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1<sup>ST</sup> SESSION

# H. R. 2811

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IN THE SENATE OF THE UNITED STATES

NOVEMBER 20 (legislative day, NOVEMBER 2), 1993

Received

NOVEMBER 23, 1993

Read twice and referred to the Committee on Commerce, Science, and  
Transportation

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## AN ACT

To authorize certain atmospheric, weather, and satellite programs and functions of the National Oceanic and Atmospheric Administration, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Oceanic and  
5 Atmospheric Administration Atmospheric and Satellite  
6 Program Authorization Act of 1993”.

1       **TITLE I—AUTHORIZATION OF**  
2                               **APPROPRIATIONS**

3       **SEC. 101. NATIONAL WEATHER SERVICE.**

4           (a) OPERATIONS AND RESEARCH.—There are au-  
5 thorized to be appropriated to the Secretary of Commerce  
6 (in this Act referred to as the “Secretary”) to enable the  
7 National Oceanic and Atmospheric Administration to  
8 carry out the operations and research duties of the Na-  
9 tional Weather Service, \$473,256,000 for fiscal year 1994  
10 and \$492,185,000 for fiscal year 1995. Such duties in-  
11 clude meteorological, hydrological, and oceanographic pub-  
12 lic warnings and forecasts, as well as applied research in  
13 support of such warnings and forecasts.

14          (b) SYSTEMS ACQUISITION.—There are authorized to  
15 be appropriated to the Secretary to enable the National  
16 Oceanic and Atmospheric Administration to carry out the  
17 public warning and forecast systems duties of the National  
18 Weather Service, \$76,299,000 for fiscal year 1994 and  
19 \$14,600,000 for fiscal year 1995. Such duties include the  
20 development, acquisition, and implementation of major  
21 public warning and forecast systems. None of the funds  
22 authorized under this subsection shall be used for the pur-  
23 poses for which funds are authorized under section 102(b)  
24 of the National Oceanic and Atmospheric Administration  
25 Authorization Act of 1992 (Public Law 102–567). None

1 of the funds authorized under this subsection for fiscal  
2 year 1995 shall be used for the purposes for which funds  
3 are authorized under subsections (c) and (d) of this sec-  
4 tion. No funds may be expended for Next Generation  
5 Doppler Weather Radar (NEXRAD) until the require-  
6 ments of paragraph (2)(A) or (B) of such section 102(b)  
7 have been fulfilled by the Secretary. None of the funds  
8 authorized by such section 102(b) shall be expended for  
9 a particular NEXRAD installation unless—

10           (1) it is identified as a National Weather Serv-  
11           ice NEXRAD installation in the National Implemen-  
12           tation Plan for modernization of the National  
13           Weather Service for fiscal year 1994, required under  
14           section 703 of the National Oceanic and Atmos-  
15           pheric Administration Authorization Act of 1992  
16           (Public Law 102-567);

17           (2) the Secretary, in consultation with the Mod-  
18           ernization Transition Committee established under  
19           section 707 of the National Oceanic and Atmos-  
20           pheric Administration Authorization Act of 1992,  
21           has made a determination of technical and pro-  
22           grammatic necessity with respect to such installation  
23           and a period of 60 legislative days after the trans-  
24           mittal to the Congress of such determination, or the

1 period between such transmittal and the next Octo-  
2 ber 1, whichever period is longer, has passed; or

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

5 For purposes of this subsection, the term “legislative day”  
6 means any day on which either House of Congress is in  
7 session.

8 (c) ASOS COMPLETE PROGRAM AUTHORIZATION.—

9 (1) Except as provided in paragraph (2), there are author-  
10 ized to be appropriated to the Secretary for all fiscal years  
11 beginning after September 30, 1994, an aggregate of  
12 \$30,808,000, to remain available until expended, to com-  
13 plete the acquisition and deployment of—

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

18 (B) Automated Meteorological Observing Sys-  
19 tem and Remote Automated Meteorological Observ-  
20 ing System replacement units,

21 and to cover all associated activities, including program  
22 management and operations and maintenance through  
23 September 30, 1996.

24 (2) No funds are authorized to be appropriated for  
25 any fiscal year under paragraph (1) unless, within 60 days

1 after the submission of the President's budget request for  
2 such fiscal year, the Secretary—

3 (A) certifies to the Congress that—

4 (i) the systems meet the technical perform-  
5 ance specifications included in the system con-  
6 tract as in effect on February 20, 1991;

7 (ii) the systems can be fully deployed,  
8 sited, and operational without requiring further  
9 appropriations beyond amounts authorized  
10 under paragraph (1); and

11 (iii) the Secretary does not foresee any  
12 delays in the systems deployment and oper-  
13 ations schedule; or

14 (B) submits to the Congress a report which de-  
15 scribes—

16 (i) the circumstances which prevent a cer-  
17 tification under subparagraph (A);

18 (ii) remedial actions undertaken or to be  
19 undertaken with respect to such circumstances;

20 (iii) the effects of such circumstances on  
21 the systems deployment and operations schedule  
22 and systems coverage; and

23 (iv) a justification for proceeding with the  
24 program, if appropriate.

1 (d) AWIPS COMPLETE PROGRAM AUTHORIZA-  
2 TION.—(1) Except as provided in paragraph (2), there are  
3 authorized to be appropriated to the Secretary for all fiscal  
4 years beginning after September 30, 1994, an aggregate  
5 of \$315,887,000, to remain available until expended, to  
6 complete the acquisition and deployment of the Advanced  
7 Weather Interactive Processing System and NOAA Port  
8 and to cover all associated activities, including program  
9 management and operations and maintenance through  
10 September 30, 1999.

11 (2) No funds are authorized to be appropriated for  
12 any fiscal year under paragraph (1) unless, within 60 days  
13 after the submission of the President's budget request for  
14 such fiscal year, the Secretary—

15 (A) certifies to the Congress that—

16 (i) the systems meet the technical perform-  
17 ance specifications included in the system con-  
18 tract as in effect on January 5, 1993;

19 (ii) the systems can be fully deployed,  
20 sited, and operational without requiring further  
21 appropriations beyond amounts authorized  
22 under paragraph (1); and

23 (iii) the Secretary does not foresee any  
24 delays in the systems deployment and oper-  
25 ations schedule; or

1 (B) submits to the Congress a report which de-  
2 scribes—

3 (i) the circumstances which prevent a cer-  
4 tification under subparagraph (A);

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

7 (iii) the effects of such circumstances on  
8 the systems deployment and operations schedule  
9 and systems coverage; and

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

12 (e) CONSTRUCTION OF WEATHER FORECAST OF-  
13 FICES.—There are authorized to be appropriated to the  
14 Secretary to enable the National Oceanic and Atmospheric  
15 Administration to carry out construction, repair, and  
16 modification activities relating to new and existing weath-  
17 er forecast offices, \$62,784,000 for fiscal year 1994 and  
18 \$14,739,000 for fiscal year 1995. Such activities include  
19 planning, design, and land acquisition related to such of-  
20 fices.

21 **SEC. 102. ATMOSPHERIC RESEARCH.**

22 (a) CLIMATE AND AIR QUALITY RESEARCH.—

23 (1) IN GENERAL.—There are authorized to be  
24 appropriated to the Secretary to enable the National  
25 Oceanic and Atmospheric Administration to carry

1 out its climate and air quality research duties,  
2 \$105,922,000 for fiscal year 1994 and  
3 \$138,737,000 for fiscal year 1995. Such duties in-  
4 clude interannual and seasonal climate research and  
5 long-term climate and air quality research.

6 (2) CLIMATE AND GLOBAL CHANGE.—Of the  
7 sums authorized under paragraph (1), \$66,902,000  
8 for fiscal year 1994 and \$84,573,000 for fiscal year  
9 1995 are authorized to be appropriated for the pur-  
10 poses of studying climate and global change, includ-  
11 ing global observations, monitoring, and data and in-  
12 formation management relating to the study of  
13 changes in the Earth's climatic system, and fun-  
14 damental research on oceanic and atmospheric proc-  
15 esses critical to climate prediction and diagnostics.

16 (b) ATMOSPHERIC PROGRAMS.—There are author-  
17 ized to be appropriated to the Secretary to enable the Na-  
18 tional Oceanic and Atmospheric Administration to carry  
19 out its atmospheric research duties, \$42,103,000 for fiscal  
20 year 1994 and \$52,980,000 for fiscal year 1995. Such du-  
21 ties include research for developing improved prediction  
22 capabilities for atmospheric processes, as well as solar-ter-  
23 restrial research and services.

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

3 (a) SATELLITE OBSERVING SYSTEMS.—There are  
4 authorized to be appropriated to the Secretary to enable  
5 the National Oceanic and Atmospheric Administration to  
6 carry out its satellite observing systems duties,  
7 \$206,383,000 for fiscal year 1994 and \$217,710,000 for  
8 fiscal year 1995, except that no funds may be expended  
9 for Geostationary Operational Environmental Satellite  
10 until the requirements of section 105(d)(2) (A) or (B) of  
11 the National Oceanic and Atmospheric Administration Au-  
12 thorization Act of 1992 (Public Law 102–567) have been  
13 fulfilled by the Secretary. Such duties include spacecraft  
14 procurement, launch, and associated ground station sys-  
15 tems involving polar orbiting and geostationary environ-  
16 mental satellites, as well as the operation of such satellites.  
17 None of the funds authorized under this subsection shall  
18 be used for the purposes for which funds are authorized  
19 under section 105(d) of the National Oceanic and Atmos-  
20 pheric Administration Authorization Act of 1992 (Public  
21 Law 102–567). None of the funds authorized under this  
22 subsection for fiscal year 1995 shall be used for the pur-  
23 poses for which funds are authorized under subsection (b)  
24 of this section.

25 (b) POES COMPLETE PROGRAM AUTHORIZATION.—  
26 (1) Except as provided in paragraph (2), there are author-

1 ized to be appropriated to the Secretary for all fiscal years  
2 beginning after September 30, 1994, an aggregate of  
3 \$196,343,000, to remain available until expended, to com-  
4 plete the procurement of Polar Orbiting Environmental  
5 Satellites J, K, L, and M, and the procurement of the  
6 launching and supporting ground systems of such sat-  
7 ellites.

8 (2) No funds are authorized to be appropriated for  
9 any fiscal year under paragraph (1) unless, within 60 days  
10 after the submission of the President's budget request for  
11 such fiscal year, the Secretary—

12 (A) certifies to the Congress that—

13 (i) the satellite instruments meet the tech-  
14 nical performance specifications included in the  
15 satellite contracts as in effect on July 27, 1988;

16 (ii) the procurements can be completed  
17 without requiring further appropriations beyond  
18 amounts authorized under paragraph (1); and

19 (iii) the Secretary does not foresee any  
20 gaps in two-satellite service operations resulting  
21 from nonperformance of the satellite contract;

22 or

23 (B) submits to the Congress a report which de-  
24 scribes—

1 (i) the circumstances which prevent a cer-  
2 tification under subparagraph (A);

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

5 (iii) the effects of such circumstances on  
6 the launch schedule and satellite coverage; and

7 (iv) a justification for proceeding with the  
8 program, if appropriate.

9 (3) No funds for Polar Orbiting Environmental Sat-  
10 ellites, other than for Polar Orbiting Environmental Sat-  
11 ellites J, K, L, and M, are authorized to be appropriated  
12 under subsection (a) unless the Director of the Office of  
13 Science and Technology Policy submits an implementation  
14 plan for a single operational polar environmental and  
15 weather satellite system and the policy for polar satellite  
16 system convergence with the European Organization for  
17 the Exploitation of Meteorological Satellites  
18 (EUMETSAT).

19 (c) 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, \$34,068,000 for fiscal  
24 year 1994 and \$41,227,000 for fiscal year 1995. Such du-  
25 ties include climate data services, geophysical data serv-

1 ices, and environmental assessment and information serv-  
2 ices.

3 **SEC. 104. PROGRAM SUPPORT.**

4 (a) ADMINISTRATION AND SERVICES.—There are au-  
5 thorized to be appropriated to the Secretary for Adminis-  
6 tration and Services, \$73,319,000 for fiscal year 1994 and  
7 \$76,252,000 for fiscal year 1995.

8 (b) AIRCRAFT SERVICES.—There are authorized to  
9 be appropriated to the Secretary for Aircraft Services and  
10 Aircraft Critical Safety and Instrumentation, \$9,495,000  
11 for fiscal year 1994 and \$9,875,000 for fiscal year 1995.

12 **SEC. 105. LIMITATION ON APPROPRIATIONS.**

13 Notwithstanding any other provision of law, except  
14 as provided in section 101(c) and (d) and section 103(b),  
15 no funds are authorized to be appropriated for any fiscal  
16 year after fiscal year 1995 for carrying out the programs  
17 for which funds are authorized by this Act. This section  
18 shall not apply to the programs described in section  
19 102(a)(2) or section 104(a).

20 **TITLE II—MISCELLANEOUS**  
21 **PROVISIONS**

22 **SEC. 201. STRATEGIC PLAN FOR ENVIRONMENTAL RE-**  
23 **SEARCH LABORATORIES.**

24 (a) ASSESSMENT.—The Secretary shall conduct an  
25 assessment of the long-term role and mission of the Envi-

1 Environmental Research Laboratories of the National Oceanic  
2 and Atmospheric Administration and the relevance of the  
3 research conducted therein to issues of global and national  
4 importance. In conducting such assessment, the Secretary  
5 shall take into consideration—

6           (1) the adequacy of resources provided to sup-  
7 port the missions of the Environmental Research  
8 Laboratories;

9           (2) the ability of the Environmental Research  
10 Laboratories to provide research support for the  
11 coastal and ocean management and regulatory re-  
12 sponsibilities of the National Oceanic and Atmos-  
13 pheric Administration;

14           (3) the capacity of the Environmental Research  
15 Laboratories to process and disseminate environ-  
16 mental data and information collected and proc-  
17 essed, or expected to be collected and processed, by  
18 the National Oceanic and Atmospheric Administra-  
19 tion and other appropriate Federal departments and  
20 agencies;

21           (4) the mission of the Environmental Research  
22 Laboratories to provide solar-terrestrial services to  
23 the Nation;

1           (5) the ability of the Environmental Research  
2           Laboratories to provide continued support for the  
3           modernization of weather services;

4           (6) the responsibilities of the Environmental  
5           Research Laboratories to monitor, assess, and pre-  
6           dict changes in the Earth's climate;

7           (7) the capability of the Environmental Re-  
8           search Laboratories to integrate and interpret sci-  
9           entific data in order to provide information useful to  
10          policy makers for responding to national and global  
11          environmental concerns;

12          (8) the operational efficiency and effectiveness  
13          of the Environmental Research Laboratories;

14          (9) the interaction of the Environmental Re-  
15          search Laboratories with the academic community,  
16          including Joint and Cooperative Institutes, and the  
17          ability of these interactions to improve the quality  
18          and effectiveness of research;

19          (10) the number, location, and geographic dis-  
20          tribution of the Environmental Research Labora-  
21          tories; and

22          (11) any other issues that the Secretary may  
23          identify.

24          (b) COMPREHENSIVE STRATEGIC PLAN.—Not later  
25          than 1 year after the date of enactment of this Act, the

1 Secretary shall develop and submit to the Committee on  
2 Commerce, Science, and Transportation of the Senate and  
3 the Committee on Science, Space, and Technology and the  
4 Committee on Merchant Marine and Fisheries of the  
5 House of Representatives a comprehensive strategic plan,  
6 based on the assessment conducted under subsection (a),  
7 to modernize and improve the role and mission of the En-  
8 vironmental Research Laboratories of the National Oce-  
9 anic and Atmospheric Administration. The assessment  
10 conducted under subsection (a) shall be submitted along  
11 with such plan.

12 **SEC. 202. HYDROLOGICAL RESEARCH AND FLOOD FORE-**  
13 **CAST MODERNIZATION REPORT.**

14 (a) IN GENERAL.—Not later than 6 months after the  
15 date of enactment of this Act, the Secretary, in consulta-  
16 tion with the heads of other appropriate Federal agencies,  
17 shall prepare and submit to the Committee on Commerce,  
18 Science, and Transportation of the Senate and the Com-  
19 mittee on Science, Space, and Technology of the House  
20 of Representatives a report identifying the actions re-  
21 quired to improve the hydrological research programs and  
22 to modernize the Flood Forecasting System of the Na-  
23 tional Weather Service.

24 (b) REPORT CONTENTS.—The report required under  
25 subsection (a) shall include consideration of—

1 (1) current, planned, and potential technological  
2 improvements in the collection of observational  
3 hydrological data;

4 (2) use of additional satellite remote-sensing  
5 data and airborne surveys, including those systems  
6 operated by other Federal agencies, for hydrological  
7 data collection;

8 (3) improvements in data analysis and com-  
9 puter modeling in support of flood forecasts and pre-  
10 dictions; and

11 (4) full integration of the River Forecast Cen-  
12 ters in the National Weather Service Modernization  
13 Plan.

14 **SEC. 203. SENSE OF CONGRESS.**

15 It is the sense of Congress that any transfers of Na-  
16 tional Weather Service employees from field offices neces-  
17 sitated by the National Implementation Plan for Mod-  
18 ernization of the National Weather Service be carried out  
19 in a manner that will not result in the degradation of serv-  
20 ices in the service area of such field office.

Passed the House of Representatives November 20,  
1993.

Attest: DONNALD K. ANDERSON,  
*Clerk.*

By DALLAS L. DENDY, JR.,  
*Assistant to the Clerk.*

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