7 data
7 sales to offset the costs of operating the Landsat 7 sys-
8 tem.".
9 (d) SOLE SOURCE CONTRACTS.—Of the sums au-
10 thorized under subsection (a) of this section, $44,561,000
11 for fiscal year 1996 are authorized to remain available
12 until expended to procure additional Geostationary Oper-
13 ational Environmental NEXT satellites and instruments
14 together with the launch and supporting ground systems
15 for such satellites, to enter through the National Aero-
16 nautics and Space Administration into contracts and
17 amendments or modifications of contracts with the devel-
18 oper of previous GOES–NEXT satellites to ensure and fa-
19 cilitate the acquisition of the additional GOES–NEXT
20 satellites and instruments, if the Secretary of Commerce
21 certifies to the Speaker of the House of Representatives
22 and the President of the Senate that the exercise of such
23 authority is necessary to ensure continuous service in geo-
24 stationary satellite imagery equivalent to that provided by
25 the GOES I–M system.

1 (e) INTERAGENCY FACILITY CONSOLIDATION.—By
2 February 15, 1996, the Secretary, in consultation with the
3 Administrator of the National Aeronautics and Space Ad-
4 ministration, shall submit to the Committee on Commerce,
5 Science, and Transportation of the Senate and the Com-
6 mittee on Science of the House of Representatives a report
7 assessing the costs and impacts on operations that would
8 result from the consolidation of satellite command and
9 control, and data acquisition and transfer functions now
10 being carried out at the Satellite Operations Control Cen-
11 ter and Command and Data Acquisition Centers with
12 functionally compatible facilities located at the Goddard
13 Space Flight Center.
14 (f) REPEAL.—Section 105(d)(2) of the National Oce-
15 anic and Atmospheric Administration Authorization Act
16 of 1992 is repealed.
17 SEC. 11. NATIONAL OCEAN SERVICE OBSERVATION AND AS-
18 SESSMENT.
19 There are authorized to be appropriated to the Sec-
20 retary of Commerce to enable the National Oceanic and
21 Atmospheric Administration to carry out observation and
22 assessment activities $48,521,000 for fiscal year 1996.
23 SEC. 12. PROGRAM SUPPORT.
24 (a) EXECUTIVE DIRECTION AND ADMINISTRATIVE
25 ACTIVITIES.—There are authorized to be appropriated to

1 the Secretary of Commerce to enable the National Oceanic
2 and Atmospheric Administration to carry out executive di-
3 rection and administrative activities, including manage-
4 ment, administrative support, provision of retired pay of
5 National Oceanic and Atmospheric Administration com-
6 missioned officers, and policy development, $55,725,000
7 for fiscal year 1996.

8 (b) ACQUISITION, CONSTRUCTION, MAINTENANCE,
9 AND OPERATION OF FACILITIES.—There are authorized
10 to be appropriated to the Secretary of Commerce for ac-
11 quisition, construction, maintenance, and operation of fa-
12 cilities of the National Oceanic and Atmospheric Adminis-
13 tration $52,299,000 for fiscal year 1996.

14 (c) MARINE SERVICES.—There are authorized to be
15 appropriated to the Secretary of Commerce to enable the
16 National Oceanic and Atmospheric Administration to
17 carry out marine service activities, including ship oper-
18 ations, maintenance, and support, $62,011,000 for fiscal
19 year 1996.

20 (d) AIRCRAFT SERVICES.—There are authorized to
21 be appropriated to the Secretary of Commerce to enable
22 the National Oceanic and Atmospheric Administration to
23 carry out aircraft services activities, including aircraft op-
24 erations, maintenance, and support, $10,248,000 for fiscal
25 year 1996.

1 (e) VOLUNTARY SEPARATIONS AND RETIREMENTS.—
2 To ease the transition into the civilian workforce of mem-
3 bers of the National Oceanic and Atmospheric Administra-
4 tion Commissioned Officer Corps and to facilitate the re-
5 duction of active duty officers—
6 (1) section 1174a of title 10, United States
7 Code, shall apply to the NOAA Corps in the same
8 manner and to the same extent as that provision ap-
9 plies to the Department of Defense, and the Sec-
10 retary of Commerce shall implement the provisions
11 of that section with respect to the NOAA Corps and
12 apply the applicable provisions of title 33, United
13 States Code, relating to separation of NOAA Corps
14 personnel; and
15 (2) section 4403(a) and (g) through (i) of the
16 Defense Authorization Act for Fiscal Year 1993
17 (Public Law 102–484; 106 Stat. 2315) shall apply
18 to the NOAA Corps in the same manner and to the
19 same extent as those provisions apply to the Depart-
20 ment of Defense, and the Secretary of Commerce
21 shall implement those provisions with respect to the
22 NOAA Corps and apply the applicable provisions of
23 title 33, United States Code, relating to retirement
24 of NOAA Corps personnel.

1 SEC. 13. NOAA FLEET MODERNIZATION.

2 There are authorized to the Secretary of Commerce
3 to enable the National Oceanic and Atmospheric Adminis-
4 tration to carry out fleet modernization activities, includ-
5 ing repair, construction, acquisition, leasing, charter, or
6 conversion of vessels, including related equipment to main-
7 tain and modernize the existing fleet and to continue plan-
8 ning the modernization of the fleet, $5,950,000 for fiscal
9 year 1996.

10 SEC. 14. EDUCATIONAL PROGRAMS AND ACTIVITIES.

11 The Secretary of Commerce may conduct educational
12 programs and activities related to the responsibilities of
13 the National Oceanic and Atmospheric Administration.
14 For the purposes of this section, the Secretary may award
15 grants and enter into cooperative agreements and con-
16 tracts with States, private sector, and nonprofit entities.

17 SEC. 15. SUBPOENA.

18 (a) GENERAL RULE.—Except as provided in sub-
19 section (c), no employee of the National Weather Service
20 shall give testimony or introduce evidence before any court
21 in any proceeding in which the United States is not a
22 party concerning any function of the National Weather
23 Service or any data, information, or record created or ac-
24 quired by the National Weather Service unless a court of
25 competent jurisdiction determines that—

1 (1) the evidence is not contained in the official
2 records maintained by the National Weather Service
3 at the National Climatic Data Center and is not oth-
4 erwise available from any other source; or
5 (2) the evidence is contained in the official
6 records maintained by the National Weather Service
7 at the National Climatic Data Center but the appli-
8 cable laws of evidence provide no basis, including
9 stipulation by the parties, under which the requested
10 data, information, or records can be introduced in
11 evidence without the employee's testimony.
12 (b) COURT ORDER.—No National Weather Service
13 employee shall honor any subpoena to provide testimony
14 or introduce evidence under the circumstances described
15 in this section unless the subpoena is accompanied by the
16 requisite court order.
17 (c) EXCEPTION.—The National Weather Service may
18 authorize an employee to give testimony or introduce evi-
19 dence in proceedings in which the United States is not
20 a party if such testimony will further the interests of the
21 National Weather Service or the public.
22 SEC. 16. WORKING CAPITAL FUND.
23 (a) ESTABLISHMENT.—The Administrator of the Na-
24 tional Oceanic and Atmospheric Administration is author-
25 ized to establish a working capital fund (in this section

1 referred to as the "Fund"), to be available without fiscal
2 year limitation, for expenses necessary for the mainte-
3 nance and operation of such administrative services as the
4 Administrator shall find to be desirable in the interest of
5 economy and efficiency.

6 (b) TRANSFER FROM FUND.—The Administrator
7 may transfer services out of the Fund upon a determina-
8 tion that centralization of particular services is no longer
9 advantageous.

10 (c) TRANSFERS TO FUND.—There shall be trans-
11 ferred to the Fund the stocks of supplies, equipment, as-
12 sets, liabilities, and unpaid obligations relating to the serv-
13 ices which the Administrator determines will be performed
14 through the Fund.

15 (d) APPROPRIATIONS.—Appropriations to the Fund,
16 in such amounts as may be necessary to provide additional
17 working capital, are authorized.

18 (e) CREDITS TO FUND.—The Fund shall be credited
19 with receipts from the sale or exchange of its property,
20 and receipts in payment for loss or damage to property
21 owned by the Fund.

22 (f) RECOVERY TO FUND.—The Fund shall recover,
23 from the appropriations and funds for which services are
24 performed, either in advance or by way of reimbursement,
25 at rates which will return in full all expenses of operation,

1 including reserves for annual leave, sick leave used, and
2 the depreciation of real and personal property: *Provided,*
3 That such services shall, to the fullest extent practicable,
4 be used to avoid duplication of separate like services in
5 the National Oceanic and Atmospheric Administration:
6 *Provided further,* That an adequate system of accounts for
7 the Fund shall be maintained on the accrual method and
8 financial records shall be prepared on the basis of such
9 accounts. An annual business type budget shall be pre-
10 pared for operations under the Fund. The Fund shall be
11 subject to an annual audit to ensure that it is being oper-
12 ated in accordance with all applicable accounting rules.
13 (g) DISPOSITION OF NET INCOME.—The amount of
14 any earned net income resulting from the operation of the
15 Fund at the close of each fiscal year may be applied to
16 restore any previous impairment of the Fund, and to en-
17 sure the availability of working capital necessary to re-
18 place equipment and inventories: *Provided,* That any re-
19 maining net income after such restoration shall be paid
20 into the General Fund of the Treasury.
21 (h) DELEGATION.—The Administrator is authorized
22 to delegate the responsibility for the management of the
23 Fund.

1 (i) EFFECTIVE DATE.—This section shall take effect
2 on October 1, 1995, or the date of the enactment of this
3 Act, whichever is later.

4 SEC. 17. WEATHER DATA BUOYS.

5 (a) PROHIBITION.—It shall be unlawful for any unau-
6 thorized person to remove, change the location of, ob-
7 struct, willfully damage, make fast to, or interfere with
8 any weather data buoy established, installed, operated, or
9 maintained by the National Data Buoy Center. Any per-
10 son who violates this section may be assessed a civil pen-
11 alty by the Administrator of the National Oceanic and At-
12 mospheric Administration of not more than $10,000 for
13 each violation. Each day during which a violation contin-
14 ues shall be considered a new offense. Such penalties will
15 be assessed after notice and opportunity for a hearing.

16 (b) REWARDS.—The Administrator may offer and
17 pay rewards for the apprehension and conviction, or for
18 information helpful therein, of persons violating subsection
19 (a), or for information leading to the discovery of missing
20 National Weather Service property or the recovery thereof.

21 SEC. 18. REIMBURSEMENT OF EXPENSES.

22 (a) IN GENERAL.—Notwithstanding section 3302 (b)
23 and (c) of title 31, United States Code, and subject to
24 subsection (b) of this section, all amounts received by the
25 United States in settlement of, or judgment for, damage

1 claims arising from the October 9, 1992, allision of the
2 vessel ZACHERY into the National Oceanic and Atmos-
3 pheric Administration research vessel DISCOVERER—
4 (1) shall be retained as an offsetting collection
5 in the Operations, Research, and Facilities account
6 of the National Oceanic and Atmospheric Adminis-
7 tration;
8 (2) shall be deposited in that account upon re-
9 ceipt by the United States Government; and
10 (3) shall be available only for obligation for Na-
11 tional Oceanic and Atmospheric Administration ma-
12 rine services.
13 (b) LIMITATION.—Not more than $518,757.09 of the
14 amounts referred to in subsection (a) may be deposited
15 into the Operations, Research, and Facilities account pur-
16 suant to subsection (a).
17 SEC. 19. CONSTRUCTION PROJECTS.
18 (a) WEATHER FORECAST OFFICE.—The Secretary of
19 Commerce is authorized to enter into a contract with Flor-
20 ida State University which shall—
21 (1) provide the University with appropriated
22 funds to assist in the construction and associated ex-
23 penses, including parking, of a meteorological
24 sciences building on its Tallahassee, Florida, cam-
25 pus; and

1 (2) include a space agreement with the Univer-
2 sity at no cost to the Government, other than for
3 operational expenses, for space in this building for
4 use as the Weather Forecast Office.
5 (b) OPERATIONS AND RESEARCH CENTER.—The
6 Secretary of Commerce is authorized, subject to the avail-
7 ability of appropriations, to construct, on approximately
8 10 acres of land at Goddard Space Flight Center, a facility
9 for a National Oceanic and Atmospheric Administration
10 Operations and Research Center.

11 SEC. 20. ADDITIONAL AUTHORIZATION FOR GAPS IN
12 WEATHER SERVICE COVERAGE.

13 From sums otherwise provided in this Act, up to
14 $7,000,000 may be used to augment National Weather
15 Service coverage for those geographic areas identified in
16 the June, 1995 report of the National Research Council
17 as having potentially degraded service.

Mr. BROWN. If I may proceed, Mr. Chairman?

The CHAIRMAN. I'm sorry, the gentleman's recognized.

Mr. BROWN. Mr. Chairman, the substitute is a continuation of our effort in connection with many of these bills to present an alternative funding profile based upon our sense of the higher priority of research and development and our previously stated position.

While we are in accordance with the Chair's desire to follow a path which will lead to a balanced budget, we do not necessarily agree that his path is the only path to follow in order to achieve this.

I'm offering this amendment as a part of this overall budgetary approach with regard to critical investments in research and development, and I'd like to make a few points.

First, this bill cuts spending by over, this substitute cuts spending by over $40 million below the FY '95 levels. We arrived at this figure, not through some arbitrary limitation given to us by another committee, but through a detailed examination of what was needed to sustain our critical investments in NOAA operations and research.

This spending reduction is real and responsible. We have no illusory savings here, as does the Committee bill.

We do not purport to save money by cutting programs that are not in our Committee's jurisdiction. And we are not assuming large savings in report language.

Because we are confining our bill to the Committee's jurisdiction, the substitute is $300 million below the Committee bill in spending. If we were to faithfully follow the allocation system, as do the Appropriations Committees, this sum should be available to other programs in our jurisdiction, such as energy research or NIST, extramural programs, or as some members would prefer, for deficit reduction.

Within our jurisdiction, we've taken a responsible look at the programs we have some understanding of, and we have trimmed spending where it was possible.

Although the Committee hearing record this year provides little guidance for either side of the aisle in making the far-reaching recommendations called for, we have limited the scope of our substitute to programs with which the Committee has some history of involvement. Weather modernization, satellite programs, and so on.

The second and related point is that the substitute is intended to minimize jurisdictional conflicts. It contains some programs for which we have overlapping jurisdiction with the Resources Committee, but by and large, it's a clean bill.

We've not cluttered the bill with program decisions that other Committees clearly have greater competence to make.

At the outset of this Congress, I welcomed the Republican initiative to streamline the referral process. The gridlock that slowed down legislation in the past truly did not serve the taxpayer well.

What we have in the Committee bill amounts to a repudiation of this reform. We have far-reaching decisions on ocean and coastal management programs and operational aspects of NOAA that will surely be the subject of jurisdictional dispute.

The Committee bill is not a serious effort at streamlining the legislative process.

And the third point that I would like to make is that we've made a serious effort to fund some aspects of NOAA that were seriously underfunded in the Committee bill. These areas of concern are primarily in the basic research area, in air quality research, weather research, oceans and great lakes research, and environmental research.

We've recognized for some time that NOAA's research capability has been eroding. The Committee bill takes this in an irreversible direction that I hope we can avoid.

And lastly, the substitute that I offer makes some serious attempts to reformulate some new policies in light of the problems we face today.

One notable area in this regard is our effort to streamline the certification procedure for weather service modernization. The certification procedures that were in effect were developed in a very bipartisan manner with the hard work of both the House and Senate. These were, however, cumbersome and in need of a new look.

The Committee bill takes a unilateral step toward eliminating them in their entirety, together with the basic standards we've used in ensuring that our communities do not suffer any degradation of service.

It is highly unlikely the Committee bill position will prevail. The substitute, however, presents a workable compromise that I believe will make sense in the long run.

Another policy area which needs to be addressed is how we can move in a rational way toward privatization of specialized weather services. The Administration has proposed eliminating some traditional services such as agriculture and fruit frost forecasts.

My substitute defines more carefully what is and what is not an appropriate role for the Federal Government. It also provides for a transition period.

We would expect to review this transition plan early next year and make sure that there will be continued service at affordable rates.

And I ask for support of this substitute.

The CHAIRMAN. Are there additional people wishing to be heard on the substitute?

[No response.]

The CHAIRMAN. If not, the Chair will close the debate on the substitute.

I have a couple of concerns about the substitute that has been presented to us.

First of all, the parliamentarian, in reviewing the substitute, has indicated to us that this substitute would cause a sequential referral of our bill to Judiciary, in large part because of Section 15, which limits National Weather Service employees from being able to testify in court.

Also because of the exemption of state, local, and municipal taxes in the work of the National Weather Service contractors, that exemption would also cause this bill to end up in the Judiciary Committee.

It should also be noted this is a bill that breaks above the cap. Now we had an understanding here just a little while ago that the fact is that in this case, the cap is real because the budget con-

ference report in fact adopts exactly the House numbers, so we're operating precisely within the House budget.

This particular amendment goes well above what the budget assumes in that particular area.

More importantly, it also reverses the direction that we need to go in terms of some reform, rescoping, restructuring, of NOAA.

Under this proposal, we would continue the funding for the NOAA fleet modernization, rather than eliminating the fleet. We would not phase out the NOAA corps. In fact, under this amendment, we actually improve their retirement benefits, instead of moving in the direction of the reform.

It eliminates the privatization language, replacing it with language that would even allow existing private specialized private weather services which the President has identified in his budget for elimination. And those would be allowed to continue under this particular provision.

And so there are a number of things in here which are the antithesis of the reform effort that I think most people acknowledge has to be done if NOAA is to live within its budget in the years ahead.

And so the Chair would ask for a no vote on the substitute.

Mr. BROWN. Would the Chair allow one minute rebuttal?

The CHAIRMAN. Well, the Chair will yield to the gentleman under his own time.

Mr. BROWN. I appreciate that.

The statements that the Chair has made of course are not ones that we can agree with. Every member has before them a table comparing the funding levels in my substitute with the funding levels in the bill.

And it says very clearly that the funding levels in the substitute is $1391.8 million while the Committee bill is about $300 million higher, $1725. The difference stems from the fact that the Committee bill authorizes funds that are not within the jurisdiction of this Committee while mine does not, but it is well within the cap set for matters within the jurisdiction of this Committee.

Secondly, the Chair, I have already stated that the Committee bill will be subject to referral to other Committees. He's pointed out that it also might be referred to Judiciary. I think this is nitpicking compared with the Committees that will claim jurisdiction of the bill that the Chair has presented to this Committee.

The CHAIRMAN. Well, I thank the gentleman.

I would simply point out that we do share jurisdiction with regard to this bill. And we are in fact taking up the numbers that relate to our particular part of the bill and they are in line with the overall budget resolution. And it is true that the Committee on Resources would also have jurisdiction in some of these areas.

I would simply point out again that the gentleman's goes much further than simply dealing with money issues. It also reverses many of the reforms that are contained within the Committee bill.

With that, the Chair would put the question.

Those in favor of the substitute will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the noes have it. The noes have it. The substitute is not agreed to.

The next amendment is an amendment by Mr. McHale, number 4 on your chart.

Mr. Cramer's amendment was included in the en bloc.

[The amendment offered by Mr. McHale follows:]

AMENDMENT TO H.R. 1815

OFFERED BY MR. MCHALE

Page 5, line 18, through page 6, line 13, strike subsection (f).

Mr. MCHALE. Thank you, Mr. Chairman.

Mr. Chairman, the amendment that I'm about to withdraw dealt with the subject of certification of non-degradation of service prior to the closure of any National Weather Station facilities. I have one such facility in my own district.

Reserving the right to offer this on the floor when the appropriate time comes, I will now withdraw my amendment and offer my support for Amendment Number 5, about to be offered by Mr. Cramer.

The outcome of deliberation on Amendment Number 5 may well preclude any further consideration of the amendment I had previously planned to offer.

Thank you, Mr. Chairman.

The CHAIRMAN. I thank the gentleman for his explanation, and of course he does have the right to offer amendments on the floor when the bill comes to the floor, and I thank him for his cooperation.

Amendment Number 5, Mr. Cramer.

Mr. CRAMER. Mr. Chairman, I have an amendment that should be in the package.

The CHAIRMAN. The gentleman's amendment is in the package and he may proceed to explain his amendment.

[The amendment offered by Mr. Cramer follows:]

AMENDMENT TO H.R. 1815
OFFERED BY MR. CRAMER

Page 5, line 18, through page 6, line 13, amend subsection (f) to read as follows:

1 (f) WEATHER SERVICE MODERNIZATION.—Title VII
2 of the National Oceanic and Atmospheric Administration
3 Authorization Act of 1992 is amended—
4 (1) in section 706—
5 (A) by amending subsection (b)(6) to read
6 as follows:
7 "(6) any recommendations of the Committee
8 submitted under section 707(c) that evaluate the
9 certification.";
10 (B) by striking "60-day" in subsection
11 (c)(2) and inserting in lieu thereof "30-day";
12 (C) by amending subsection (d) to read as
13 follows:
14 "(d) FINAL DECISION.—If the Secretary decides to
15 close, consolidate, automate, or relocate any such field of-
16 fice, the Secretary shall publish the certification in the
17 Federal Register and submit the certification to the Com-
18 mittee on Commerce, Science, and Transportation of the
19 Senate and the Committee on Science of the House of
20 Representatives."; and

1 (D) by amending subsection (f) to read as
2 follows:
3 "(f) TRANSITION PROGRAM.—The Secretary shall
4 maintain for a period of at least two years after the clo-
5 sure of any weather office a program to—
6 "(1) provide timely information regarding the
7 activities of the National Weather Service which may
8 affect service to the community, including mod-
9 ernization and restructuring; and
10 "(2) work with area weather service users, in-
11 cluding persons associated with general aviation,
12 civil defense, emergency preparedness, and the news
13 media, with respect to the provision of timely weath-
14 er warnings and forecasts."; and
15 (2) by amending section 707(c) to read as fol-
16 lows:
17 "(c) DUTIES.—The Committee may review any cer-
18 tification under section 706 for which the Secretary has
19 provided a notice of intent to certify in the plan, including
20 any certification for which there is a significant potential
21 for degradation of service within the affected area. Upon
22 the request of the Committee, the Secretary shall make
23 available to the Committee the supporting documents de-
24 veloped by the Secretary in connection with the certifi-
25 cation. The Committee shall evaluate any certification re-

1 viewed on the basis of the modernization criteria and with
2 respect to the requirement that there be no degradation
3 of service, and advise the Secretary accordingly.".

Mr. CRAMER. I thank the Chairman. I'll try to be brief but I'm going to have to cover some time here.

As Mr. McHale just indicated, this is an amendment that speaks to the certification process. Under the Weather Service Modernization Act, which was passed back in 1992, we established procedures for the modernization of the Weather Service, and a crucial part of law was a requirement that no Weather Service Office can be closed or automated without a certification that the closure would not result in degradation of service to the affected area.

This certification requires a review of local weather characteristics, comparison of weather services with the affected area, and importantly, a review of weather radar coverage.

The process requires a publication in the Federal Register and a period of public comment before a closure takes place.

The public's participation in this process I think is crucial.

Now under the bill that we have under consideration, we are eliminating any certification requirement before a Weather Service Office can be closed. To me, that is unacceptable. There must be some process for the review and certification of the closure of a Weather Service Office.

Requiring a certification that there's no degradation of service, as Mr. McHale has stated before, is a matter of public trust. No Weather Service Office should be closed without a guarantee that an area shall receive at least the same level of weather service protection that it is currently receiving.

There must be some specific accountability to the process of closing Weather Service Offices and the certification requirement provides that accountability.

I don't want some Government bureaucrat alone to determine that my Weather Service Office can be closed. I want a certification process to make sure that my services are not degraded.

The issue here is not one of convenience for the Government; it shouldn't be a matter of a few dollars of budget savings. We're talking about the protection of people's lives and their property.

And I can't believe we're even considering a bill that would eliminate entirely a certification process.

I strongly support the Weather Service Modernization Plan, and we've struggled very hard to make sure that those areas of the country like mine, that we think are not included and should be included under this modernization plan, at least are protected while we implement that certification or that modernization plan.

My amendment today achieves a compromise between the need to streamline the certification process and the crucial need to certify that public safety will not be impacted.

My amendment streamlines the certification process while maintaining the requirement that the Secretary of Commerce certify that there is no degradation of service before a Weather Service Office is closed.

The amendment does the following specific things:

Number one, currently there's a requirement that each closing certification be published in the Federal Register for 60 days. We reduced that in this amendment to 30 days.

Number two, currently there's a requirement that the Modernization Transition Committee be consulted with twice during the certification process. We reduced that to one consultation.

Three. Currently, there is a requirement that the Weather Service maintain a liaison officer in every closed office for two years. This is wasteful and not necessary. We eliminate that requirement and simply require that the Weather Service maintain a program for two years that will provide timely information to Weather Service users and the community that is losing its Weather Service Office.

Now this streamlining that I'm proposing will save almost $15 million over five years and will eliminate redundancies that are currently in the law.

At the same time, we maintain the essential requirement that there be a certification of no degradation of service before a weather office can be closed.

And I think these changes are essentially streamlining proposals that NOAA supports. And I'm in favor of streamlining the modernization service and process, but I'm not willing to sacrifice the safety of the people.

Mr. Chairman, I might remind the Committee, in February of this year, my area there in North Alabama, which under the current modernization plan is planned to be covered by NEXRAD from Birmingham and to have our weather station there in North Alabama closed and to be covered by the Weather Service Station office in Birmingham.

The Huntsville, Alabama Weather Service Station was struck by lightening and went down so we in fact during that time were covered from the Birmingham Weather Service Office.

Many counties in North Alabama, as many as 13, had maybe one to two-minute notice under this coverage of tornadoes that swept through our area. Three months later, a series of tornadoes swept through my area, as serious a property damage as we've ever had.

So we're in an area that's constantly bearing the brunt of this, and I think this streamlined certification process certainly protects the citizens in my area.

I'm aware that the Chairman has an I.G.'s letter that says we don't need the certification process, but we do have a letter that I would like to circulate, from NOAA, that does endorse a streamlined certification process.

So I would ask this Committee to please be careful as you consider the certification process. We're talking about people's lives.

I thank the Chairman.

[Letter to Mr. Cramer from NOAA of 6/27/95 follows:]

GENERAL COUNSEL OF THE
UNITED STATES DEPARTMENT OF COMMERCE
Washington, D.C. 20230

JUN 27 1995

The Honorable Robert E. Cramer, Jr.
House of Representatives
Washington, D.C. 20515

Dear Congressman Cramer:

You have expressed concerns over a letter from the Department of Commerce's Inspector General. This letter i response to your concerns and reiterates the views of the Department on the weather service modernization provisions of H.R. 1815, a bill to authorize appropriations for the National Oceanic and Atmospheric Administration (NOAA) Authorization Act for fiscal year 1996. We strongly support efforts to streamline the certification process.

Currently, the language in Pub. L. No. 102-567 outlines certification and closure procedures for weather offices within the National Weather Service (NWS) modernization. These procedures are costly and place burdensome constraints on the National Weather Service's ability to modernize and restructure its field offices.

The Department has carefully reviewed the proposal in section 101(f) of H.R. 1815 to streamline the Weather Service modernization. We support the goal of this section -- reducing unnecessary costs and delays associated with the modernization. However, the Department is considering alternative approaches to accomplish this goal. For example, a streamlining approach could accelerate modernization while providing an unbiased and objective method to ensure a standard of safety to protect the public and ensure weather services are provided to individual communities. The Department of Commerce looks forward to working with you, your staff and the Committee to develop the best language for achieving this objective.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Kathleen Ambrose

for Ginger Lew

The CHAIRMAN. The gentleman's time has expired.

Are there additional members that wish to be heard on the amendment of the gentleman from Alabama?

The gentleman from Pennsylvania, Mr. McHale.

Mr. MCHALE. Thank you, Mr. Chairman.

I would simply very briefly but also very firmly support the amendment that's being offered by my friend and colleague, Mr. Cramer.

I want to commend him on finding what I think is a fiscally responsible middle ground that preserves the commitments that many of us have given to our constituents over the past three years.

Particularly for the new members of the Committee, I would point out that this is an issue that has been before us for at least a three- or four-year period of time.

And I would ask you to bear in mind that for those of us who are directly affected, we have on many occasions sat down with our constituents and assured them that prior to the closure and consolidation of these stations that there would be a certification of non-degradation.

And so there are two issues, Mr. Chairman, that I would submit are now before the Committee.

Number one is the substance of the public policy. Does it make sense to close and consolidate some of these stations? I think the answer to that is yes.

The second is frankly an issue of public trust, public integrity. We have promised our citizens who are dependent upon these services in law over a period of years that the stations will not be closed unless there is a certification, a promise from their Government that there will be no degradation of service following the closure.

Mr. Cramer I think has very effectively addressed this issue by keeping that commitment that many of us have given in face to face meetings with our constituents while simultaneously accomplishing that goal in the most cost effective manner possible.

I strongly urge support for the Cramer amendment, both in its substance and in its commitment to integrity, avoiding the breaching of a promise that many of us have previously given.

Thank you, Mr. Chairman.

The CHAIRMAN. The gentleman from Indiana.

Mr. ROEMER. Thank you, Mr. Chairman.

I rise in strong support of this amendment offered by the gentleman from Alabama. And I think it is very consistent with what the Chairman has just offered in his en bloc amendments.

He has just said, in accepting the en bloc amendments, which dealt with inadequacies in the modernization plan, that he has acknowledged that there are certain areas in the country that are not adequately served by the existing radar. And if we don't have the next generation radar in place, the current services provided by the Weather Stations are not doing the job. That's been confirmed by this report from the National Resources Council.

That's one of the reasons I think that the Chairman accepted the amendment to modernize these areas, including Alabama, and Tennessee, and Indiana, based upon a scientific report.

Now to take the next step and say, we are not going to allow certification that there is no erosion in these services when in fact the National Resources Council has said there will be a huge gap in continuing these resources and protections and warnings to the general public.

All the gentleman from Alabama is asking is that there be fairness and uniformity from one congressional district to another.

Many people that sit on this particular Science Committee have adequate resources within their districts to protect their citizens. Some of us do not, and we're just asking with the approval of this amendment that based upon a scientific report, that not only we have access to the next generation radar that many of these districts already have in their modernization plans, but that we do not allow the closing of our existing facilities until this new radar is in place.

And I think the language that Mr. Cramer has worked out will streamline bureaucracy. It will assure public safety. It will achieve fairness and uniformity from one district to another, based upon science.

We can all tell horror stories upon horror stories in our districts. I just had three tornadoes go through northern Indiana and the existing weather service did not pick it up, did not issue any warnings to the general public until a TV reporter got on the air and announced that there was tornado activity in northern Indiana.

So the existing radar, the existing plan did not catch these things. We are just asking for fairness and uniformity and time to get the next generation radar in before the existing radar is closed, shutdown and moved out.

And I would encourage support for the gentleman's amendment.

The CHAIRMAN. Mr. Wamp.

Mr. WAMP. I just want to commend the Chairman for working with us and agreeing to Mr. Cramer's earlier amendment, and including it in the en bloc amendment, and the attitude. I know that the Chairman's intent is to assure that everyone of these congressional districts and everyone of these systems are safe and that there is no lapse whatsoever in quality service.

I think it's extraordinary that three of the five districts that the National Research Council identified as possibly soft are three members of this Committee, including two congressional districts that are contiguous to each other. Mr. Cramer's district and my district join at the Alabama/Tennessee line. We could actually cure our joint dilemmas with one system or maybe one tower on one mountain, and we've already identified the county that that could actually be done in if necessary.

And I hope that the Chairman will address this. I believe that his intent is to address this, and I look forward to his comments on this issue, so that maybe we can work this out.

I know it just affects primarily these five districts, and hopefully we can arrive at a common cure.

Yield back.

The CHAIRMAN. Are there other members seeking to be recognized?

Mr. Rohrabacher.

Mr. ROHRABACHER. If what Mr. Wamp was talking about relates to the Chairman of the Full Committee, it certainly relates to the Chairman of the Subcommittee, and my intent is certainly not to leave anyone vulnerable.

And I'm sure that this is not the Chairman's intent as well, but we have to make sure that, we also have to make sure that we're not being overly protective and to the point that we're going to be raising costs, privatization and basic fundamental change, no matter what we're talking about, when you're talking about a Government service, is going to mean that there is a transition time and an expenditure of money.

We want to make sure that we're not spending anything more than we have to, but of course we want to make sure that we're not spending anything more than we have to but we can't spend anything less than we have to either because safety is important, and we're not going to leave anybody hanging out to dry.

Thank you very much, Mr. Chairman.

The CHAIRMAN. I thank the Chairman of the Subcommittee.

Are there other members seeking recognition on this amendment?

[No response.]

The CHAIRMAN. If not, the Chair will close the debate.

I am fully in accord with what the gentleman has an intent in his amendment. I understand that we do not want to leave gaps in weather service for anybody in the country, and it is certainly not the intention within this authorization or the Weather Service to have any kind of gaps in coverage. That would be unacceptable.

The question here is what the certification process really does. And the problem with the certification process as presently constituted is that it not only assures that there are no gaps, it also allows weather stations which are presently obsolete, once you get the NEXRAD in place, to continue on for two or three years after the NEXRAD has been opened up.

The gentleman is seeking in his amendment to streamline that process. I understand that. But I think it still has some problems and in fact he made the reference to the Inspector General's letter, which we have from the Department of Commerce, in which the Inspector General makes it clear that even a streamlined process is costly and unnecessary, and that's really what we're talking about here.

We want to make certain that we have the full coverage but the Inspector General reviewed the language that's in the bill. He supports the current language in 1815, and in his letter of June 19th, he specifically states:

Any legislative proposal that seeks only to streamline but not eliminate certification will maintain a process that is both unnecessary and costly.

The amendment before us, in my view, will slow down the Weather Service's proposed consolidation efforts, and will cost the taxpayers several millions of dollars.

In fact, the language in the bill is estimated to save approximately $35 million in costs. The certification language included in the National Oceanic and Atmospheric Administration Authoriza-

tion Act of '92 was specifically crafted to make it as difficult as possible to close unneeded weather service offices.

The Subcommittee print strikes that language and will facilitate NOAA's proposed Weather Service Office consolidations and closures.

We believe that that will be done in a way, that modernization, which is a $4 billion project, will in fact move in the right direction.

The Chairman's intent in accepting the Cramer amendment earlier was to see to it that we do not have gaps in this, but we also don't do things which simply cost a lot of money but don't enhance the Weather Service.

And so the Chair thanks the gentleman for his earlier amendment but would oppose this particular amendment.

Mr. CRAMER. Would the gentleman yield, please?

The CHAIRMAN. The Chair would be happy to yield to the gentleman from Alabama.

Mr. CRAMER. Just very quickly, over the I.G. letter, I want to point out to the members that while that letter does say what you've said it said, that's from the Inspector General, I think it's more noteworthy that we look to NOAA and to look to them for a read on whether they want a certification process, streamlined certification process that would give them some protection too, because otherwise they're going to be going about this without any review process whatsoever, and that's my concern.

And I appreciate the Chairman's comments. I know you've worked with me over some period of time, even prior to the 104th Congress, and I appreciate that, but I did want to point that out.

The CHAIRMAN. Well, I thank the gentleman.

I would point out that our letter's from the Inspector General, that's true. His letter, however, is from the general counsel of NOAA, and it does in fact largely support what is in 1815.

It does say that they can now accept the streamlining process but they also have language in here saying that we support the goal of the section of the bill reducing unnecessary costs and delays as negotiated.

And so I mean, if you assume that the Inspector General is right about where those unnecessary costs and delays are, your letter is at least somewhat helpful, and I thank the gentleman for that.

The gentleman from Michigan.

Mr. EHLERS. Will the gentleman yield?

The CHAIRMAN. Be happy to yield to the gentleman.

Mr. EHLERS. Thank you.

I'd just like to clarify something.

When the gentleman from Indiana commented earlier about ensuring that the new system is in place before the old one is shut down, I think that's certainly what we want. And from my knowledge of these, the new ones are so far superior that we want to get them in action immediately.

Mr. Chairman, I guess I'm just a little puzzled.

If we just want to make sure they're in place, that's easy. If we want to insist that the new ones are certified, that involves a delay.

And I'm wondering why we don't just have the requirement that they be in place and operating and not deal with the certification.

Perhaps either Mr. Cramer or the Chairman could give me some enlightenment on that.

The CHAIRMAN. Well that is my understanding of the standard under which NOAA is now operating is that you do not shut down any old station until there is a new station in that is providing a similar level of coverage. I mean that is the standard that is in the modernization program.

The certification process is an attempt to put a lot of legal hurdles within the process so that everybody can get a level of comfort I guess about it.

But the situation, as the gentleman described it, is in fact the standard under which NOAA is operating in the modernization program.

Mr. EHLERS. So you're saying then that what Mr. Roemer stated as a requirement that it be in place and operating is already met, and the only question is whether we also want it to be certified before the old one's shut down?

The CHAIRMAN. Well, that is the question, but the certification process, because it does lead to substantial amounts of time, even after the new systems are up and running, does in fact cost a lot of money, and that's—

Mr. CRAMER. Will the gentleman yield?

The CHAIRMAN. The Chairman's time has expired. I will yield briefly to the gentleman.

Mr. CRAMER. I simply want to say, in partial response to the question offered, what we've got here is a modernization plan that determines how many new NEXRADs that there will be around the country, and I think that's admirable and we should not cause any delay in that.

However, once the NEXRADs are in place, then you might have the NEXRADs served by a Weather Service Office that's covering a much bigger territory than they've covered before, and they're not experienced in doing that.

So what we're saying is that we're going to have a process that allows NOAA now, without this amendment, to determine themselves when these offices should be closed, and that they're at a level of acceptability.

We've had an experience in my district recently that showed me right there, with bad weather situations through there, that they're not prepared to do that yet, and I want some more formalized, though streamlined process, that would protect that.

Mr. ROEMER. Would the gentleman yield?

The CHAIRMAN. Well, I think—

Mr. ROEMER. Would the gentleman—since the gentleman mentioned my statement and my question, and I will be brief, Mr. Chairman.

The CHAIRMAN. The Chair is attempting to limit himself in the same way he limits other members, and I will be happy to yield but when the Chair indicates that he is going to close the debate, it is his intention to close the debate on these things.

I will yield briefly to the gentleman from Indiana.

Mr. ROEMER. One of the reasons that the National Research Council did rule that we had a gap in Northern Indiana was that we have a very unique condition and that's the Lake effect that

creates windshear and creates thunderstorms and eight inches of snow in the winter time that could drop within a couple hours, creating public safety hazards.

They've never dealt with these things. They have no longitudinal studies dealing with the threat to safety on these things.

And for this then to be in place and for some kind of standard to establish that it's going to provide that needed protection, that's all we're asking for in this amendment; not delay, not modernization weather stations staying there for an inordinate amount of time, but just to make sure it provides the public safety.

The CHAIRMAN. The Chair will put the question.

Those in favor of the amendment of the gentleman from Alabama will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the noes have it.

Mr. CRAMER. I ask for a roll call vote, Mr. Chairman.

The CHAIRMAN. The gentleman requests a roll call vote.

The Clerk will call the roll.

Ms. SCHWARTZ. Mr. Walker?

Mr. WALKER. No.

Ms. SCHWARTZ. Mr. Walker votes no.

Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

Ms. SCHWARTZ. Mr. Sensenbrenner votes no.

Mr. Boehlert?

[No response.]

Ms. SCHWARTZ. Mr. Fawell?

Mr. FAWELL. No.

Ms. SCHWARTZ. Mr. Fawell votes no.

Mrs. Morella?

[No response.]

Ms. SCHWARTZ. Mr. Weldon of Pennsylvania?

Mr. CURT WELDON. No.

Ms. SCHWARTZ. Mr. Weldon votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. SCHWARTZ. Mr. Rohrabacher votes no.

Mr. Schiff?

[No response.]

Ms. SCHWARTZ. Mr. Barton?

[No response.]

Ms. SCHWARTZ. Mr. Calvert?

Mr. CALVERT. No.

Ms. SCHWARTZ. Mr. Calvert votes no.

Mr. Baker?

Mr. BAKER. No.

Ms. SCHWARTZ. Mr. Baker votes no.

Mr. Bartlett?

Mr. BARTLETT. No.

Ms. SCHWARTZ. Mr. Bartlett votes no.

Mr. Ehlers?

Mr. EHLERS. No.

Ms. SCHWARTZ. Mr. Ehlers votes no.
Mr. Wamp?
Mr. WAMP. Yes.
Ms. SCHWARTZ. Mr. Wamp votes yes.
Mr. Weldon of Florida?
Mr. DAVE WELDON. No.
Ms. SCHWARTZ. Mr. Weldon votes no.
Mr. Graham?
Mr. GRAHAM. No.
Ms. SCHWARTZ. Mr. Graham votes no.
Mr. Salmon?
Mr. SALMON. No.
Ms. SCHWARTZ. Mr. Salmon votes no.
Mr. Davis?
Mr. DAVIS. No.
Ms. SCHWARTZ. Mr. Davis votes no.
Mr. Stockman?
Mr. STOCKMAN. No.
Ms. SCHWARTZ. Mr. Stockman votes no.
Mr. Gutknecht?
[No response.]
Ms. SCHWARTZ. Mrs. Seastrand?
Mrs. SEASTRAND. No.
Ms. SCHWARTZ. Mrs. Seastrand votes no.
Mr. Tiahrt?
Mr. TIAHRT. No.
Ms. SCHWARTZ. Mr. Tiahrt votes no.
Mr. Largent?
[No response.]
Ms. SCHWARTZ. Mr. Hilleary?
Mr. HILLEARY. Yes.
Ms. SCHWARTZ. Mr. Hilleary votes yes.
Mrs. Cubin?
[No response.]
Ms. SCHWARTZ. Mr. Foley?
Mr. FOLEY. No.
Ms. SCHWARTZ. Mr. Foley votes no.
Mrs. Myrick?
Ms. MYRICK. No.
Ms. SCHWARTZ. Mrs. Myrick votes no.
Mr. Brown?
Mr. BROWN. Yes.
Ms. SCHWARTZ. Mr. Brown votes yes.
Mr. Hall?
Mr. HALL. Yes.
Ms. SCHWARTZ. Mr. Hall votes yes.
Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
[No response.]
Ms. SCHWARTZ. Mr. Tanner?
Mr. TANNER. Yes.
Ms. SCHWARTZ. Mr. Tanner votes yes.
Mr. Geren?

[No response.]
Ms. SCHWARTZ. Mr. Roemer?
Mr. ROEMER. Yes.
Ms. SCHWARTZ. Mr. Roemer votes yes.
Mr. Cramer?
Mr. CRAMER. Yes.
Ms. SCHWARTZ. Mr. Cramer votes yes.
Mr. Barcia?
[No response.]
Ms. SCHWARTZ. Mr. McHale?
Mr. MCHALE. Yes.
Ms. SCHWARTZ. Mr. McHale votes yes.
Ms. Harman?
[No response.]
Ms. SCHWARTZ. Ms. Johnson?
Ms. JOHNSON. Yes.
Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
Mr. MINGE. Yes.
Ms. SCHWARTZ. Mr. Minge votes yes.
Mr. Olver?
Mr. OLVER. Yes.
Ms. SCHWARTZ. Mr. Olver votes yes.
Mr. Hastings?
Mr. HASTINGS. Yes.
Ms. SCHWARTZ. Mr. Hastings votes yes.
Ms. Rivers?
Ms. RIVERS. Yes.
Ms. SCHWARTZ. Ms. Rivers votes yes.
Ms. McCarthy?
[No response.]
Ms. SCHWARTZ. Mr. Ward?
[No response.]
Ms. SCHWARTZ. Ms. Lofgren?
Ms. LOFGREN. Yes.
Ms. SCHWARTZ. Ms. Lofgren votes yes.
Mr. Doggett?
Mr. DOGGETT. Yes.
Ms. SCHWARTZ. Mr. Doggett votes yes.
Mr. Doyle?
[No response.]
Ms. SCHWARTZ. Ms. Jackson Lee?
Ms. JACKSON LEE. Aye.
Ms. SCHWARTZ. Ms. Jackson Lee votes yes.
Mr. Luther?
Mr. LUTHER. Yes
Ms. SCHWARTZ. Mr. Luther votes yes.
Mr. DOYLE. Mr. Chairman, how am I recorded?
The CHAIRMAN. How is Mr. Doyle recorded?
Ms. SCHWARTZ. Mr. Doyle is not recorded.
Mr. DOYLE. Yes.
Ms. SCHWARTZ. Mr. Doyle votes yes.
The CHAIRMAN. How is Mr. Gutknecht recorded?
Ms. SCHWARTZ. Mr. Gutknecht is not recorded.

Mr. GUTKNECHT. He votes no.

Ms. SCHWARTZ. Mr. Gutknecht votes no.

The CHAIRMAN. Mrs. Morella?

Ms. SCHWARTZ. Mrs. Morella's not recorded.

Mrs. MORELLA. Mrs. Morella votes no.

Ms. SCHWARTZ. Mrs. Morella votes no.

The CHAIRMAN. Are there additional members who wish to be recorded?

[No response.]

The CHAIRMAN. If not, the Clerk will report.

[Pause.]

The CHAIRMAN. How is Mr. Boehlert recorded?

Ms. SCHWARTZ. Mr. Boehlert is not recorded.

Mr. BOEHLERT. No.

The CHAIRMAN. Mr. Boehlert votes no.

Ms. SCHWARTZ. Mr. Boehlert votes no.

[Pause.]

Ms. SCHWARTZ. Mr. Chairman, the Clerk reports 18 yes, 21 no.

The CHAIRMAN. The amendment is not agreed to.

Mr. Weldon is going to withdraw his amendment, I think, number 8 in the package, but he does want to be recognized at this point, and so I would recognize the gentleman from Pennsylvania.

[The amendment offered by Mr. Weldon of PA follows:]

AMENDMENT TO H.R. 1815

OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 21, after line 20, insert the following new section:

1 SEC. 504. ALTERNATIVE AUTHORIZATION.

2 Notwithstanding any other provision of this Act, if
3 the concurrent resolution approved by the House of Rep-
4 resentatives and the Senate on the budget for fiscal year
5 1996 is based on an assumption of a tax cut of less than
6 $350,000,000,000—

7 (1) the total amount authorized by section
8 102(a) shall be increased by the amount equal to
9 $32,785,000 multiplied by the fraction whose nu-
10 merator is $350,000,000,000 minus the amount of
11 the tax cut reflected in the concurrent resolution and
12 whose denominator is $350,000,000,000;

13 (2) the total amount authorized by section
14 201(d)(4) shall be increased by the amount equal to
15 $1,785,000 multiplied by the fraction whose numer-
16 ator is $350,000,000,000 minus the amount of the
17 tax cut reflected in the concurrent resolution and
18 whose denominator is $350,000,000,000; and

19 (3) the total amount authorized by the amend-
20 ments made by section 202(b) shall be increased by

1 the amount equal to $17,198,000 multiplied by the
2 fraction whose numerator is $350,000,000,000
3 minus the amount of the tax cut reflected in the
4 concurrent resolution and whose denominator is
5 $350,000,000,000.

Page 16, line 5, strike paragraph (13).

Page 16, lines 6 through 16, redesignate paragraphs (14) through (19) as paragraphs (13) through (18), respectively.

Mr. CURT WELDON. I thank the Chairman for yielding, and Mr. Chairman, I am withdrawing my amendment primarily because my amendment was going to address my concern regarding the funding levels for NOAA in our bill and to allow us to have the ability if, at such point in time the final budget resolution had a higher number, that we could have increased funding in the ocean research area which I think have been decimated to say the least.

Unfortunately, the budget agreement that was reached between the various conferees over the past weekend takes the House Committee number and freezes funding for NOAA at that level.

So wanting not to break the budget agreement on the part of this Committee, I will not offer that amendment.

However, I cannot let this point in time go by without expressing my sincere concerns over what we're doing in the area of ocean research.

I chaired a session, a classified session this morning with the CIA for two hours, where we listened to the damage and what's been done in terms of the past practice of the Soviet Union in dumping their nuclear waste in the oceans of the world, not just along their coastal areas but in the open international waterways.

And I'm greatly concerned with declining fish stocks around the world. And find that at a time where these concerns are being expressed world wide that we're cutting back NOAA to such an extent that we're not going to be able to fully assess and deal with these international problems.

What further scares me beyond what we're doing in this Committee is what the bill would do being offered by our colleague, Mr. Chrysler, who wants to dismantle the Commerce Committee and spread NOAA's duties across other agencies.

My understanding, Mr. Chairman, is that bill will in effect cut NOAA's funding from the Science Committee mark of $1.7 billion to close to $1 billion. That would be a $.7 billion cut beyond what we're doing here.

And so, Mr. Chairman, what I would ask you at this point in time is, "Do you intend to act on a portion of the Chrysler bill that has been referred to the Science Committee dealing with the issue of funding for activities relating to Ocean and Atmospheric Administration operations, NOAA's operations?

Do you expect to take that up?

The CHAIRMAN. That would be our intention.

Mr. CURT WELDON. Mr. Chairman, in line with that, I will plan to amend the Chrysler bill in the Committee to protect the ocean and atmospheric research programs from elimination and I will seek your support at that time, and would seek the support of our colleagues.

I think this is a vital issue and a vital concern that we on this Committee really can't ignore.

The CHAIRMAN. I would say to the gentleman that it depends upon what the final structure of those bills are. I mean, some of that may be referred to us for consideration. However, any organizational aspects of that are purely in the jurisdiction I think of the Government Reform Committee, but I would certainly be sympathetic to what the gentleman's proposing insofar as we have jurisdiction.

Mr. CURT WELDON. I thank the Chairman for those comments.

And let me say for the record, I'd like to insert a letter that all of us received from Admiral Jim Watkins. Admiral Watkins is a life-long Republican who served the Bush Administration in the Cabinet as the Secretary of Energy.

Admiral Watkins wrote to each of us on behalf of the 30 oceanographic institutions that currently are doing oceanographic research. And he wrote to us, each of you individually, about his concerns and their concerns with what we're doing in this area.

I would ask, Mr. Chairman, unanimous consent to include that letter in the record because I think it points out the concerns that I have.

Secondarily, I would ask for unanimous consent to include a letter that was sent to me by Sylvia Earle who, during the Bush Administration, was chief scientist for NOAA. She how heads up Deep Ocean Exploration and Research, and she also raises her concerns relative to what we're doing in terms of oceanographic research.

Specifically in Dr. Earle's letter, she mentions that because of the elimination of the NURP program, the National Undersea Research Program, that we could in fact eliminate funding for such vital programs as Alvin and the Aquarius program which have been critical for the work that we've done in this country.

And what I would like to do now, Mr. Chairman, besides ask unanimous consent to submit those letters for the record, is to ask Committee staff and perhaps the Chairman to clarify a point for me.

And that is, my understanding is that HR 1815 currently allows NOAA to use Marine Service funds for the UNOLS vessels, such as Alvin and Aquarius.

I'd just like to clarify this for the record that funds can be used for these submersible platforms.

That if I might ask the staff or the Chairman to clarify that for me.

The CHAIRMAN. The Chair would request counsel to confirm the gentleman's understanding.

Mr. RUSSELL. It is accurate that under the provisions of HR 1815, the Marine Services Account can be used for UNOLS vessels and there is no prohibition associated with the use of such funds for submersibles.

So as long as the submersibles are a UNOLS vessel, they would be included in that list.

Mr. CURT WELDON. I thank the Chairman and the staff for that clarification.

Just in closing, Mr. Chairman, say I am not offering an amendment that busts the budget on behalf of this Committee. I appreciate the cooperation of the Chairman and ranking member in attempting to deal with the funding levels of NOAA and I would ask our colleagues, both in this Committee and the Full House to look seriously at the bill that will dismantle Commerce, because as it impacts NOAA, it would be devastating.

We've already cut back on ocean research activities significantly, and I think it's important that we understand that when that bill comes to our attention.

The CHAIRMAN. The time of the gentleman has expired.

Without objection, the letters referred to by the gentleman will be included in the record.

[The letters from Admiral Watkins and Dr. Earle follow:]

CONSORTIUM FOR OCEANOGRAPHIC RESEARCH AND EDUCATION

June 16, 1995

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USA

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Fax: (202) 232-8203
Internet: core@bosch.edu

The Honorable Vernon J. Ehlers
U.S. House of Representatives
Washington, DC 20515

Dear Congressman Ehlers:

I am writing on behalf of the 30 oceanographic institutions which comprise the Consortium for Oceanographic Research and Education to ask your support of an amendment to be offered by Congressman Weldon at the upcoming House Science Committee markup of HR 1815, the National Oceanic and Atmospheric Administration (NOAA) Authorization Act of 1995. The Weldon amendment, staying within accepted Committee budget guidelines, addresses the disproportionate decrease levied against NOAA oceanographic research programs when compared to other programs in the bill.

Specifically, the amendment would allow for increased authorization levels for oceanographic programs IF the House-Senate Conference Committee on the FY 1996 Budget Resolution results in increased allowances for NOAA. This amendment is similar to those agreed to for other Committee authorization bills and will not violate spending caps imposed by the Committee. At the same time, the amendment addresses a vital need in supporting valuable oceanographic research programs within the Nation's ocean agency. The amendment would address authorization deficiencies in the National Sea Grant College Program, the Coastal Ocean Program, and the Climate and Global Change Program, all of which are peer-reviewed programs which make strong contributions to our understanding and sound use of the oceans.

I appreciate any assistance you can give in this effort. If you require further information on programs affected please feel free to contact me or Terry Schaff of my staff at (202) 232-3900, ext. 210. For copies of the Weldon amendment, please contact Terry Hohler of Congressman Weldon's staff at 225-2011.

Sincerely,

James D. Watkins
Admiral, U.S. Navy (Ret.)
President

DEEP OCEAN EXPLORATION AND RESEARCH
12812 SKYLINE BLVD.
OAKLAND, CALIFORNIA 94619

16 June, 1995

The Honorable Curt Weldon
United States House of Representatives
Washington, D. C. 20515

Dear Curt:

I greatly appreciate the chance to discuss ocean issues with you at the recent GLOBE conference and I was especially honored that you, yourself, took on the task of introducing my midday presentation. One of the most important messages I tried to convey that day was the significance of a small but vital program within NOAA -- the National Undersea Research Program, fondly known as "NURP."

Since its inception, this program has been the focal point of much of the nation's most significant marine research and the provider of vital underwater facilities, ie., support for ALVIN and other manned and robotic submersibles and underwater laboratory facilities including the AQUARIUS, now based in the Florida Keys.

You may remember my remark about the irony that I felt as Chief Scientist of NOAA concerning our national commitment of $26 million for a space shuttle toilet in the same season that the administration recommended zero funding for the nation's six national underwater centers and all of their research and facilities. (Congress later restored the $19 million NURP budget).

You are a recognized champion for the ocean, and now as never before your leadership is vital. I understand that the full Senate Committee will be marking up the NOAA authorization bill on Tuesday, and that you may be offering amendments to restore ocean science programs. Amazingly, NURP is not presently authorized and is in grave danger of being terminated. The loss of NURP would be a tremendous setback for the understanding, protection and utilization of the ocean at the very moment in time when knowledge about the oceans is most critical.

I know you will be doing whatever you can to secure support for this country's urgently needed ocean science programs. I urge you to take special care with respect to NURP, the only national program that is dedicated to *under*sea science and technology.

With admiration and warm regards,

Sylvia

Sylvia A. Earle
President

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. BROWN. Mr. Chairman, I move to strike the last word.

I concur with the comments of the previous gentlemen that we are underfunding some of our underseas or ocean research programs and I commented on that in connection with my statement in connection with my substitute.

Given the realities of the situation that face us, it's the most promising course to follow in the near term to beef up that research is going to be to more actively seek to combine the fruits of the classified and military research and the civilian research programs, as we are already doing in connection with the National Reconnaissance Office and the LANDSAT program.

Now that's a long, slow, tedious process which needs to be carefully evaluated, both by the Defense Intelligence people and by the scientific community, but there's a great payoff if we can proceed through that analysis and determine what we can use that is now not being used because of the classification matter and other things.

I hope the gentleman will pursue that further. I certainly will cooperate with him in every way that I can, and he is in a unique position to help us make some progress there.

Mr. CURT WELDON. Will the gentleman yield?

Mr. BROWN. I'd be happy to yield to the gentleman.

Mr. CURT WELDON. I appreciate the comments of the Ranking Member, and I pledge to him my full cooperation in that regard as the Chairman of the Research and Development Subcommittee for the National Security Committee, that will be one of my highest priorities.

And that's why I offered the dual use amendment which the Chairman accepted today.

And in these tough budget times, there are areas where our military capabilities can be shared and should be shared with the environmental community, and I will work to make sure that happens.

I invite your active participation. I expect to have a hearing in the R&D Subcommittee on this very issue and will invite members of this Committee to participate in that hearing so we can fully explore our options.

I thank the gentleman for yielding.

Mr. BROWN. I commend the gentleman for his statement and yield back the balance of my time.

The CHAIRMAN. Thank the gentleman.

The gentleman from Pennsylvania.

Mr. MCHALE. Thank you, Mr. Chairman.

Mr. Chairman, strike the last word.

Mr. Chairman, I simply want to say very briefly that I not only serve with Mr. Weldon on this Committee, I have the privilege of serving on his R&D Subcommittee of the National Security Committee.

I too attended the classified briefing to which he made reference earlier.

I simply want to indicate my wholehearted support for the comments that were made by Mr. Weldon. It is absolutely critical that

we have shared technology, going beyond the military sphere and providing civilian service as well.

We are fortunate to have Mr. Weldon's leadership on this issue, and I want to fully associate myself with his earlier remarks.

The CHAIRMAN. Thank the gentleman.

The next amendment on the roster is Mr. Traficant's.

Mr. Traficant is not present.

The next amendment—that does complete the roster because I understand that Mr. Brown is not going to offer his.

Mr. BROWN. I ask unanimous consent to withdraw the Amendment Number 11 which is listed on the roster.

The CHAIRMAN. Without objection.

Any other members that are seeking recognition for an amendment?

Mr. Calvert?

Mr. CALVERT. Thank you, Mr. Chairman. I have an amendment at the desk.

The CHAIRMAN. The Clerk will distribute the amendment.

[Pause.]

The CHAIRMAN. The gentleman is recognized to describe his amendment.

[The amendment offered by Mr. Calvert follows:]

AMENDMENT TO H.R. 1815

OFFERED BY MR. CALVERT

Page 16, lines 9 and 10, strike paragraph (16).

Page 16, lines 11, 13, and 15, redesignate paragraphs (17) through (19) as paragraphs (16) through (18), respectively.

Mr. CALVERT. Thank you, Mr. Chairman.

Providing weather information to American agriculture was one of the most fundamental reasons why the U.S. Congress established the Weather Bureau, or predecessor to the National Weather Service back in 1890. In fact, the U.S. Bureau was an agency of the Department of Agriculture for its first 50 years.

Since the last World War, advances in weather forecasting and accuracy have been combined with parallel advances in the science and technology of agribusiness, produce crop and livestock yields in this country that are certainly the envy of the world.

Agriculture remains one of the most weather sensitive industries in the country, and agricultural activity, on a year to year basis, can vary significantly based upon prevailing weather conditions and the success which farmers can adapt to respond to these changing conditions.

In economic terms, agribusiness is nearly $200 billion per year in this country. It's certainly the biggest industry in the State of California and certainly the biggest industry in my district.

America's trade surplus of 20 billion in agriculture products is a vital offset to the nation's negative trade balance.

During the next ten years, expected advances in weather prediction arising from the modernization and associated restructuring of the National Weather Service will provide dramatic increases in the accuracy and geographic resolution of the weather information that can be used by all farmers to increase their productivity.

I believe that the private sector cannot at this time, however, provide critical weather information in key agricultural areas.

I have therefore introduced an amendment that would delete the National Weather Service Agriculture and Fruit Frost Program for immediate termination in the NOAA budget. I believe this is necessary since the proposed budget calls for permanent elimination on October 1st, 1995.

Even though the agriculture community relies on fast, efficient and specific accurate weather data throughout the year.

The resulting impact of an immediate end to these elements could affect the economic foundation of several states, jobs and inexpensive supplies of fresh fruit and vegetables to the American consumer.

It's incumbent upon this Congress to ensure that minimal disruption occur as the weather program is reduced in size and scope.

My amendment would still eliminate the Ag Weather and Fruit Frost Programs but it'll do so over a transitional period.

I believe this is necessary in order to allow the private sector, as well as users, to develop the necessary parameters for a long term Ag weather program.

I've been assured by the Chairman's staff that they will work with me to create the necessary report language to provide a transitional period for the agriculture community to adapt these new provisions in the NOAA funding authorization.

The CHAIRMAN. Are there other members that wish to be heard on the amendment?

Mr. Roemer?

Mr. ROEMER. Mr. Chairman, I rise in strong opposition to the gentleman from California's amendment, and so for the following reasons:

About a month ago, I introduced, with Mr. Klug from Wisconsin, a Republican, a bipartisan bill, HR 1450, that would privatize these certain portions of the Weather Service that can be provided by the private sector, that can be done more efficiently, that should not be duplicated by the Government, and the private sector can do it.

And when taxpayers' money can be used for different things, whether we use it to reduce the deficit or to streamline government.

Certainly the last election, and the election before that, were about encouraging the private sector to step into these roles and to not provide repetitive services.

The private sector can do absolutely these kinds of things.

I have a letter from Weather Vision, a private sector company in Florida. Mr. Roy Leap, the Executive Director, says, and I quote:

"Please be advised that we have been providing such forecasts to users for over 30 years."

He goes on to say, we would be happy to provide these services to the private sector.

I have another letter from BMS, Incorporated. Again, he says, Mr. Bruce Campbell, I make most of my income in the fall, winter and spring months providing fruit and vegetable frost forecasts to farmers, food brokers, chemical companies, et cetera, et cetera. He wants to continue to provide this.

The private sector can and should do this. The public sector should not. We should be very clear about reinventing and reforming government and saving the taxpayers' money.

This saves the taxpayers, if we keep this in the bill, this language that Mr. Klug and I and others have worked on, this provision saves the taxpayers $2.3 million a year over a five-year period, over $10 million. Now that's a lot of money to people in Indiana.

And I think if we're going to talk about all of this, you know, reinventing government, downsizing government, streamlining government,—

Mr. CALVERT. If the gentleman would yield?

Mr. ROEMER. I'll be happy to yield when I'm finished with my remarks.

The CHAIRMAN. The gentleman from Indiana controls the time.

Mr. ROEMER. So I would encourage my colleagues to vote for maintaining the language in the bill, a bill that was worked on in a bipartisan way, a bill that saves the taxpayers money, and a bill that says to the private sector, we certainly have confidence in your ability to continue to provide services and to get better at providing these services.

So I would encourage defeat of the Calvert amendment.

And I would be happy to yield at this time to the gentleman from California.

Mr. CALVERT. Thank you.

The agricultural community, at least in my area in California, is not opposed to privatization of weather service. It's concerned about the transitional period from point A to point B.

In California—I don't know about the State of Indiana—where fruit and vegetables are grown in large quantity, it's incredibly important to have accurate weather information that is 100 percent reliable.

And during this transitional period, which may only take a year or a maximum of two or three years, we want to make sure that that service is in place, and that that accurate weather information is provided, where you can continue to enjoy California citrus, grapes, and other products from the great State of California.

Mr. ROEMER. Mr. Calvert, we want to continue to enjoy your great products in California, we want you to continue to enjoy Indiana corn and beans and so forth, but we're also willing in Indiana to have the private sector take over some of these services.

And I have five letters, six letters right here that say the private sector can do it.

We've been talking about corporate welfare. Here's an instance where we can save $10 million.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from California, Mr. Brown.

Mr. BROWN. Mr. Chairman, I don't see any major incompatibilities between Mr. Calvert's amendment and the position taken by Mr. Roemer.

And I do have to speak up in support of an orderly transition away from the Government Agriculture and Fruit Frost Program to a private activity.

I do this because this issue has come up many times in the past and on the Agriculture Committee. And as far as the agricultural weather service is concerned, and particularly the Fruit Frost Program, I think it probably at least has joint jurisdiction with this Committee.

We've considered the issue, we've had many hearings on it, and as both gentlemen have indicated, the agricultural industry is not opposed to privatization. I'm not opposed to privatization. In fact, I'd rather have it privatized and not have to go through the headaches that we do so often on this matter.

But I do feel very strongly that we cannot have a period in which this industry, which is a multi-billion dollar industry in California, is subject to no service whatsoever. Now I don't think it's unreasonable to expect to have an orderly transition.

I think that through suitable report language, indicating that we expect private industry to pick up the slack here, we can easily achieve that transition within a year. And it would be my hope that we could provide them with that year before there's a complete cutoff of services to the existing setup.

I could spend a great deal more time describing the nature of this micro-meteorological activity because it sometimes involves pinpointing areas of a few acres or a few hundred acres in which there will be climate changes, climate variations as small as two or three percent.

These are vital to the protection of crops in California, and I'm sure Mrs. Seastrand will testify to that also.

Mr. ROEMER. Will the gentleman yield? Would the gentleman from California yield?

Mr. BROWN. I'd be happy to yield. As long as he agrees with me completely on what I've said.

Mr. ROEMER. I usually do, Mr. Brown. On this one, I have a slight disagreement with the way you've phrased it. I don't think that there will be a cutoff of services. There are six letters here from the private sector saying they are anxious to step in providing heightened services. They're already providing these services currently.

Certainly there is going to be a transition, but we just voted a couple of minutes ago on moving toward a quick transition from the current weather modernization plan to NEXRADs. We'll certainly accept the Committee's vote on that.

But sure there might be a bump in the road here or there, but what the private sector can do better than the government in this instance I think we should let them do.

Mr. CALVERT. If the gentleman from California would yield. A bump in the road can put a lot of California agricultural folks out of business. Farming is a very risky business to say the least, and there are a great many farmers in California, all of which are agreeing that we should move to privatization.

We just want to be assured of the fact that the service is in place. Quite frankly, we are not assured of the fact. I have not seen the gentleman's letters, but in California, at least, that that service would be provided in a fashion to make sure that that continual service is in effect.

The CHAIRMAN. The time of the gentleman has expired.

The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman.

Just to reconfirm the point made by our respected senior ranking member, Mr. Brown. Report language will be included to ensure that we are not putting our farmers at a disadvantage or putting them in a situation where they will not be able to receive a service from the private sector that they have been receiving from the public sector.

Obviously what Mr. Calvert is articulating is apprehension on the part of a major industry in the United States that there will be some sort of glitch or there will be some sort of a window of vulnerability that's created that could cost this industry billions of dollars.

We have no intent in taking a chance that this will happen. We in fact will be working with you to make sure that the report language gives the appropriate leeway so that the private sector, to ensure that the private sector will have the time and will have the inclination to use that time so that this information that is now disseminated by the Federal Government is disseminated instead by profit-making and private sector or just private sector operations.

So while I will be opposing your amendment, I think that what Mr. Calvert is suggesting is something that deserves our attention, and that we plan at least to address that as the ranking member suggested. We will be looking at the report language to try to modify it in some way to ensure that there is no situation where your people are held vulnerable.

The CHAIRMAN. The time of the gentleman has expired.

Are there additional members seeking recognition on this amendment?

Mrs. Seastrand?

Mrs. SEASTRAND. Yes, Mr. Chairman.

I support the Calvert amendment. I would just assure everyone here that users of this program, especially on the central coast of California, are well aware of the fiscal situation facing us in Congress, and I can assure you that they are behind us in trying to balance our budget by the year 2002.

But as has been stated here by many members quite eloquently, all that we're concerned and they're concerned about is that we do so in a manner that won't jeopardize a wonderful agribusiness on the central coast and in California.

So I'm in support of the Calvert amendment and would ask for a transition period here so that we can be assured that this won't jeopardize business.

Thank you.

The CHAIRMAN. The gentleman from Texas.

Mr. GEREN. Mr. Chairman, could I address a question to Mr. Calvert?

The CHAIRMAN. The gentleman is recognized. It's his time.

Mr. GEREN. Mr. Calvert, how do you pay for the $10 million that your amendment would add to the cost of the bill?

Mr. CALVERT. We're not advocating that any money be spent. If you look at the amendment, earlier we were talking about some money. We're asking that report language be used that money is available be found to work through this transitional period. If we can work through this transitional period quick enough, there may be very little if any money spent on this.

Mr. GEREN. So your amendment has no impact on the authorization level of the bill?

Mr. CALVERT. That's correct.

Mr. GEREN. Where does the money come from if it should cost more to keep this going for a couple years than it would cost to not keep it going for a couple of years?

Mr. CALVERT. That would be as money is available within the department.

Mr. GEREN. I see. Thank you, Mr. Chairman.

The CHAIRMAN. Are there additional members that wish to be recognized on this amendment?

Mr. HAYES. Yes, Mr. Chairman.

I've only been back a few minutes and I once again am ready to embrace that Democratic tactic where we boycott everything.

The CHAIRMAN. Well, the gentleman's recognized for five minutes of boycott.

Mr. HAYES. Thank you. It just appears to me that my not being here was equally productive, and therefore, in weighing those two, it becomes a clearer option.

The CHAIRMAN. If the gentleman would yield, the bill of which he is a cosponsor was moving very smoothly until the gentleman arrived.

Mr. HAYES. Precisely, precisely.

[Laughter.]

Mr. HAYES. I like the tactic where we all go home and read about it later. That way, I just don't have to worry about the interim time.

And in that, I'll yield back to the Chairman, and hope that we can go ahead and have some votes.

The CHAIRMAN. I thank the gentleman. Are there additional members seeking to be recognized on this amendment?

[No response.]

The CHAIRMAN. If not, the Chair would close the debate.

The Chair would indicate that he intends to support the gentleman's amendment. The termination list that's included in the bill was largely one recommended by the Administration and it included terminating this particular program.

They have indicated they did so because the private sector can step in and fill the void.

The question raised by the gentleman from California is whether or not that you could have a period of time here where there is no private sector availability in a particular area.

What the gentleman's amendment does is it doesn't add a dime of spending. The report language that we intend to draft will indicate that these programs were kept in place to give the department authority to spend money in these efforts on an individual basis where there seems to be a problem and private interests cannot take over.

And so all he's doing is removing the particular subject matter from the termination list, but adding no additional moneys. This does not in fact impact the cap in any way, and the report language certainly will indicate then to the department that they're going to have to do some prioritizing if in fact they decide to spend money in this particular direction.

In that light, the gentleman's amendment is acceptable to the Chairman, and I would be in favor of it.

With that, the Chair will put the question.

Those in favor of the gentleman's amendment will say aye,.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it.

The ayes have it. The amendment is agreed to.

The next amendment is Mr. Roemer.

Mr. ROEMER. Mr. Chairman, I've an amendment at the desk.

[Pause.]

The CHAIRMAN. The gentleman is recognized for purposes of explaining his amendment.

[The amendment offered by Mr. Roemer follows:]

AMENDMENT TO H.R. 1815
OFFERED BY MR. ROEMER

Page 16, after line 16, insert the following new paragraph:

1 (20) Dissemination of Weather Charts (Marine
2 Facsimile Service).

Mr. ROEMER. I thank the Chairman, and I would ask unanimous consent that I can change my amendment on line 1, since Mr. Calvert's amendment was adopted, to change—

The CHAIRMAN. That's a technical change. You don't really need to do that, but yes, we'll do that by unanimous consent.

Mr. ROEMER. I thank the Chairman.

Mr. Chairman, again, this is part of a bill that I introduced with Mr. Klug, HR 1450, to try to save the taxpayers some money, and have the private sector do what the public sector has been doing.

We have a number of bipartisan cosponsors on our bill. This is called, in simple terminology, the Marine Facts Issue.

It is a service provided to fisherman and yacht clubs to give them what kind of weather they can expect to run into when they go out on the seas.

This language that we incorporate in our amendment would save the taxpayer a half a million dollars a year if we move the service from the Weather Service to the private sector.

I believe the private sector should provide this service. I do not think that taxpayers in Indiana or Michigan or Texas should be providing weather service forecasts for the yacht clubs in San Diego, and I yield back the balance of my time.

The CHAIRMAN. Is there anyone else that wishes to be recognized on the gentleman from Indiana's amendment?

[No response.]

The CHAIRMAN. If not, the Chair would close the debate.

The Chair is prepared to accept the amendment of the gentleman from Indiana. The Administration has recommended terminating the program and privatizing the service. This is something which is the intent of the bill, and I'm pleased to accept the amendment.

Mr. ROEMER. I thank the Chairman.

The CHAIRMAN. The Chair will put the question.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it, the amendment is agreed to.

Next amendment, which is the last amendment that we're aware of, Ms. Lofgren.

Ms. LOFGREN. Thank you, Mr. Chairman.

Mr. Chairman, I have an amendment at the desk and I'd ask unanimous consent that it be considered as read.

The CHAIRMAN. The Clerk will distribute the amendment.

Would you hold onto your unanimous consent request until I've had a chance to look at it.

Ms. LOFGREN. Certainly.

The CHAIRMAN. The unanimous consent request is agreed to without objection.

[The amendment offered by Ms. Lofgren follows:]

AMENDMENT OFFERED BY Ms. LOFGREN TO H.R. 1815

On page 21, following line 20, insert the following:

TITLE VI-- AUTHORIZATION FOR CLIMATE AND AIR QUALITY RESEARCH

Notwithstanding any other provision of this Act, there are authorized for Climate and Air Quality research $152,528,000 for fiscal year 1996."

Ms. LOFGREN. Thank you, Mr. Chairman.

My amendment would restore funding for global change research at NOAA to the 1996 request level of $159 million. If there was ever a case made for prudent prevention, it's here where maintenance of a stable global climate is concerned.

We're dealing with a potential environmental problem that is so huge that it really boggles the mind. Just as the dinosaurs faced extinction from global change 65 million years ago, humanity may now face great upheavals over the next century of scientifically plausible forecasts of global warming are realized.

The dinosaurs couldn't plan ahead and they couldn't respond to changes but we can. The question is whether we will. And whether we will or not is a matter of choice and it's really very much a matter for this Committee to decide.

The bill before us would almost half NOAA's budget for global change research. And I believe this is an ill-considered reduction which comes fast on the heels of last week's Committee action terminating funding for all EPA and DOE global change programs.

The reductions go far beyond simply trimming supposedly duplicative research efforts. They are without question part of a concerted and I would acknowledge well-planned attempt to wipe out the nation's global climate research programs on a Government-wide basis.

It would seem that there are some members of this Committee who would rather kill the messenger than risk hearing what could prove to be disturbing information.

In a recent press release, Chairman Rohrabacher indicated, and I quote his press release, "nowhere is scientific nonsense more evident than in global warming programs that are sprinkled throughout the current year's budget. Our fiscal year '96 budget does not operate on the assumption that global warming is a proven phenomena. In fact, it is assumed at best to be unproven and at worst, to be liberal claptrap, trendy but soon to go out of style in our Newt Congress."

With all due respect to Chairman Rohrabacher, I suggest that this charge that global warming concerns are motivated by any kind of political ambition objective are very much misplaced.

We've heard many affirmations recently of the value of good science and published research that has passed the trial of rigorous peer review. And all of our environmental decisions, we're told, should be based on this most objective form of knowledge.

The latest scientific findings on global climate change make one thing clear. While fortunately there's been no indisputable signal that human induced global warming is occurring, there's less and less basis for those skeptics who claim there's nothing to worry about recent climatic trends.

Some of the most recent scientific studies, peer reviewed, I would add, include a paper in the April 7th Journal of Science, indicating that the timing of the earth's seasons has been changing since 1940 at a rate without historical precedent, and the author, a statistical expert from Bell Labs, AT&T, said, "You almost have to invoke magic if it's not CO_2, it's the only logical explanation."

For the first time recently, a new British computer model can accurately account for the global variations in temperature over the

past 130 years based on concentrations of both greenhouse gases and aerosol pollutants, and that Hadley model predicts significant future warming over the next five decades as greenhouse gases continue to accumulate.

And just last month, in May, the National Climatic Data Center in North Carolina indicated in their monthly paper that U.S. weather patterns have become at least 40 percent more extreme in the period since 1980. This means we're having more hot weather days, more torrential rains, more droughts than chance alone would predict.

The author of the study, a global warming skeptic, concluded that there was a 90 to 95 percent chance that man-made greenhouse effects are responsible for the changes.

These studies have all kinds of potential ramifications for agriculture, for the future of coastal zones in all of California and the future of disaster assistance and relief efforts, and we should not neglect the peril.

The last study I mentioned needs some particular attention because it came directly from a NOAA lab, and it's the kind of research that would be endangered by this bill. It's the kind of knowledge on climatic extremes that the Chairman feels we should not learn about.

And I believe that we owe it to ourselves and to the future of our country to move forward to get good peer reviewed science to work forward on.

You know, we have a Federal budget that is troublesome but it would be pennywise and pound foolish to cut the research we need to make sound scientific decisions. For our future, I do not want to be a member of Congress explaining to my children why we failed to act when planet-wide disaster hits us.

Thank you, Mr. Chairman.

The CHAIRMAN. The time of the gentlelady has expired.

Are there additional members who wish to be recognized on the gentlelady's amendment?

Mr. ROHRABACHER. Mr. Chairman?

The CHAIRMAN. The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Mr. Chairman, what the Lofgren amendment does is basically increase the total spending in this bill by $65.8 million with no offset.

It also basically continues a multi-faceted approach toward global climate change. And the fact is, there are several accounts that will be studying global climate change.

What we are basically doing, and what this bill does is basically cut $18.5 million from fiscal year 1995 budget in terms of what we are doing for global climate change.

The interannual and seasonal account is funded at $59.8 million in the bill, and basically we're talking about coming at a problem from many different directions and I'm just saying that that's not necessarily the best approach.

If we have several accounts studying the same problem, maybe it would be better to focus this and focus our examination of global climate change at least in one account or two accounts, rather than

many, many different approaches throughout the Federal Government.

But besides that, I am indeed, as we've just heard, we've heard that I've been attacking the idea that there's a scientific basis for the whole global warming concept.

And I have gone through hearing after hearing as many of the other people on this Committee, and sat and listened to the experts come before us, and within five minutes of asking them questions, the so-called experts on global warming are arguing among themselves as to whether it's not global cooling that we're really experiencing.

And I find this over and over again. There is no scientific basis for us to be spending so much of our resources on what is probably, what seems to me to be a politicized instead of a scientific concept.

Basically we've heard these stories and I've heard these stories about how, it's not the sky is falling now, but the sky is getting warmer. Well, it used to be the sky is falling.

And we have come to a point now, when we're trying to make sure that each and every one of our dollars is well spent, that we can no longer spend money coming at these problems from a variety of different angles.

Let's just fund, which we do in the budget, the inner annual and seasonal account is funded at $59.8 million. That should be enough.

And the fact is that global warming, as it stands now, doesn't warrant the type of massive approach that the liberals have been suggesting over the years and that has been funded over the years.

Ms. LOFGREN. Would the Chairman yield briefly?

Mr. ROHRABACHER. Yes, I would.

Ms. LOFGREN. I recognize that you and I don't agree on this, but I just wanted to point out, and I recognize again that you don't agree with this, but this doesn't bust the budget. There is unallocated funding within the caps. This amendment would allocate part of that, but it would still remain within the caps.

And I recognize that people can disagree over whether to do that or not, but it doesn't go beyond the caps.

Secondarily, last week, we wiped out climate research in DOE and in EPA, and I understand that the Chairman's intent, and we'll see if the Committee agrees, is to wipe out the NASA program that does the same thing.

And so really the intent is to wipe out this line of inquiry as a funded program for our National Government.

I think that is a bad idea.

Now what the scientists are saying is that the Northern Hemisphere is cooling some as a product of air pollution and the Southern Hemisphere is heating considerably.

I hope that there isn't a problem, and it is what it says. We know there's something going on. We should find out what it is.

Mr. ROHRABACHER. Reclaiming my time, my staff does suggest to me that the budget, that your proposal does bust the budget. You're asking for $65.8 million more in spending with no offset.

Let me just say that indeed the climate is changing. There is no doubt the climate is changing, all right. There used to be huge glaciers that covered all of North America, and the climate has changed. That's why we can exist here.

Climate change in and of itself does not mean that we have to spend hundreds of millions, if not billions of dollars in order to say the climate is changing, when indeed the climate may be in one phase of the ice age or another. That doesn't necessarily mean to us that this expenditure is justified.

I believe, as the scientists believe, there's just as good a chance that we're going to have global cooling as global warming. The money is unjustified. The spending is unjustified.

The CHAIRMAN. The time of the gentleman has expired.

Are there other members seeking recognition on this amendment?

The gentleman from California, Mr. Brown.

Mr. BROWN. Mr. Chairman, I rise in support of the Lofgren amendment. I can be accused of bias in this respect since I've made it very clear that I support higher research appropriations and that I do believe that funding of the global climate change program is important.

I was one of the authors of the legislation creating this program many, many years ago. I still feel that it's necessary, not because there's any proof of global warming, but because there's considerable uncertainty as to what is happening in terms of global climate.

The purpose of scientific investigation is to help to resolve that uncertainty over a period of time.

I ask unanimous consent to include in the record a longer statement of my views, and I will shorten my remarks somewhat, Mr. Chairman.

[The prepared statement of Mr. Brown follows:]

Hon. George E. Brown, Jr.
Statement on Lofgren Amendment to NOAA Authorization
June 28, 1995

Thank you, Mr. Chairman. I would like to associate myself with the remarks of the gentlelady from California. It is all well and good to talk about reducing the deficit to protect our children's future, but we are deceiving ourselves to think that's all we need to do for their sake.

Clearly global environmental problems like the threatened global warming merit the most careful and comprehensive research and study. That's all the gentlelady's amendment is designed to do. Once in possession of all the facts, then we in government, together with leaders from around the world, can decide what needs to be done.

The gentlelady's amendment is not about increasing regulatory burdens on industry. It must be noted that our cautious response to the threat of climate change has been, for the most part, based on voluntary actions.

For example, the Climate Change Action Plan -- which unfortunately the Chairman is also out to eliminate -- involves such steps as enhancing energy efficiency in buildings, large-scale tree-planting and creation of forest reserves, more public transportation, and better use of hydroelectric and renewable

power sources.

These are mostly steps we need anyhow to assure our future energy security, and it is simple prudence to adopt them now as a palliative for future climatic changes.

Mrs. Lofgren has done a very positive service by noting some of the recent scientific developments that indicate that we may well already be experiencing global warming. Now this is exactly the sort of "good science" -- appearing in the top, peer-reviewed international journals -- for which Mr. Walker has repeatedly expressed his profound admiration and respect. The gentleman has only to browse a recent volume of *Science* or *Nature* to find all the evidence he needs that global warming is a serious threat deserving of our attention.

It is only to be hoped that he will pay a little more heed to the advice of these researchers, and a little less to the shortsighted forces of ignorance and denial. I frankly wish the gentleman were correct, and that global warming were just a figment of the imagination of American liberals -- I frankly wish liberals had the authority and influence to manufacture an international global warming conspiracy.

The gentleman knows this is nonsense. These problems

won't just disappear, regardless of our Committee action today. I urge adoption of the Lofgren amendment and yield back my remaining time.

Mr. BROWN. Let me add, also, that I don't believe that Mr. Rohrabacher's position that this busts the budget, I think he feels that it busts the budget for a number of reasons, but on page 17 of the bill, Section 402, under limitations on appropriations, there is contained for fiscal year 1996, the limitation $1.692.470, $1.6 billion or $1.7 billion.

The addition provided by Ms. Lofgren's amendment does not increase that amount. The specific expenditures confined within that cap do not approach that amount. They are several hundred million dollars less, and Ms. Lofgren's amendment takes up a little bit of that unspent funding that falls within the cap.

So she is correct in stating that it does not increase caps.

Mr. ROHRABACHER. Would the distinguished ranking member yield?

Mr. BROWN. I'd be happy to yield to Mr. Rohrabacher for a moment.

Mr. ROHRABACHER. Does that number that you just stated include the National Marine Fisheries Service?

Mr. BROWN. No, that is not within our jurisdiction, and is not contained—

Mr. ROHRABACHER. But does the figure you stated include that, allocations for that? I believe it does and that means that the numbers are not compatible.

Mr. BROWN. The numbers, the National Marine Fisheries is not an item in your bill, Mr. Rohrabacher.

Mr. ROHRABACHER. That's right, but the figure that you were just quoting, does that include the National Marine Fisheries Service?

Mr. BROWN. My guess is that it does, and I'm going to—

Mr. ROHRABACHER. That's correct.

Mr. BROWN. I think you've acted illegally in doing that, but I will debate that point at another time.

The statement that I'm making is that the $1.7 billion is in excess of the items within our Committee's jurisdiction contained in your bill, and that Ms. Lofgren's amendment does not break that number.

Ms. LOFGREN. Would the gentleman yield, Mr. Brown?

Mr. BROWN. Certainly.

Ms. LOFGREN. Just briefly, it's my understanding that the Resources Committee does not intend to feel bound by our caps in any way. That's not what I'm hearing.

Mr. BROWN. Well, this is going to be resolved. Basically, we're going to have a head-on collision, Mr. Rohrabacher, when this gets over to the Resources Committee, because the item that you mentioned is within their jurisdiction, and they're not going to be bound by the language that you have in your report, not even in the bill, but in your report.

So we'll face that problem later on.

I'm just pointing out Ms. Lofgren's amendment does not violate that figure and that it is not fair to characterize it as a budget buster.

Mr. ROHRABACHER. Would the ranking member yield for a question?

You're not suggesting that we give up jurisdiction are you, or are you?

Mr. BROWN. We never had jurisdiction.

Mr. ROHRABACHER. So you're suggesting we recognize that we don't have jurisdiction on this?

Mr. BROWN. I suggest that we recognize facts, Mr. Rohrabacher. You have made a bold and brilliant attempt to capture some jurisdiction here with report language in your bill. It will be doomed to failure, I can assure you.

Mr. HAYES. Would the ranking member yield? If he still has the time, would the ranking member yield?

Mr. BROWN. I'd be happy to yield.

Mr. HAYES. As a famous Chief Justice, former Chief Justice in Louisiana, Chief Justice O'Neal, who ruled that Louisiana did not have an alienation of affection statute, in a case called Moolan versus Monteleon, and Chief Justice O'Neal lived in the Monteleon Hotel and knew all about a relationship as man and wife, and looked at the plaintiff in that case and said, "Son, you can never lose what you never had."

[Laughter.]

Mr. HAYES. I think that's pretty much the point the Ranking Member's trying to make on jurisdiction.

[Laughter.]

Mr. BROWN. I thank the gentleman for that clarification, I think.

The CHAIRMAN. It will certainly make an interesting note in our record.

[Laughter.]

The CHAIRMAN. Are there additional Members seeking recognition on this amendment?

[No response.]

The CHAIRMAN. If not, the Chair would close the debate.

In reading the gentlewoman's amendment, it's one of two things, and I'm not certain I know which.

Either it does as Mr. Rohrabacher suggests, it exceeds the caps by saying, "Notwithstanding any other provision of this Act," and therefore what it does is wipes one of the provisions of the Act is the limitation set, and so therefore notwithstanding that, it just decides to go above that cap.

Or if it is as the gentlelady and the gentleman from California have described it within the caps, then it says, "Notwithstanding any other provisions of this Act," it means that this is the number one priority over and above anything else NOAA does. And so if NOAA has to close weather stations in order to do this, they close weather stations.

I mean, it's one of two things. Either this prioritizes this to an extent that exceeds everything else in the Act, or it exceeds the caps, which is a problem.

The only thing I would take some umbrage with is the particular statement that what we are attempting to do is wipe out all of this research.

I think that the figures belie that in the bill.

The President's request was very high.

In 1990, we were spending about $53.8 million in these accounts. This bill calls for spending something on the order of $86 million in these accounts.

We are really talking about a significant increase in moneys since the beginning of this decade that we in fact endorse in our particular bill. We're simply not willing to go as far as some of the moneys.

Under the Lofgren amendment, she would have us go up 280 percent since 1990. In some accounts, she is almost 400 percent higher than where would be.

And so it's a question here of whether or not you have a balanced program of research in those areas, or whether or not you just go exceedingly high in these areas.

We believe that the more balanced approach is the right approach. And I would ask the members to vote against the amendment.

With that, the Chair will put the question.

Those in favor of the amendment will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the noes have it. The noes have—

Ms. LOFGREN. Can I have a roll call, Mr. Chairman.

The CHAIRMAN. The gentlelady requests a roll call vote.

Ms. SCHWARTZ. Mr. Walker?

Mr. WALKER. No.

Ms. SCHWARTZ. Mr. Walker votes no.

Mr. Sensenbrenner?

Mr. SENSENBRENNER. No.

Ms. SCHWARTZ. Mr. Sensenbrenner votes no.

Mr. Boehlert?

[No response.]

Ms. SCHWARTZ. Mr. Fawell?

Mr. FAWELL. No.

Ms. SCHWARTZ. Mr. Fawell votes no.

Mrs. Morella?

Mrs. MORELLA. No.

Ms. SCHWARTZ. Mrs. Morella votes no.

Mr. Weldon of Pennsylvania?

Mr. CURT WELDON. No.

Ms. SCHWARTZ. Mr. Weldon votes no.

Mr. Rohrabacher?

Mr. ROHRABACHER. No.

Ms. SCHWARTZ. Mr. Rohrabacher votes no.

Mr. Schiff?

[No response.]

Ms. SCHWARTZ. Mr. Barton?

[No response.]

Ms. SCHWARTZ. Mr. Calvert?

Mr. CALVERT. No.

Ms. SCHWARTZ. Mr. Calvert votes no.

Mr. Baker?

Mr. BAKER. No.

Ms. SCHWARTZ. Mr. Baker votes no.

Mr. Bartlett?

Mr. BARTLETT. No.

Ms. SCHWARTZ. Mr. Bartlett votes no.
Mr. Ehlers?
Mr. EHLERS. No.
Ms. SCHWARTZ. Mr. Ehlers votes no.
Mr. Wamp?
Mr. WAMP. No.
Ms. SCHWARTZ. Mr. Wamp votes no.
Mr. Weldon of Florida?
Mr. DAVE WELDON. No.
Ms. SCHWARTZ. Mr. Weldon votes no.
Mr. Graham?
Mr. GRAHAM. No.
Ms. SCHWARTZ. Mr. Graham votes no.
Mr. Salmon?
Mr. SALMON. No.
Ms. SCHWARTZ. Mr. Salmon votes no.
Mr. Davis?
Mr. DAVIS. No.
Ms. SCHWARTZ. Mr. Davis votes no.
Mr. Stockman?
[No response.]
Ms. SCHWARTZ. Mr. Gutknecht?
Mr. GUTKNECHT. No.
Ms. SCHWARTZ. Mr. Gutknecht votes no.
Mrs. Seastrand?
[No response.]
Ms. SCHWARTZ. Mr. Tiahrt?
Mr. TIAHRT. No.
Ms. SCHWARTZ. Mr. Tiahrt votes no.
Mr. Largent?
[No response.]
Ms. SCHWARTZ. Mr. Hilleary?
Mr. HILLEARY. No.
Ms. SCHWARTZ. Mr. Hilleary votes no.
Mrs. Cubin?
Mrs. CUBIN. No.
Ms. SCHWARTZ. Mrs. Cubin votes no.
Mr. Foley?
Mr. FOLEY. No.
Ms. SCHWARTZ. Mr. Foley votes no.
Mrs. Myrick?
Mrs. MYRICK. No.
Ms. SCHWARTZ. Mrs. Myrick votes no.
Mr. Brown?
Mr. BROWN. Yes.
Ms. SCHWARTZ. Mr. Brown votes yes.
Mr. Hall?
[No response.]
Ms. SCHWARTZ. Mr. Traficant?
[No response.]
Ms. SCHWARTZ. Mr. Hayes?
Mr. HAYES. No.
Ms. SCHWARTZ. Mr. Hayes votes no.
Mr. Tanner?

Mr. TANNER. No.
Ms. SCHWARTZ. Mr. Tanner votes no.
Mr. Geren?
Mr. GEREN. No.
Ms. SCHWARTZ. Mr. Geren votes no.
Mr. Roemer?
Mr. ROEMER. No.
Ms. SCHWARTZ. Mr. Roemer votes no.
Mr. Cramer?
Mr. CRAMER. No.
Ms. SCHWARTZ. Mr. Cramer votes no.
Mr. Barcia?
[No response.]
Ms. SCHWARTZ. Mr. McHale?
Mr. MCHALE. No.
Ms. SCHWARTZ. Mr. McHale votes no.
Ms. Harman?
Ms. HARMAN. Yes.
Ms. SCHWARTZ. Ms. Harman votes yes.
Ms. Johnson?
Ms. JOHNSON. Yes.
Ms. SCHWARTZ. Ms. Johnson votes yes.
Mr. Minge?
Mr. MINGE. No.
Ms. SCHWARTZ. Mr. Minge votes no.
Mr. Olver?
[No response.]
Ms. SCHWARTZ. Mr. Hastings?
[No response.]
Ms. SCHWARTZ. Ms. Rivers?
Ms. RIVERS. Yes.
Ms. SCHWARTZ. Ms. Rivers votes yes.
Ms. McCarthy?
Ms. MCCARTHY. Yes.
Ms. SCHWARTZ. Ms. McCarthy votes yes.
Mr. Ward?
Mr. WARD. Yes.
Ms. SCHWARTZ. Mr. Ward votes yes.
Ms. Lofgren?
Ms. LOFGREN. Yes.
Ms. SCHWARTZ. Ms. Lofgren votes yes.
Mr. Doggett?
Mr. DOGGETT. Yes.
Ms. SCHWARTZ. Mr. Doggett votes yes.
Mr. Doyle?
Mr. DOYLE. No.
Ms. SCHWARTZ. Mr. Doyle votes no.
Ms. Jackson Lee?
[No response.]
Ms. SCHWARTZ. Mr. Luther?
Mr. LUTHER. No.
Ms. SCHWARTZ. Mr. Luther votes no.
Mr. BARCIA. Madame Clerk, Mr. Chairman?
Mr. Chairman, could I ask how I'm recorded?

The CHAIRMAN. How's Mr. Barcia recorded?

Ms. SCHWARTZ. Mr. Barcia is not recorded.

Mr. BARCIA. I'll cast a no vote.

Ms. SCHWARTZ. Mr. Barcia votes no.

The CHAIRMAN. How is Mrs. Seastrand recorded?

Ms. SCHWARTZ. Mrs. Seastrand is not recorded.

Mrs. SEASTRAND. No.

Ms. SCHWARTZ. Mrs. Seastrand votes no.

The CHAIRMAN. Are there additional members that have not been recorded?

[No response.]

The CHAIRMAN. If not, the Clerk will report.

Ms. SCHWARTZ. Mr. Chairman, the Clerk reports yes 8, no 32.

The CHAIRMAN. The amendment is not agreed to.

Are there further amendments to the bill?

[No response.]

The CHAIRMAN. Hearing none, the question then is on the bill, HR 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it.

The ranking member?

Mr. BROWN. Mr. Chairman, I move that the Committee report the Bill HR 1815 as amended. Furthermore, I move to instruct the staff to prepare the legislative report, to make technical and conforming amendments, and that the Chairman take all necessary steps to bring the bill before the House for consideration.

And, Mr. Chairman, I request three days in which to file minority views.

The CHAIRMAN. The Committee has heard the motion.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it and motion's agreed to. Without objection, the motion to reconsider is laid upon the table.

I recognize Mr. Ehlers for a motion.

Mr. EHLERS. Mr. Chairman, I move, pursuant to Clause 1 of Rule 20 of the Rules of the House of Representatives, that the Committee authorize the Chairman to offer such motions as may be necessary in the House to go to conference with the Senate on the Bill HR 1815 or a similar Senate bill.

The CHAIRMAN. Those in favor of the motion will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[No response.]

The CHAIRMAN. The ayes have it.

I ask unanimous consent that the Committee adopt, as a part of the legislative report on HR 1815, the summary chart which the members have before them.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California?

Mr. BROWN. Reserving the right to object, as I noted in our consideration of the DOE bill last week, Committee Rule 21[b] provides in part that no legislative report filed by the Committee on any measure or matter reported by the Committee shall contain language which has the effect of specifying the use of Federal resources more explicitly, inclusively or exclusively, than that specified in the measure or matter as ordered reported.

The staff chart goes far beyond anything we've reported in the bill itself. In particular, it calls for reductions in the wet side of NOAA that are not in the bill and on which we have had absolutely no discussion.

For example, I'd like to call my colleague's attention to page 15 of the staff chart, which you all have before you, where the Committee assumes a cut of $58 million from last year's funding for the National Marine Fisheries Service, which is not even under this Committee's jurisdiction, but which apparently counted toward the Committee's 602[b] cap, so-called, that's in quotes.

Committee Rule 21[b] was adopted to protect members. It was intended to assure that members are accountable for making the decisions that the Committee report implies, have in fact been made by members.

My position and the position of our rules is that there should be no policies or program guidance in the report that have not been specifically approved by the members, whereas here, the staff chart goes beyond what the Members have approved. I intend to object to any unanimous consent request and to call for a roll call vote.

If the Members desire to delegate their policymaking authority to the staff, I invite them then to vote for the Chairman's motion to include the staff table in the Committee report.

Mr. SENSENBRENNER. Mr. Chairman—

Mr. BROWN. I object to the request.

The CHAIRMAN. The gentleman objects, and the Chair would simply note that the Committee is taking the action pursuant to the rule by having the Committee act. There is nothing being done that goes beyond the rules. This Committee is simply acting.

The gentleman from Wisconsin?

Mr. SENSENBRENNER. Mr. Chairman, I move that the Committee adopt, as a part of the legislative report on HR 1815, the summary chart which the Members have before them.

The CHAIRMAN. You've heard the motion.

Those in favor will say aye.

[Chorus of ayes.]

The CHAIRMAN. Those opposed will say no.

[Chorus of nays.]

The CHAIRMAN. In the opinion of the Chair, the ayes have it. The ayes have it. The motion is agreed to.

That concludes our markup on the measure HR 1815, the National Oceanic and Atmospheric Administration Act of 1995.

We will now suspend momentarily to allow the Reporter to change to a new tape and move to a new page in the transcript.

Mr. HASTINGS. Mr. Chairman, while you're doing that, can I do a unanimous consent request?

The CHAIRMAN. The Reporter can't take it down, so we'll just suspend and allow the Reporter to—

The COURT REPORTER. I'm ready.

The CHAIRMAN. You're ready.

I recognize the gentleman from Florida for a unanimous consent request.

Mr. HASTINGS. I thank the Chair.

I ask unanimous consent that my vote be recorded as yes on the Lofgren amendment. I was unavoidably detained, Mr. Chairman, and I heard that that will make it come to a grand total of nine, so I—

The CHAIRMAN. I thank the gentleman. His statement will be noted.

The gentleman from Kentucky.

Mr. WARD. Mr. Chairman, I also have a unanimous consent request.

Due to the fact the base reduction, the Base Closure Commission was meeting last Thursday, I missed two roll call votes on HR 1861.

On the Roemer Amendment to reduce the number of DOE employees by one-third, I would have voted aye.

And on the Lofgren Amendment to authorize $25 million for fusion energy, I would have voted aye.

And today on the Cramer Amendment, I would have voted aye.

Thank you very much.

The CHAIRMAN. The gentleman's statement will be noted.

Mr. BROWN. Mr. Chairman?

The CHAIRMAN. The gentleman from California.

Mr. BROWN. I have a parliamentary inquiry relating to HR 1175.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. BROWN. Mr. Chairman, recognizing that we had a limited amount of time in which to consider this legislation after it was referred to us from the Resources Committee, nevertheless, we have seen fit to cut $20 million from both the Administration's request and the Resources Committee's recommendations for the Sea Grant program.

I would like to inquire if there was a hearing record no which this funding recommendation was based, and if so, what witnesses testified on these programs before the Committee, either in this Congress or in prior Congresses?

The CHAIRMAN. Would Staff reply to the parliamentary inquiry?

Mr. RUSSELL. Yes, Mr. Chairman.

We did indeed hold hearings over the course of a week on all the individual authorizations under the Subcommittee on Energy and Environment's jurisdiction, including of NOAA's budget, which includes Sea Grant.

Mr. BROWN. Mr. Chairman, I have a copy of the transcript before me, and at no place in the transcript does it mention the Sea Grant program.

Mr. RUSSELL. I believe the Administration testified, Dr. Baker actually testified to the request for the Administration's FY 1996 budget for NOAA. As such, he highlighted all the priority programs before our Committee, which our Committee has jurisdiction over.

If he neglected to mention Sea Grant as one of the priority programs, that was his discretion.

Mr. BROWN. Then you're agreeing with me that there's nothing in the hearing record in support of or opposition to the Sea Grant program?

The CHAIRMAN. Well, the Staff has indicated that in fact hearings were held on the topic. If the Administration or the members did not desire to discuss the issue during those hearings, it was in fact a subject matter that was open for consideration by the Committee during that particular hearing process.

And that, you know, we often have hearings where there are several topics that would be under the jurisdiction of the Committee that would be eligible for conversation that are not taken up at that time.

Mr. BROWN. Mr. Chairman, I very strongly resent a situation in which we do not have a hearing record on a subject, it is not mentioned in the hearing record that purports to deal with it, and we're told that this constitutes the hearing record on the subject.

The fact that there was an option to present something or somebody could have asked is irrelevant actually. There's no hearing record on this subject.

The CHAIRMAN. Well, the gentleman, I think the staff has told the gentleman that the gentleman is wrong in that understanding.

The fact is that there was a hearing on the topics that include the Sea Grant, and the gentleman from Pennsylvania is simply saying to the gentleman from California that during that time, it was not a high priority, either for the Administration or for members of the Committee evidently.

But there was certainly an opportunity to discuss the topics relating to that program during the hearing that was done in this topical area.

Mr. DOGGETT. Mr. Chairman, I have a parliamentary inquiry then.

The CHAIRMAN. The gentleman is recognized for his parliamentary inquiry.

Mr. DOGGETT. You have just explained the procedure when a more detailed chart is put in place for our doing unanimous consent request or a vote in order to essentially suspend our rule on that point.

And there is another rule of this—

The CHAIRMAN. The gentleman is absolutely wrong. We did not explain that there's any suspension of the rule. The rule states that the Committee will act on such measures. We in fact had a Committee action on the matter. We did not suspend the rule, we complied with the rule.

Mr. DOGGETT. I appreciate your clarification.

And I'm seeking clarification with reference to Rule 44, which was added at your suggestion at the beginning of the Committee's operation. Since we're doing all these authorization bills, Rule 44, as you know, provides that no later than May 15th of each year, the Chairman will report to the Chairman of the Committee on Appropriations, any of the programs or departments that are under our jurisdiction for which no authorization exists for the next fiscal year.

Is that something that is being done with reference to programs or has been done with reference to programs that we will not have any authorization legislation on?

And it not, what is the proper manner for bringing that matter to the attention of the Committee?

The CHAIRMAN. Well, that has also been complied with. We have been in a process of consultative reports throughout the process, something that I have been surprised to hear the minority complaining about during the period of time.

We have in fact informed each of the Committee chairmen, the subcommittee cardinals, of the bills that are not authorized at the present time. That has been an on-going process. It's part of the consultations that has led to we hope some cooperation so that programs that we regard as vital can be on-going despite the lack of authorization.

Mr. DOGGETT. Is there something in writing on that in the way of a report?

The CHAIRMAN. There is not a written report on it, no.

Mr. DOGGETT. So there'd be no way for any member of the Committee, not privy to those consultations, to know whether Rule 44 had been complied with or not?

The CHAIRMAN. Well, Rule 44 requires the Chairman to inform the appropriators about those items which are not authorized at the present time. That has been done.

Mr. DOGGETT. I appreciate your courtesy in responding.

[Pause.]

The CHAIRMAN. Okay, I'm told that, Mr. Hastings, when you made your unanimous consent request, you asked that it be recorded, and so on that we cannot do.

The saying that I should have made is that it will be noted in the record, the gentleman's position on the issue.

Thank you.

Mrs. MCCARTHY. Mr. Chairman?

The CHAIRMAN. The gentlewoman is recognized.

Mrs. MCCARTHY. Thank you.

Mr. Chairman, I would ask unanimous consent to have noted in the record that had I been present and voting on the Cramer Amendment and Lofgren Amendment, I would have voted aye.

The CHAIRMAN. The gentlelady's statement will be noted.

Mrs. MCCARTHY. Thank you.

[Additional material follows:]

COMMITTEE ON SCIENCE
FULL COMMITTEE MARKUP: JUNE 28, 1995

AMENDMENT ROSTER

H.R. 1815, the National Oceanic and Atmospheric Administration Authorization Act of 1995
--Motion to adopt the bill, as amended: Adopted by a voice vote
--Motion to report the bill, as amended: Adopted by a voice vote
--Motion to include charts in the Legislative Report: Adopted by a voice vote

No.	Sponsor	Description	Results
1.	Mr. Walker	En bloc amendment	Adopted, as amended, by voice vote
1.(a)	Mr. Brown	Amendment to the Walker En Bloc Amendment	Adopted by voice vote
1.(b)	Mr. Walker	Amendment inserts a new Sec. 504 - Report on Laboratories	Adopted, as amended, by voice vote
1.(c)	Mr. Brown	Amends the new Sec. 504 - Report on Laboratories - offered by Mr. Walker	Adopted by voice vote
2.	Mr. Brown	Amendment in the Nature of a Substitute	Defeated by voice vote
3.	Mr. Cramer	En bloc amendment	Included in the Walker En Bloc Amendment #1
4.	Mr. McHale	Page 5, line 18, through page 6, line 13, strike subsection (f)	Withdrawn
5.	Mr. Cramer	Amends subsection (f) to read: Weather Service Modernization	Defeated by a roll call vote: Y-18; N-21;
6.	Mr. Boehlert	Maintains NOAA extramural funding in climate research	Included in the Walker En Bloc Amendment #1

No.	Sponsor	Description	Results
7.	Mr. Weldon (PA)	Creates a new Sec. 203--Use of Ocean Research Resources Of Other Federal Agencies	Included in the Walker En Bloc Amendment #1
8.	Mr. Weldon (PA)	Creates a new Sec. 504--Alternative Authorization	Withdrawn
9.	Mr. Cramer	Creates a new Sec. 504--Additional Authorization for National Weather Service Modernization	Withdrawn
10.	Mr. Traficant	Buy American Amendment	Not offered
11.	Mr. Brown	Creates a new Title VI--Contingent Authorization	Withdrawn
12.	Mr. Calvert	En Bloc Amendment	Adopted by voice vote
13.	Mr. Roemer	Creates a new paragraph - Dissemination of Weather Charts	Adopted by voice vote
14.	Ms. Lofgren	On page 21, following line 20, insert the following: Title VI - Authorization for Climate and Air Quality Research	Defeated by a roll call vote: Y-8; N-32

EN BLOC AMENDMENTS TO H.R. 1815
OFFERED BY MR. WALKER

Page 4, line 6, strike "for fiscal year 1995".

Page 4, after line 11, insert the following new subsection:

1 (c) NEW NEXRAD INSTALLATIONS.—No funds may
2 be obligated for NEXRAD installations not identified in
3 the National Implementation Plan for 1996, unless the
4 Secretary certifies that such NEXRAD installations can
5 be acquired within the authorization for NEXRAD con-
6 tained in section 102(b) of the National Qceanic and At-
7 mospheric Administration Authorization Act of 1992.

Page 4, line 12, through page 5, line 18, redesignate subsections (c) through (f) as subsections (d) through (g), respectively.

Page 6, line 15, insert "(1)" after "AIR QUALITY RESEARCH.—".

Page 6, after line 21, insert the following new paragraph:

8 (2) The Administrator shall ensure that at least the
9 same percentage of the climate and air quality research
10 funds that were provided to institutions of higher edu-

1 cation for fiscal year 1995 is provided to institutions of
2 higher education from funds authorized by this subsection.

Page 8, line 6, strike "$188,883,000" and insert in lieu thereof "$184,425,000".

Page 9, line 3, strike "$31,207,000" and insert in lieu thereof "$35,665,000".

Page 12, after line 24, insert the following new section:

3 SEC. 203. USE OF OCEAN RESEARCH RESOURCES OF OTHER
4 FEDERAL AGENCIES.
5 (a) FINDINGS.—The Congress finds the following:
6 (1) Observing, monitoring, and predicting the
7 ocean environment has been a high priority for the
8 defense community to support ocean operations.
9 (2) Many advances in ocean research have been
10 made by the defense community which could be
11 shared with civilian researchers.
12 (3) The National Oceanic and Atmospheric Ad-
13 ministration's missions to describe and predict the
14 ocean environment, manage the Nation's ocean and
15 coastal resources, and promote stewardship of the
16 world's oceans would benefit from increased coopera-
17 tion with defense agencies.

1 (b) SENSE OF CONGRESS.—It is the sense of the
2 Congress that the National Oceanic and Atmospheric Ad-
3 ministration should expand its efforts to develop inter-
4 agency agreements to further the use of defense-related
5 technologies, data, and other resources to support its oce-
6 anic missions.
7 (c) REPORT.—
8 (1) IN GENERAL.—Not later than 120 days
9 after the date of the enactment of this Act, the Sec-
10 retary of Commerce shall submit to the Committee
11 on Science of the House of Representatives and the
12 Committee on Commerce, Science, and Transpor-
13 tation of the Senate a report on the feasibility of ex-
14 panding the use of defense-related technologies,
15 data, and other resources to support and enhance
16 the oceanic missions of the National Oceanic and At-
17 mospheric Administration.
18 (2) CONTENTS.—The report required under
19 paragraph (1) shall include—
20 (A) a detailed listing of defense-related re-
21 sources currently available to the National Oce-
22 anic and Atmospheric Administration and the
23 National Oceanic and Atmospheric Administra-
24 tion missions which utilize those resources;

1 (B) detailed findings and recommenda-
2 tions, including funding requirements, on the
3 potential for expanding the use of available de-
4 fense-related resources;
5 (C) a detailed listing and funding history
6 of the National Oceanic and Atmospheric Ad-
7 ministration resources, including data and tech-
8 nology, which could be supplemented by de-
9 fense-related resources;
10 (D) a listing of currently unavailable de-
11 fense-related resources, including data and
12 technology, which if made available would en-
13 hance the National Oceanic and Atmospheric
14 Administration mission performance;
15 (E) recommendations on the regulatory
16 and legislative structures needed to maximize
17 the use of defense-related resources;
18 (F) an assessment of the respective roles
19 in the use of defense-related resources of the
20 Army Corps of Engineers, data centers, oper-
21 ational centers, and research facilities of the
22 National Oceanic and Atmospheric Administra-
23 tion; and

1 (G) recommendations on how to provide
2 access to relevant defense-related data for non-
3 Federal scientific users.

Page 15, line 17, strike "Modernization" and insert in lieu thereof "Modification".

Page 16, line 11, insert "non-Federal, non-wildfire," after "National Weather Service".

Page 17, line 18, insert ", projects, and activities" after "carrying out the programs".

Page 18, lines 16 and 17, strike "make separations required pursuant to subsection (a)" and insert in lieu thereof "separate commissioned officers from the active list of the National Oceanic and Atmospheric Administration, and may do so".

Page 21, after line 20, insert the following new sections:

SEC. 504. ELIGIBILITY FOR AWARDS.

(a) IN GENERAL.—The Administrator shall exclude from consideration for awards of financial assistance made by the National Oceanic and Atmospheric Administration after fiscal year 1995 any person who received funds, other than those described in subsection (b), appropriated for a fiscal year after fiscal year 1995, from

any Federal funding source for a project that was not subjected to a competitive, merit-based award process. Any exclusion from consideration pursuant to this section shall be effective for a period of 5 years after the person receives such Federal funds.

(b) EXCEPTION.—Subsection (a) shall not apply to awards to persons who are members of a class specified by law for which assistance is awarded to members of the class according to a formula provided by law.

SEC. 505. PROHIBITION OF LOBBYING ACTIVITIES.

None of the funds authorized by this Act shall be available for any activity whose purpose is to influence legislation pending before the Congress.

AMENDMENT OFFERED BY MR. BROWN TO THE WALKER EN BLOC AMENDMENT TO H.R. 1815

Page 2, line 17, strike "Congress." and insert in lieu thereof the following:

1 Congress, provided that this shall not prevent officers or
2 employees of the United States or of its departments or
3 agencies from communicating to Members of Congress on the
4 request of any Member or to Congress, through the proper
5 channels, requests for legislation or appropriations which they
6 deem necessary for the efficient conduct of the public
7 business.

AMENDMENT TO H.R. 1815

OFFERED BY MR. WALKER

Page 21, after line 20, insert the following new section:

1 SEC. 504. REPORT ON LABORATORIES.

2 (a) IN GENERAL.—No later than 120 days after the
3 date of the enactment of this Act, the Inspector General
4 of the Department of Commerce shall conduct a review
5 of the laboratories operated by the National Oceanic and
6 Atmospheric Administration and submit a report to the
7 Committee on Science of the House of Representatives
8 and the Committee on Commerce, Science, and Transpor-
9 tation of the Senate.

10 (b) REQUIREMENTS.—The report required by sub-
11 section (a) shall—

12 (1) address potential efficiencies and savings
13 which could be achieved through closing or consoli-
14 dating laboratory facilities;

15 (2) review each laboratory's—

16 (A) mission and activities and their cor-
17 relation to the mission priorities of the National
18 Oceanic and Atmospheric Administration;

19 (B) physical assets, equipment, condition,
20 and personnel resources; and

1 (C) organization and program manage-
2 ment; and
3 (3) address other issues the Inspector General
4 considers relevant.

AMENDMENT TO THE WALKER EN BLOC
Offered by Mr. Brown

In the portion of the en bloc amending Page 21, after line 20, amend the proposed new section 504 as follows:

on lines 3 of the amendment, strike "Inspector General" and insert in lieu thereof "Secretary".

AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY Mr. Brown

Strike all after the enacting clause and insert in lieu thereof the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the "National Oceanic and
3 Atmospheric Administration Authorization Act of 1995".

4 SEC. 2. POLICY AND PURPOSE.

5 It is the policy of the United States and the purpose
6 of this Act to—

7 (1) support and promote continuing the mission
8 of the National Oceanic and Atmospheric Adminis-
9 tration to monitor, describe and predict changes in
10 the Earth's environment, protect lives and property,
11 and conserve and manage the Nation's coastal and
12 marine resources to ensure sustainable economic op-
13 portunities;

14 (2) affirm that such mission involves basic re-
15 sponsibilities of the Federal Government for ensur-
16 ing general public safety, national security, and envi-
17 ronmental well-being, and promising economic
18 growth;

19 (3) affirm that the successful execution of such
20 mission depends strongly on interdependency and

1 synergism among component activities of the Na-
2 tional Oceanic and Atmospheric Administration;
3 (4) recognize that the activities of the National
4 Oceanic and Atmospheric Administration underlie
5 the societal and economic well-being of many sectors
6 of our Nation; and
7 (5) recognize that such mission is most effec-
8 tively performed by a single Federal agency with the
9 capability to link societal and economic decisions
10 with a comprehensive understanding of the Earth's
11 environment, as provided for in this Act.

12 SEC. 3. NATIONAL WEATHER SERVICE OPERATIONS AND
13 RESEARCH.

14 There are authorized to be appropriated to the Sec-
15 retary of Commerce to enable the National Oceanic and
16 Atmospheric Administration to carry out the operations
17 and research activities of the National Weather Service
18 $483,124,000 for fiscal year 1996.

19 SEC. 4. NATIONAL WEATHER SERVICE SYSTEMS ACQUISI-
20 TION.

21 (a) AUTHORIZATION.—There are authorized to be ap-
22 propriated to the Secretary of Commerce to enable the Na-
23 tional Oceanic and Atmospheric Administration to im-
24 prove its public warning and forecast systems $90,343,000
25 for fiscal year 1996. None of the funds authorized under

1 this section may be used for the purposes for which funds
2 are authorized under section 102(b) of the National Oce-
3 anic and Atmospheric Administration Authorization Act
4 of 1992 (Public Law 102–567).

5 (b) CONTRACTOR ACTIVITIES.—Activities of any non-
6 Federal entity, including the purchase, transportation, re-
7 ceipt, and installation of property and materials, on behalf
8 of the National Oceanic and Atmospheric Administration
9 pursuant to the modernization of the National Weather
10 Service as set forth in the Weather Service Modernization
11 Act (title VII of Public Law 102–567), are hereby ex-
12 pressly exempted from taxation in any manner or form
13 by any State, county, or municipality, or any subdivision
14 thereof.

15 (c) REPEAL.—Section 102(b)(2) of the National Oce-
16 anic and Atmospheric Administration Authorization Act
17 of 1992 is repealed.

18 SEC. 5. WEATHER SERVICE MODERNIZATION.

19 (a) AMENDMENTS.—The Weather Service Mod-
20 ernization Act is amended—

21 (1) in section 706—

22 (A) by striking "60-day" in subsection
23 (c)(2) and inserting in lieu thereof "30-day";

24 (B) by amending subsection (b)(6) to read
25 as follows:

1 "(6) any recommendations of the Committee
2 submitted under section 707(c) that evaluate the
3 certification.";
4 (C) by amending subsection (d) to read as
5 follows:
6 "(d) FINAL DECISION.—If the Secretary decides to
7 close, consolidate, automate, or relocate any such field of-
8 fice, the Secretary shall publish the certification in the
9 Federal Register and submit the certification to the Com-
10 mittee on Commerce, Science, and Transportation of the
11 Senate and the Committee on Science of the House of
12 Representatives.";and
13 (D) by amending subsection (f) to read as
14 follows:
15 "(f) PUBLIC LIAISON.—The Secretary shall maintain
16 for a period of at least two years after the closure of any
17 weather office a program to—
18 "(1) provide timely information regarding the
19 activities of the National Weather Service which may
20 affect service to the community, including mod-
21 ernization and restructuring; and
22 "(2) work with area weather service users, in-
23 cluding persons associated with general aviation,
24 civil defense, emergency preparedness, and the news

1 media, with respect to the provision of timely weath-
2 er warnings and forecasts."; and
3 (2) by amending section 707(c) to read as fol-
4 lows:
5 "(c) DUTIES.—The Committee may review any cer-
6 tification under section 706, for which the Secretary has
7 provided a notice of intent to certify, in the plan, including
8 any certification for which there is a significant potential
9 for degradation of service within the affected area. Upon
10 the request of the Committee, the Secretary shall make
11 available to the Committee the supporting documents de-
12 veloped by the Secretary in connection with the certifi-
13 cation. The Committee shall evaluate any certification re-
14 viewed on the basis of the modernization criteria and with
15 respect to the requirement that there be no degradation
16 of service, and advise the Secretary accordingly.".
17 (b) SENSE OF CONGRESS REGARDING ADDITIONAL
18 MODERNIZATION ACTIVITIES.—It is the sense of Congress
19 that the Secretary of Commerce should plan for the imple-
20 mentation of a follow-on modernization program aimed at
21 improving weather services provided to areas which do not
22 receive weather radar coverage at 10,000 feet. In carrying
23 out such a program, the Secretary should plan for a pro-
24 curement of Block II NEXRAD radar units.

1 SEC. 6. BASIC FUNCTIONS AND PRIVATIZATION OF NA-
2 TIONAL WEATHER SERVICE .
3 (a) BASIC FUNCTIONS.—The basic functions of the
4 National Weather Service shall be—
5 (1) the provision of forecasts and warnings in-
6 cluding forecasts and warnings, of severe weather,
7 flooding, hurricanes, and tsunami events;
8 (2) the collection, exchange, and distribution of
9 meteorological, hydrologic, climatic, and oceano-
10 graphic data and information; and
11 (3) the preparation of hydrometeorological guid-
12 ance and core forecast information.
13 (b) PROHIBITION.—The National Weather Service
14 shall not provide any new or enhanced weather services
15 for the sole benefit of an identifiable private entity or
16 group of such entities operating in any sector of the na-
17 tional or international economy in competition with the
18 private weather service industry.
19 (c) NEW OR ENHANCED SERVICE.—If the Secretary
20 determines, after consultation with appropriate Federal
21 and State officials, that a new or enhanced weather service
22 is necessary and in the public interest to fulfill the inter-
23 national obligations of the United States, to enable State
24 or Federal emergency or resource managers to better per-
25 form their State or Federal duties, or to carry out the
26 functions of the National Weather Service described in

1 subsection (a), the National Weather Service may provide
2 such new or enhanced service as one of its basic functions
3 if—

4 (1) each new or enhanced service provided by
5 the National Weather Service will be limited to the
6 level that the Secretary determines necessary to ful-
7 fill the requirements of this subsection, taking into
8 account the capabilities and limitations of resources
9 available, scientific knowledge, and technological ca-
10 pability of the National Weather Service; and

11 (2) upon request, the National Weather Service
12 will promptly make available to any person the data
13 or data products supporting the new or enhanced
14 service provided pursuant to this section, at a cost
15 not greater than that sufficient to recover the cost
16 of dissemination.

17 (d) FEDERAL REGISTER.—The Secretary shall
18 promptly publish in the Federal Register each determina-
19 tion made under subsection (c).

20 (e) PRIVATIZATION REVIEW.—The Secretary shall,
21 by February 15, 1996, conduct a review of all existing
22 weather services and activities performed by the National
23 Oceanic and Atmospheric Administration in order to iden-
24 tify those activities which may be transferred to the pri-
25 vate sector. Such review shall include a determination that

1 activities identified for privatization will continue to be
2 disseminated to users on a reasonably affordable basis
3 with no degradation of service. The Secretary shall, by
4 March 15, 1996, provide to the Speaker of the House of
5 Representatives and the President of the Senate a plan
6 for transferring these identified services to the private sec-
7 tor.

8 SEC. 7. CLIMATE AND AIR QUALITY RESEARCH.

9 (a) AUTHORIZATION.—There are authorized to be ap-
10 propriated to the Secretary of Commerce to enable the Na-
11 tional Oceanic and Atmospheric Administration to carry
12 out its climate and air quality research activities
13 $139,238,000 for fiscal year 1996.

14 (b) GLOBE.—Of the amount authorized in sub-
15 section (a), $7,000,000 are authorized for fiscal year 1996
16 for a program to increase scientific understanding of the
17 Earth and student achievement in math and science by
18 using a worldwide network of schools to collect environ-
19 mental observations. Beginning in fiscal year 1996,
20 amounts appropriated for such program may be obligated
21 only to the extent that an equal or greater amount of non-
22 Federal funding is provided for such program.

23 SEC. 8. ATMOSPHERIC RESEARCH.

24 There are authorized to be appropriated to the Sec-
25 retary of Commerce to enable the National Oceanic and

1 Atmospheric Administration to carry out its atmospheric
2 research activities $46,909,000 for fiscal year 1996.

3 SEC. 9. OCEANS AND GREAT LAKES PROGRAMS.

4 (a) MARINE PREDICTION RESEARCH.—There are au-
5 thorized to be appropriated to the Secretary of Commerce
6 to enable the National Oceanic and Atmospheric Adminis-
7 tration to carry out its oceans and Great Lakes research
8 activities, including Marine Prediction Research,
9 $14,984,000 for fiscal year 1996.

10 (b) SEA GRANT.—Section 212(a) and (b) of the Na-
11 tional Sea Grant College Program Act (33 U.S.C. 1131
12 (a) and (b)) are amended to read as follows:

13 "(a) The Secretary shall maintain within the Admin-
14 istration a program to be known as the National Sea
15 Grant College Program. The National Sea Grant College
16 Program shall consist of the financial assistance and other
17 activities provided for in this Act, and shall be adminis-
18 tered by a National Sea Grant Office within the Adminis-
19 tration. The Secretary shall establish long-range planning
20 guidelines and priorities for, and adequately evaluate, this
21 program.

22 "(b) There are authorized to be appropriated to carry
23 out all aspects of the National Sea Grant College Pro-
24 gram, including research directed toward zebra mussel

1 and other aquatic nuisance mitigation, $49,400,000 for
2 fiscal year 1996.".
3 (c) NATIONAL UNDERSEA RESEARCH.—By February
4 15, 1996, the Administrator of the National Oceanic and
5 Atmospheric Administration shall submit to the Commit-
6 tee on Science of the House of Representatives and the
7 Committee on Commerce, Science, and Transportation of
8 the Senate a report setting forth those specific actions
9 taken to ensure that the research activities formerly car-
10 ried out under the National Undersea Research Program
11 are transferred to and sustained within other existing re-
12 search programs of the National Oceanic and Atmospheric
13 Administration. In providing for this transfer, the Admin-
14 istrator shall afford the maximum practicable consider-
15 ation to extending the existing extramural grants and con-
16 tracts of the National Undersea Research Program. With-
17 in the amounts authorized by this Act, there are author-
18 ized such sums as may be necessary for carrying out the
19 purposes of this subsection.
20 SEC. 10. SATELLITE OBSERVING AND ENVIRONMENTAL
21 DATA MANAGEMENT SYSTEMS.
22 (a) AUTHORIZATION.—There are authorized to be ap-
23 propriated to the Secretary of Commerce to enable the Na-
24 tional Oceanic and Atmospheric Administration to carry
25 out its satellite observing systems activities and data and

1 information services, $357,381,000 for fiscal year 1996.
2 None of the funds authorized in this subsection may be
3 used for the purposes for which funds are authorized
4 under section 105(d) of the National Oceanic and Atmos-
5 pheric Administration Act of 1992 (Public Law 102–567).
6 (b) METEOROLOGICAL SATELLITE ACQUISITION
7 STRATEGIC PLAN.—By February 15, 1996, the Secretary
8 of Commerce shall submit to the Committee on Commerce,
9 Science, and Transportation of the Senate and the Com-
10 mittee on Science of the House of Representatives a stra-
11 tegic plan for the acquisition of meteorological satellite
12 systems which provides options for reducing the annual
13 costs of acquisition. The Secretary shall consider alter-
14 native contractual approaches including—
15 (1) single prime contracts which provide for
16 satellite delivery on orbit;
17 (2) acquisition of data services rather than
18 hardware procurement; and
19 (3) Government-private sector cost sharing.
20 (c) AMENDMENT TO THE LAND REMOTE SENSING
21 ACT OF 1992.—Section 101 of the Land Remote Sensing
22 Act of 1992 (15 U.S.C. 5601 et seq.) is amended—
23 (1) by redesignating subsections (d) and (e) as
24 subsections (e) and (f), respectively; and

1 (2) by inserting after subsection (c) the follow-
2 ing new subsection:
3 "(d) AUTHORITY TO RETAIN FEES.—The Landsat
4 Program Management Member responsible for operation
5 of the Landsat 7 system may retain fees collected from
6 foreign ground stations and from other Landsat 7 data
7 sales to offset the costs of operating the Landsat 7 sys-
8 tem.".
9 (d) SOLE SOURCE CONTRACTS.—Of the sums au-
10 thorized under subsection (a) of this section, $44,561,000
11 for fiscal year 1996 are authorized to remain available
12 until expended to procure additional Geostationary Oper-
13 ational Environmental NEXT satellites and instruments
14 together with the launch and supporting ground systems
15 for such satellites, to enter through the National Aero-
16 nautics and Space Administration into contracts and
17 amendments or modifications of contracts with the devel-
18 oper of previous GOES–NEXT satellites to ensure and fa-
19 cilitate the acquisition of the additional GOES–NEXT
20 satellites and instruments, if the Secretary of Commerce
21 certifies to the Speaker of the House of Representatives
22 and the President of the Senate that the exercise of such
23 authority is necessary to ensure continuous service in geo-
24 stationary satellite imagery equivalent to that provided by
25 the GOES I–M system.

1 (e) INTERAGENCY FACILITY CONSOLIDATION.—By
2 February 15, 1996, the Secretary, in consultation with the
3 Administrator of the National Aeronautics and Space Ad-
4 ministration, shall submit to the Committee on Commerce,
5 Science, and Transportation of the Senate and the Com-
6 mittee on Science of the House of Representatives a report
7 assessing the costs and impacts on operations that would
8 result from the consolidation of satellite command and
9 control, and data acquisition and transfer functions now
10 being carried out at the Satellite Operations Control Cen-
11 ter and Command and Data Acquisition Centers with
12 functionally compatible facilities located at the Goddard
13 Space Flight Center.

14 (f) REPEAL.—Section 105(d)(2) of the National Oce-
15 anic and Atmospheric Administration Authorization Act
16 of 1992 is repealed.

17 SEC. 11. NATIONAL OCEAN SERVICE OBSERVATION AND AS-
18 SESSMENT.

19 There are authorized to be appropriated to the Sec-
20 retary of Commerce to enable the National Oceanic and
21 Atmospheric Administration to carry out observation and
22 assessment activities $48,521,000 for fiscal year 1996.

23 SEC. 12. PROGRAM SUPPORT.

24 (a) EXECUTIVE DIRECTION AND ADMINISTRATIVE
25 ACTIVITIES.—There are authorized to be appropriated to

1 the Secretary of Commerce to enable the National Oceanic
2 and Atmospheric Administration to carry out executive di-
3 rection and administrative activities, including manage-
4 ment, administrative support, provision of retired pay of
5 National Oceanic and Atmospheric Administration com-
6 missioned officers, and policy development, $55,725,000
7 for fiscal year 1996.

8 (b) ACQUISITION, CONSTRUCTION, MAINTENANCE,
9 AND OPERATION OF FACILITIES.—There are authorized
10 to be appropriated to the Secretary of Commerce for ac-
11 quisition, construction, maintenance, and operation of fa-
12 cilities of the National Oceanic and Atmospheric Admini-
13 tration $52,299,000 for fiscal year 1996.

14 (c) MARINE SERVICES.—There are authorized to be
15 appropriated to the Secretary of Commerce to enable the
16 National Oceanic and Atmospheric Administration to
17 carry out marine service activities, including ship oper-
18 ations, maintenance, and support, $62,011,000 for fiscal
19 year 1996.

20 (d) AIRCRAFT SERVICES.—There are authorized to
21 be appropriated to the Secretary of Commerce to enable
22 the National Oceanic and Atmospheric Administration to
23 carry out aircraft services activities, including aircraft op-
24 erations, maintenance, and support, $10,248,000 for fiscal
25 year 1996.

1 (e) VOLUNTARY SEPARATIONS AND RETIREMENTS.—
2 To ease the transition into the civilian workforce of mem-
3 bers of the National Oceanic and Atmospheric Administra-
4 tion Commissioned Officer Corps and to facilitate the re-
5 duction of active duty officers—
6 (1) section 1174a of title 10, United States
7 Code, shall apply to the NOAA Corps in the same
8 manner and to the same extent as that provision ap-
9 plies to the Department of Defense, and the Sec-
10 retary of Commerce shall implement the provisions
11 of that section with respect to the NOAA Corps and
12 apply the applicable provisions of title 33, United
13 States Code, relating to separation of NOAA Corps
14 personnel; and
15 (2) section 4403(a) and (g) through (i) of the
16 Defense Authorization Act for Fiscal Year 1993
17 (Public Law 102–484; 106 Stat. 2315) shall apply
18 to the NOAA Corps in the same manner and to the
19 same extent as those provisions apply to the Depart-
20 ment of Defense, and the Secretary of Commerce
21 shall implement those provisions with respect to the
22 NOAA Corps and apply the applicable provisions of
23 title 33, United States Code, relating to retirement
24 of NOAA Corps personnel.

1 SEC. 13. NOAA FLEET MODERNIZATION.

2 There are authorized to the Secretary of Commerce
3 to enable the National Oceanic and Atmospheric Adminis-
4 tration to carry out fleet modernization activities, includ-
5 ing repair, construction, acquisition, leasing, charter, or
6 conversion of vessels, including related equipment to main-
7 tain and modernize the existing fleet and to continue plan-
8 ning the modernization of the fleet, $5,950,000 for fiscal
9 year 1996.

10 SEC. 14. EDUCATIONAL PROGRAMS AND ACTIVITIES.

11 The Secretary of Commerce may conduct educational
12 programs and activities related to the responsibilities of
13 the National Oceanic and Atmospheric Administration.
14 For the purposes of this section, the Secretary may award
15 grants and enter into cooperative agreements and con-
16 tracts with States, private sector, and nonprofit entities.

17 SEC. 15. SUBPOENA.

18 (a) GENERAL RULE.—Except as provided in sub-
19 section (c), no employee of the National Weather Service
20 shall give testimony or introduce evidence before any court
21 in any proceeding in which the United States is not a
22 party concerning any function of the National Weather
23 Service or any data, information, or record created or ac-
24 quired by the National Weather Service unless a court of
25 competent jurisdiction determines that—

1 (1) the evidence is not contained in the official
2 records maintained by the National Weather Service
3 at the National Climatic Data Center and is not oth-
4 erwise available from any other source; or
5 (2) the evidence is contained in the official
6 records maintained by the National Weather Service
7 at the National Climatic Data Center but the appli-
8 cable laws of evidence provide no basis, including
9 stipulation by the parties, under which the requested
10 data, information, or records can be introduced in
11 evidence without the employee's testimony.
12 (b) COURT ORDER.—No National Weather Service
13 employee shall honor any subpoena to provide testimony
14 or introduce evidence under the circumstances described
15 in this section unless the subpoena is accompanied by the
16 requisite court order.
17 (c) EXCEPTION.—The National Weather Service may
18 authorize an employee to give testimony or introduce evi-
19 dence in proceedings in which the United States is not
20 a party if such testimony will further the interests of the
21 National Weather Service or the public.
22 SEC. 16. WORKING CAPITAL FUND.
23 (a) ESTABLISHMENT.—The Administrator of the Na-
24 tional Oceanic and Atmospheric Administration is author-
25 ized to establish a working capital fund (in this section

1 referred to as the "Fund"), to be available without fiscal
2 year limitation, for expenses necessary for the mainte-
3 nance and operation of such administrative services as the
4 Administrator shall find to be desirable in the interest of
5 economy and efficiency.

6 (b) TRANSFER FROM FUND.—The Administrator
7 may transfer services out of the Fund upon a determina-
8 tion that centralization of particular services is no longer
9 advantageous.

10 (c) TRANSFERS TO FUND.—There shall be trans-
11 ferred to the Fund the stocks of supplies, equipment, as-
12 sets, liabilities, and unpaid obligations relating to the serv-
13 ices which the Administrator determines will be performed
14 through the Fund.

15 (d) APPROPRIATIONS.—Appropriations to the Fund,
16 in such amounts as may be necessary to provide additional
17 working capital, are authorized.

18 (e) CREDITS TO FUND.—The Fund shall be credited
19 with receipts from the sale or exchange of its property,
20 and receipts in payment for loss or damage to property
21 owned by the Fund.

22 (f) RECOVERY TO FUND.—The Fund shall recover,
23 from the appropriations and funds for which services are
24 performed, either in advance or by way of reimbursement,
25 at rates which will return in full all expenses of operation,

1 including reserves for annual leave, sick leave used, and
2 the depreciation of real and personal property: *Provided,*
3 That such services shall, to the fullest extent practicable,
4 be used to avoid duplication of separate like services in
5 the National Oceanic and Atmospheric Administration:
6 *Provided further,* That an adequate system of accounts for
7 the Fund shall be maintained on the accrual method and
8 financial records shall be prepared on the basis of such
9 accounts. An annual business type budget shall be pre-
10 pared for operations under the Fund. The Fund shall be
11 subject to an annual audit to ensure that it is being oper-
12 ated in accordance with all applicable accounting rules.
13 (g) DISPOSITION OF NET INCOME.—The amount of
14 any earned net income resulting from the operation of the
15 Fund at the close of each fiscal year may be applied to
16 restore any previous impairment of the Fund, and to en-
17 sure the availability of working capital necessary to re-
18 place equipment and inventories: *Provided,* That any re-
19 maining net income after such restoration shall be paid
20 into the General Fund of the Treasury.
21 (h) DELEGATION.—The Administrator is authorized
22 to delegate the responsibility for the management of the
23 Fund.

1 (i) EFFECTIVE DATE.—This section shall take effect
2 on October 1, 1995, or the date of the enactment of this
3 Act, whichever is later.

4 SEC. 17. WEATHER DATA BUOYS.

5 (a) PROHIBITION.—It shall be unlawful for any unau-
6 thorized person to remove, change the location of, ob-
7 struct, willfully damage, make fast to, or interfere with
8 any weather data buoy established, installed, operated, or
9 maintained by the National Data Buoy Center. Any per-
10 son who violates this section may be assessed a civil pen-
11 alty by the Administrator of the National Oceanic and At-
12 mospheric Administration of not more than $10,000 for
13 each violation. Each day during which a violation contin-
14 ues shall be considered a new offense. Such penalties will
15 be assessed after notice and opportunity for a hearing.

16 (b) REWARDS.—The Administrator may offer and
17 pay rewards for the apprehension and conviction, or for
18 information helpful therein, of persons violating subsection
19 (a), or for information leading to the discovery of missing
20 National Weather Service property or the recovery thereof.

21 SEC. 18. REIMBURSEMENT OF EXPENSES.

22 (a) IN GENERAL.—Notwithstanding section 3302 (b)
23 and (c) of title 31, United States Code, and subject to
24 subsection (b) of this section, all amounts received by the
25 United States in settlement of, or judgment for, damage

1 claims arising from the October 9, 1992, allision of the
2 vessel ZACHERY into the National Oceanic and Atmos-
3 pheric Administration research vessel DISCOVERER—
4 (1) shall be retained as an offsetting collection
5 in the Operations, Research, and Facilities account
6 of the National Oceanic and Atmospheric Adminis-
7 tration;
8 (2) shall be deposited in that account upon re-
9 ceipt by the United States Government; and
10 (3) shall be available only for obligation for Na-
11 tional Oceanic and Atmospheric Administration ma-
12 rine services.
13 (b) LIMITATION.—Not more than $518,757.09 of the
14 amounts referred to in subsection (a) may be deposited
15 into the Operations, Research, and Facilities account pur-
16 suant to subsection (a).
17 SEC. 19. CONSTRUCTION PROJECTS.
18 (a) WEATHER FORECAST OFFICE.—The Secretary of
19 Commerce is authorized to enter into a contract with Flor-
20 ida State University which shall—
21 (1) provide the University with appropriated
22 funds to assist in the construction and associated ex-
23 penses, including parking, of a meteorological
24 sciences building on its Tallahassee, Florida, cam-
25 pus; and

1 (2) include a space agreement with the Univer-
2 sity at no cost to the Government, other than for
3 operational expenses, for space in this building for
4 use as the Weather Forecast Office.
5 (b) OPERATIONS AND RESEARCH CENTER.—The
6 Secretary of Commerce is authorized, subject to the avail-
7 ability of appropriations, to construct, on approximately
8 10 acres of land at Goddard Space Flight Center, a facility
9 for a National Oceanic and Atmospheric Administration
10 Operations and Research Center.

11 SEC. 20. ADDITIONAL AUTHORIZATION FOR GAPS IN
12 WEATHER SERVICE COVERAGE.

13 From sums otherwise provided in this Act, up to
14 $7,000,000 may be used to augment National Weather
15 Service coverage for those geographic areas identified in
16 the June, 1995 report of the National Research Council
17 as having potentially degraded service.

AMENDMENT TO H.R. 1815

OFFERED BY MR. CRAMER

Page 4, line 6, strike "for fiscal year 1995".

Page 4, after line 11, insert the following new subsection:

1 (c) NEW NEXRAD INSTALLATIONS.—No funds pre-
2 viously authorized for NEXRAD may be obligated for
3 NEXRAD installations not identified in the National Im-
4 plementation Plan for 1996, unless the Secretary certifies
5 that such NEXRAD installations can be acquired without
6 further authorization of appropriations.

Page 4, line 12, through page 5, line 18, redesignate subsections (c) through (f) as subsections (d) through (g), respectively.

AMENDMENT TO H.R. 1815

OFFERED BY MR. MCHALE

Page 5, line 18, through page 6, line 13, strike subsection (f).

AMENDMENT TO H.R. 1815

OFFERED BY MR. CRAMER

Page 5, line 18, through page 6, line 13, amend subsection (f) to read as follows:

1 (f) WEATHER SERVICE MODERNIZATION.—Title VII
2 of the National Oceanic and Atmospheric Administration
3 Authorization Act of 1992 is amended—
4 (1) in section 706—
5 (A) by amending subsection (b)(6) to read
6 as follows:
7 "(6) any recommendations of the Committee
8 submitted under section 707(c) that evaluate the
9 certification.";
10 (B) by striking "60-day" in subsection
11 (c)(2) and inserting in lieu thereof "30-day";
12 (C) by amending subsection (d) to read as
13 follows:
14 "(d) FINAL DECISION.—If the Secretary decides to
15 close, consolidate, automate, or relocate any such field of-
16 fice, the Secretary shall publish the certification in the
17 Federal Register and submit the certification to the Com-
18 mittee on Commerce, Science, and Transportation of the
19 Senate and the Committee on Science of the House of
20 Representatives."; and

1 (D) by amending subsection (f) to read as
2 follows:
3 "(f) TRANSITION PROGRAM.—The Secretary shall
4 maintain for a period of at least two years after the clo-
5 sure of any weather office a program to—
6 "(1) provide timely information regarding the
7 activities of the National Weather Service which may
8 affect service to the community, including mod-
9 ernization and restructuring; and
10 "(2) work with area weather service users, in-
11 cluding persons associated with general aviation,
12 civil defense, emergency preparedness, and the news
13 media, with respect to the provision of timely weath-
14 er warnings and forecasts."; and
15 (2) by amending section 707(c) to read as fol-
16 lows:
17 "(c) DUTIES.—The Committee may review any cer-
18 tification under section 706 for which the Secretary has
19 provided a notice of intent to certify in the plan, including
20 any certification for which there is a significant potential
21 for degradation of service within the affected area. Upon
22 the request of the Committee, the Secretary shall make
23 available to the Committee the supporting documents de-
24 veloped by the Secretary in connection with the certifi-
25 cation. The Committee shall evaluate any certification re-

1 viewed on the basis of the modernization criteria and with
2 respect to the requirement that there be no degradation
3 of service, and advise the Secretary accordingly.".

COMMITTEE ON SCIENCE - 104TH CONGRESS ********** ROLL CALL

SUBJECT: HR 1815: Mr. Cramer Amendment

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI				2	
2246	53665	Mr. Boehlert, R-NY				(X)	—
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD				(X)	
2452	52011	Mr. Curt Weldon, R-PA				4	
2338	52415	Mr. Rohrabacher, R-CA				5	
2404	56316	Mr. Schiff, R-NM					—
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				6	
1724	51880	Mr. Baker, R-CA				7	
322	52721	Mr. Bartlett, R-MD				8	
1717	53831	Mr. Ehlers, R-MI				9	
423	55271	Mr. Wamp, R-TN			1		
216	53671	Mr. Dave Weldon, R-FL				10	
1429	55301	Mr. Graham, R-SC				11	
115	52635	Mr. Salmon, R-AZ				12	
415	51492	Mr. Davis, R-VA				13	
417	56565	Mr. Stockman, R-TX				14	
425	52472	Mr. Gutknecht, R-MN				(X)	
1216	53601	Mrs. Seastrand, R-CA				15	
1519	56216	Mr. Tiahrt, R-KS				16	
410	52211	Mr. Largent, R-OK					—
114	56831	Mr. Hilleary, R-TN			2		
1114	52311	Mrs. Cubin, R-WY					—
506	55792	Mr. Foley, R-FL				17	
509	51975	Mrs. Myrick, R-NC				18	
2300	56161	Mr. Brown, D-CA			3		
2256	56673	Mr. Hall, D-TX			4		
2446	55251	Mr. Traficant, D-OH					—
2432	52051	Mr. Hayes, D-LA					—
1127	54714	Mr. Tanner, D-TN			5		
2448	55071	Mr. Geren, D-TX					—
407	53915	Mr. Roemer, D-IN			6		
236	54801	Mr. Cramer, D-AL			7		
1410	58171	Mr. Barcia, D-MI					—
217	56411	Mr. McHale, D-PA			8		
525	58220	Ms. Harman, D-CA					—
1123	58385	Ms. Johnson, D-TX			9		
1415	52331	Mr. Minge, D-MN			10		
1027	55335	Mr. Olver, D-MA			11		
1039	51313	Mr. Hastings, D-FL			12		
1116	56261	Ms. Rivers, D-MI			13		
1232	54535	Ms. McCarthy, D-MO					—
1032	55401	Mr. Ward, D-KY					—
113	53072	Ms. Lofgren, D-CA			14		
126	54865	Mr. Doggett, D-TX			15		
1218	52135	Mr. Doyle, D-PA			(X)		
1520	53816	Ms. Jackson Lee, D-TX			16		
1419	52271	Mr. Luther, D-MN			17		
		TOTAL			18	21	

Attest: Patricia Schwartz (Clerk)

AMENDMENT TO H.R. 1815
OFFERED BY MR. BOEHLERT

Page 6, line 15, insert "(1)" after "AIR QUALITY RESEARCH.—".

Page 6, after line 21, insert the following new paragraph:

(2) The Administrator shall ensure that at least the same percentage of the climate and air quality research funds that were provided to institutions of higher education for fiscal year 1995 is provided to institutions of higher education from funds authorized by this subsection.

AMENDMENT TO H.R. 1815

OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 12, after line 24, insert the following new section:

1 SEC. 203. USE OF OCEAN RESEARCH RESOURCES OF OTHER
2 FEDERAL AGENCIES.
3 (a) FINDINGS.—The Congress finds the following:
4 (1) Observing, monitoring, and predicting the
5 ocean environment has been a high priority for the
6 defense community to support ocean operations.
7 (2) Many advances in ocean research have been
8 made by the defense community which could be
9 shared with civilian researchers.
10 (3) The National Oceanic and Atmospheric Ad-
11 ministration's missions to describe and predict the
12 ocean environment, manage the Nation's ocean and
13 coastal resources, and promote stewardship of the
14 world's oceans would benefit from increased coopera-
15 tion with defense agencies.
16 (b) SENSE OF CONGRESS.—It is the sense of the
17 Congress that the National Oceanic and Atmospheric Ad-
18 ministration should expand its efforts to develop inter-
19 agency agreements to further the use of defense-related

1 technologies, data, and other resources to support its oce-
2 anic missions.
3 (c) REPORT.—
4 (1) IN GENERAL.—Not later than 120 days
5 after the date of the enactment of this Act, the Sec-
6 retary of Commerce shall submit to the Committee
7 on Science of the House of Representatives and the
8 Committee on Commerce, Science, and Transpor-
9 tation of the Senate a report on the feasibility of ex-
10 panding the use of defense-related technologies,
11 data, and other resources to support and enhance
12 the oceanic missions of the National Oceanic and At-
13 mospheric Administration.
14 (2) CONTENTS.—The report required under
15 paragraph (1) shall include—
16 (A) a detailed listing of defense-related re-
17 sources currently available to the National Oce-
18 anic and Atmospheric Administration and the
19 National Oceanic and Atmospheric Administra-
20 tion missions which utilize those resources;
21 (B) detailed findings and recommenda-
22 tions, including funding requirements, on the
23 potential for expanding the use of available de-
24 fense-related resources;

1 (C) a detailed listing and funding history
2 of the National Oceanic and Atmospheric Ad-
3 ministration resources, including data and tech-
4 nology, which could be supplemented by de-
5 fense-related resources;
6 (D) a listing of currently unavailable de-
7 fense-related resources, including data and
8 technology, which if made available would en-
9 hance the National Oceanic and Atmospheric
10 Administration mission performance;
11 (E) recommendations on the regulatory
12 and legislative structures needed to maximize
13 the use of defense-related resources;
14 (F) an assessment of the respective roles
15 in the use of defense-related resources of the
16 Army Corps of Engineers, data centers, oper-
17 ational centers, and research facilities of the
18 National Oceanic and Atmospheric Administra-
19 tion; and
20 (G) recommendations on how to provide
21 access to relevant defense-related data for non-
22 Federal scientific users.

AMENDMENT TO H.R. 1815

OFFERED BY MR. WELDON OF PENNSYLVANIA

Page 21, after line 20, insert the following new section:

1 SEC. 504. ALTERNATIVE AUTHORIZATION.

2 Notwithstanding any other provision of this Act, if
3 the concurrent resolution approved by the House of Rep-
4 resentatives and the Senate on the budget for fiscal year
5 1996 is based on an assumption of a tax cut of less than
6 $350,000,000,000—

7 (1) the total amount authorized by section
8 102(a) shall be increased by the amount equal to
9 $32,785,000 multiplied by the fraction whose nu-
10 merator is $350,000,000,000 minus the amount of
11 the tax cut reflected in the concurrent resolution and
12 whose denominator is $350,000,000,000;

13 (2) the total amount authorized by section
14 201(d)(4) shall be increased by the amount equal to
15 $1,785,000 multiplied by the fraction whose numer-
16 ator is $350,000,000,000 minus the amount of the
17 tax cut reflected in the concurrent resolution and
18 whose denominator is $350,000,000,000; and

19 (3) the total amount authorized by the amend-
20 ments made by section 202(b) shall be increased by

1 the amount equal to $17,198,000 multiplied by the
2 fraction whose numerator is $350,000,000,000
3 minus the amount of the tax cut reflected in the
4 concurrent resolution and whose denominator is
5 $350,000,000,000.

Page 16, line 5, strike paragraph (13).

Page 16, lines 6 through 16, redesignate paragraphs (14) through (19) as paragraphs (13) through (18), respectively.

AMENDMENT TO H.R. 1815

OFFERED BY MR. CRAMER

Page 21, after line 20, insert the following new section:

1 SEC. 504. ADDITIONAL AUTHORIZATION FOR NATIONAL
2 WEATHER SERVICE MODERNIZATION.
3 From sums otherwise authorized by this Act, up to
4 $7,000,000 may be used to augment National Weather
5 Service modernization for those geographic areas identi-
6 fied in the June, 1995 National Research Council study
7 entitled "Assessment of NEXRAD Coverage and Associ-
8 ated Weather Services" as having potentially degraded
9 service.

AMENDMENT TO H.R. 1815
OFFERED BY MR. TRAFICANT

Page 21, after line 20, insert the following new section:

1 SEC. 504. 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
5 the assistance the entity will comply with sections 2
6 through 4 of the Act of March 3, 1933 (41 U.S.C. 10a-
7 10c, popularly 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.

AMENDMENT TO H.R. 1815

Offered by Mr. Brown

On page 21, after line 20, insert the following;

" **TITLE VI--Contingent Authorization**

Notwithstanding any other provision of this Act, if the concurrent resolution approved by the House of Representatives and the Senate on the budget for fiscal year 1996 is based on an assumption of a tax cut of less than $350,000,000,000, an amount equal to $110,000,000 multiplied by the fraction whose numerator is $350,000,000,000 minus the tax cut reflected in the concurrent resolution and whose denominator is $350,000,000,000 is authorized to be appropriated for fiscal year 1996 for Atmospheric Research and for Ocean and Great Lakes Research."

AMENDMENT TO H.R. 1815

OFFERED BY MR. CALVERT

Page 16, lines 9 and 10, strike paragraph (16).

Page 16, lines 11, 13, and 15, redesignate paragraphs (17) through (19) as paragraphs (16) through (18), respectively.

AMENDMENT TO H.R. 1815

OFFERED BY MR. ROEMER

Page 16, after line 16, insert the following new paragraph:

1 (20) Dissemination of Weather Charts (Marine
2 Facsimile Service).

AMENDMENT OFFERED BY Ms. LOFGREN TO H.R. 1815

On page 21, following line 20, insert the following:

TITLE VI-- AUTHORIZATION FOR CLIMATE AND AIR QUALITY RESEARCH

Notwithstanding any other provision of this Act, there are authorized for Climate and Air Quality research $152,528,000 for fiscal year 1996."

COMMITTEE ON SCIENCE · 104TH CONGRESS ********** ROLL CALL —

SUBJECT: H.R. 15; Ms. Lofgren Amendment (14)

Rm.	Phone	Name	Present	Absent	Yes	No	Not Voting
2369	52411	Mr. Walker, R-PA				1	
2332	55101	Mr. Sensenbrenner, R-WI				2	
2246	53665	Mr. Boehlert, R-NY					—
2159	53515	Mr. Fawell, R-IL				3	
106	55341	Mrs. Morella, R-MD				4	
2452	52011	Mr. Curt Weldon, R-PA				5	
2338	52415	Mr. Rohrabacher, R-CA				6	
2404	56316	Mr. Schiff, R-NM					—
2264	52002	Mr. Barton, R-TX					—
1034	51986	Mr. Calvert, R-CA				7	
1724	51880	Mr. Baker, R-CA				8	
322	52721	Mr. Bartlett, R-MD				9	
1717	53831	Mr. Ehlers, R-MI				10	
423	53271	Mr. Wamp, R-TN				11	
216	53671	Mr. Dave Weldon, R-FL				12	
1429	55301	Mr. Graham, R-SC				13	
115	52635	Mr. Salmon, R-AZ				14	
415	51492	Mr. Davis, R-VA				15	
417	56565	Mr. Stockman, R-TX					—
425	52472	Mr. Gutknecht, R-MN				16	
1216	53601	Mrs. Seastrand, R-CA				(X)	—
1319	56216	Mr. Tiahrt, R-KS				17	
410	52211	Mr. Largent, R-OK					—
114	56831	Mr. Hilleary, R-TN				18	
1114	52311	Mrs. Cubin, R-WY				19	
506	55792	Mr. Foley, R-FL				20	
509	51976	Mrs. Myrick, R-NC				21	
2300	56161	Mr. Brown, D-CA			1		
2236	56673	Mr. Hall, D-TX					—
2446	55261	Mr. Traficant, D-OH					—
2432	52031	Mr. Hayes, D-LA				22	
1127	54712	Mr. Tanner, D-TN				23	
2448	55071	Mr. Geren, D-TX				24	
407	53915	Mr. Roemer, D-IN				25	
236	54801	Mr. Cramer, D-AL				26	
1410	58171	Mr. Barcia, D-MI				(X)	—
217	56411	Mr. McHale, D-PA				27	
325	58220	Ms. Harman, D-CA			2		
1123	58885	Ms. Johnson, D-TX			3		
1415	52331	Mr. Minge, D-MN				28	
1027	55335	Mr. Olver, D-MA					—
1039	51313	Mr. Hastings, D-FL					—
1116	56261	Ms. Rivers, D-MI			4		—
1232	54335	Ms. McCarthy, D-MO			5		
1032	55401	Mr. Ward, D-KY			6		
118	53072	Ms. Lofgren, D-CA			7		
125	54365	Mr. Doggett, D-TX			8		
1218	52135	Mr. Doyle, D-PA				29	
1520	53816	Ms. Jackson Lee, D-TX					—
1419	52271	Mr. Luther, D-MN				30	
		TOTAL			8	32	

Attest: Patricia Schwartz (Clerk)