

Public Law 256

CHAPTER 426

AN ACT

To create a committee to study and evaluate public and private experiments in weather modification.

August 13, 1953
[S.285]

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

Weather modification.
Evaluation.

STATEMENT OF PURPOSE AND POLICY

Research and experimentation in the field of weather modification and control have attained the stage at which the application of scientific advances in this field appears to be practical.

The effect of the use of measures for the control of weather phenomena upon the social, economic, and political structures of today, and upon national security, cannot now be determined. It is a field in which unknown factors are involved. It is reasonable to anticipate, however, that modification and control of weather, if effective on a large scale, would cause profound changes in our present way of life and would result in vast and far-reaching benefits to agriculture, industry, commerce, and the general welfare and common defense.

While the ultimate extent to which weather modification and control may be utilized is speculative, the application of such measures without proper safeguards, sufficient data and accurate information may result in inadequate or excessive precipitation; may cause catastrophic droughts, storms, floods, and other phenomena with consequent loss of life and property, injury to navigable streams and other channels of interstate and foreign commerce, injury to water supplies for municipal, irrigation, and industrial purposes, and injury to sources of hydroelectric power; may otherwise impede the production and transportation of goods and services for domestic consumption and export and for the national defense; and may otherwise adversely affect the general welfare and common defense.

Thorough experimentation and full-scale operations in weather modification and control will of necessity affect areas extending across State and possibly across national boundaries. The Congress, therefore, recognizes that experimentation and application of such measures are matters of national and international concern.

Accordingly, it is hereby declared to be the policy of the Congress, in order to effect the maximum benefit which may result from experiments and operations designed to modify and control weather, to correlate and evaluate the information derived from such activity and to cooperate with the several States and the duly authorized officials thereof with respect to such activity, all to the end of encouraging the intelligent experimentation and the beneficial development of weather modification and control, preventing its harmful and indiscriminate exercise, and fostering sound economic conditions in the public interest.

CREATION OF ADVISORY COMMITTEE ON WEATHER CONTROL

SEC. 2. There is hereby established a national committee to be known as the Advisory Committee on Weather Control (hereinafter called the "Committee").

SEC. 3. The Committee shall make a complete study and evaluation of public and private experiments in weather control for the purpose of determining the extent to which the United States should experiment with, engage in, or regulate activities designed to control weather conditions.

Members.

SEC. 4. The Committee shall be composed of the Secretary of Defense or his designee, the Secretary of Agriculture or his designee, the Secretary of Commerce or his designee, the Secretary of the Interior or his designee, the Director of the National Science Foundation or his designee, the Secretary of Health, Education, and Welfare or his designee, and five members appointed by the President, by and with the advice and consent of the Senate, from among persons in private life of outstanding ability in the fields of science, agriculture, and business. A vacancy in the Committee shall not affect its powers but shall be filled in the same manner that the original appointment was made.

Meetings.

SEC. 5. The President shall appoint the Chairman and Vice Chairman of the Committee. The Chairman shall be appointed from among those persons appointed to the Committee from private life.

SEC. 6. The Committee shall hold at least two meetings a year, approximately six months apart, and, on due notice, shall meet at such other times as the Committee may determine. Six members of the Committee shall constitute a quorum.

Compensation.

SEC. 7. The members of the Committee who are in the executive branch of the Government shall receive no additional compensation for their services on the Committee. The members from private life shall each receive \$50 per diem when engaged in the performance of duties vested in the Committee. All members of the Committee shall be reimbursed in accordance with the Travel Expense Act of 1949, as amended, for travel, subsistence, and other necessary expenses incurred by them in the performance of duties vested in the Committee.

63 Stat. 166.
5 USC 835 note.

Officers and employees.

SEC. 8. The Committee shall have power to appoint and fix the compensation of such officers and employees as may be necessary to carry out the functions of the Committee, including one executive secretary at a salary not exceeding \$12,000 per annum. Officers and employees other than the executive secretary shall be appointed in accordance with the Classification Act of 1949, as amended, except that to the extent the Committee deems such action necessary to the discharge of its responsibilities, personnel for positions requiring scientific or special qualifications may be employed and their compensation fixed without regard to such laws. The Committee shall make adequate provision for administrative review of any determination to dismiss any employee.

63 Stat. 954.
5 USC 1071 note.

Hearings.

SEC. 9. (a) The Committee, or any member thereof, may, for the purpose of carrying out the provisions of this Act, hold such hearings and sit and act at such times and places, and take such testimony as the Committee shall deem advisable. Any member of the Committee may administer oaths or affirmations to witnesses appearing before the Committee or before such member.

Information, etc., from agencies.

(b) The Committee is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this Act; and each such department, bureau, agency, board, commission, office, establishment, or instrumentality is authorized and directed to furnish such information, suggestions, estimates, and statistics directly to the Committee, upon request made by the Chairman or Vice Chairman.

Personnel of other agencies.

(c) The Committee may, with the consent of the agency concerned, accept and utilize, on a reimbursable basis, the personnel of any other agency of the Federal Government.

(d) (1) The Committee shall be entitled by regulation, subpoena, or otherwise, to obtain such information from, require such reports and the keeping of such records by, and make such inspection of the books, records, and other writings, premises or property of, any person as may be necessary or appropriate to carry out the provisions of this Act, but this authority shall not be exercised if adequate and authoritative data are available from any Federal agency. In case of contumacy by, or refusal to obey a subpoena served upon, any person referred to in this subsection, the district court of the United States for any district in which such person is found or resides or transacts business, upon application by the Committee, shall have jurisdiction to issue an order requiring such person to appear and give testimony or to appear and produce documents, or both; and any failure to obey such order of the court may be punished by such court as a contempt thereof.

Information from persons.

(2) The production of a person's books, records, or other documentary evidence shall not be required at any place other than the place where such person usually keeps them, if, prior to the return date specified in the regulations, subpoena, or other document issued with respect thereto, such person furnishes the Committee with a true copy of such books, records, or other documentary evidence (certified by such person under oath to be a true and correct copy) or enters into a stipulation with the Committee as to the information contained in such books, records, or other documentary evidence. Witnesses shall be paid the same fees and mileage that are paid witnesses in the courts of the United States.

Witness fees.

(3) Any person who willfully performs any act prohibited or willfully fails to perform any act required by the above provisions of this subsection, or any rule, regulation, or order thereunder, shall upon conviction be fined not more than \$500 for each offense.

Penalty.

(4) Information obtained under this Act which the Committee deems confidential for purposes of national security or other reasons or with reference to which a request for confidential treatment is made by the person or agency furnishing such information, shall not be published or disclosed unless the Committee determines that the withholding thereof is contrary to the purposes of this Act, and any member or employee of the Committee willfully violating this provision shall, upon conviction, be fined not more than \$5,000.

Confidential information.

(e) The Committee shall be entitled to the free use of the United States mails in the same manner as the other executive agencies of the Government.

Use of mails.

Sec. 10. (a) The Committee shall from time to time submit a report on its findings and recommendations to the President for submission to the Congress. At the earliest possible moment, the Committee shall submit a report to the President for submission to the Congress on the advisability of the Federal Government regulating, by means of licenses or otherwise, those who attempt to engage in activities designed to modify or control the weather. The Committee shall submit a final report to the President for submission to the Congress not later than June 30, 1956.

Report.

(b) Thirty days after the Committee has submitted such final report to the President, the Committee shall cease to exist.

Termination date.

Sec. 11. There are authorized to be appropriated, from any funds in the Treasury not otherwise appropriated, such sums as the Congress may from time to time deem necessary to carry out the provisions of this Act.

Appropriation.

Approved August 13, 1953.