

106TH CONGRESS
1ST SESSION

H. R. 1553

To authorize appropriations for fiscal year 2000 and fiscal year 2001 for the National Weather Service, Atmospheric Research, and National Environmental Satellite, Data and Information Service activities of the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 1999

Mr. CALVERT introduced the following bill; which was referred to the
Committee on Science

A BILL

To authorize appropriations for fiscal year 2000 and fiscal year 2001 for the National Weather Service, Atmospheric Research, and National Environmental Satellite, Data and Information Service activities 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 Weather
5 Service and Related Agencies Authorization Act of 1999”.

1 **SEC. 2. DEFINITIONS.**

2 For purposes of this Act, the term—

3 (1) “Administrator” means the Administrator
4 of the National Oceanic and Atmospheric Adminis-
5 tration; and

6 (2) “Secretary” means the Secretary of Com-
7 merce.

8 **SEC. 3. NATIONAL WEATHER SERVICE.**

9 (a) OPERATIONS, RESEARCH, AND FACILITIES.—
10 There are authorized to be appropriated to the Secretary
11 to enable the National Oceanic and Atmospheric Adminis-
12 tration to carry out the Operations, Research, and Facili-
13 ties activities of the National Weather Service
14 \$617,897,000 for fiscal year 2000 and \$617,897,000 for
15 fiscal year 2001, to remain available until expended. Of
16 such amounts—

17 (1) \$450,411,000 for fiscal year 2000 and
18 \$450,411,000 for fiscal year 2001 shall be for Local
19 Warnings and Forecasts;

20 (2) \$2,200,000 for fiscal year 2000 and
21 \$2,200,000 for fiscal year 2001 shall be for Ad-
22 vanced Hydrological Prediction System;

23 (3) \$619,000 for fiscal year 2000 and \$619,000
24 for fiscal year 2001 shall be for Susquehanna River
25 Basin Flood Systems;

1 (4) \$35,596,000 for fiscal year 2000 and
2 \$35,596,000 for fiscal year 2001 shall be for Avia-
3 tion Forecasts;

4 (5) \$4,000,000 for fiscal year 2000 and
5 \$4,000,000 for fiscal year 2001 shall be for Weather
6 Forecast Offices (WFO) Facilities Maintenance;

7 (6) \$37,081,000 for fiscal year 2000 and
8 \$37,081,000 for fiscal year 2001 shall be for Central
9 Forecast Guidance;

10 (7) \$3,090,000 for fiscal year 2000 and
11 \$3,090,000 for fiscal year 2001 shall be for Atmos-
12 pheric and Hydrological Research;

13 (8) \$39,325,000 for fiscal year 2000 and
14 \$39,325,000 for fiscal year 2001 shall be for Next
15 Generation Weather Radar (NEXRAD);

16 (9) \$7,573,000 for fiscal year 2000 and
17 \$7,573,000 for fiscal year 2001 shall be for Auto-
18 mated Surface Observing System (ASOS); and

19 (10) \$38,002,000 for fiscal year 2000 and
20 \$38,002,000 for fiscal year 2001 shall be for Ad-
21 vanced Weather Interactive Processing System
22 (AWIPS).

23 (b) PROCUREMENT, ACQUISITION, AND CONSTRU-
24 TION.—There are authorized to be appropriated to the
25 Secretary to enable the National Oceanic and Atmospheric

1 Administration to carry out the Procurement, Acquisition,
2 and Construction activities of the National Weather Serv-
3 ice \$69,632,000 for fiscal year 2000 and \$70,120,000 for
4 fiscal year 2001, to remain available until expended. Of
5 such amounts—

6 (1) \$9,560,000 for fiscal year 2000 and
7 \$9,060,000 for fiscal year 2001 shall be for Next
8 Generation Weather Radar (NEXRAD);

9 (2) \$4,180,000 for fiscal year 2000 and
10 \$6,125,000 for fiscal year 2001 shall be for Auto-
11 mated Surface Observing System (ASOS);

12 (3) \$22,575,000 for fiscal year 2000 and
13 \$21,525,000 for fiscal year 2001 shall be for Ad-
14 vanced Weather Interactive Processing System
15 (AWIPS);

16 (4) \$11,100,000 for fiscal year 2000 and
17 \$12,835,000 for fiscal year 2001 shall be for Com-
18 puter Facilities Upgrades;

19 (5) \$8,350,000 for fiscal year 2000 and
20 \$8,350,000 for fiscal year 2001 shall be for Radio-
21 sonde Replacement;

22 (6) \$500,000 for fiscal year 2000 shall be for
23 National Oceanic and Atmospheric Administration
24 Operations Center Rehabilitation; and

1 (7) \$13,367,000 for fiscal year 2000 and
2 \$12,225,000 for fiscal year 2001 shall be for Weath-
3 er Forecast Office (WFO) Construction.

4 (c) DUTIES OF THE NATIONAL WEATHER SERV-
5 ICE.—

6 (1) IN GENERAL.—To protect life and property,
7 the Secretary, through the National Weather Serv-
8 ice, except as provided in paragraph (2), shall be re-
9 sponsible for—

10 (A) forecasts and shall serve as the sole of-
11 ficial source of weather warnings;

12 (B) the issuance of storm warnings;

13 (C) the collection, exchange, and distribu-
14 tion of meteorological, hydrological, climatic,
15 and oceanographic data and information; and

16 (D) the preparation of hydrometeorological
17 guidance and core forecast information.

18 (2) COMPETITION WITH PRIVATE SECTOR.—
19 The National Weather Service shall not provide, or
20 assist other entities to provide, a service (other than
21 a service described in paragraph (1)(A)) if that serv-
22 ice is currently provided or can be provided by com-
23 mercial enterprise, unless—

1 (A) the Secretary finds that the private
2 sector is unwilling or unable to provide the serv-
3 ice; or

4 (B) the service provides vital weather
5 warnings and forecasts for the protection of
6 lives and property of the general public.

7 (3) AMENDMENTS.—The Act of October 1,
8 1890 (26 Stat. 653) is amended—

9 (A) by striking section 3 (15 U.S.C. 313);
10 and

11 (B) in section 9 (15 U.S.C. 317), by strik-
12 ing “, and it shall be” and all that follows, and
13 inserting a period.

14 (4) REPORT.—Not later than 60 days after the
15 date of the enactment of this Act, the Secretary
16 shall submit to the Committee on Science of the
17 House of Representatives and the Committee on
18 Commerce, Science, and Transportation of the Sen-
19 ate a report detailing all National Weather Service
20 activities which do not conform to the requirements
21 of this subsection and outlining a timetable for their
22 termination.

23 **SEC. 4. ATMOSPHERIC RESEARCH.**

24 (a) OPERATIONS, RESEARCH, AND FACILITIES.—

1 (1) IN GENERAL.—There are authorized to be
2 appropriated to the Secretary to enable the National
3 Oceanic and Atmospheric Administration to carry
4 out the Atmospheric Research Operations, Research,
5 and Facilities environmental research and develop-
6 ment activities of the Office of Oceanic and Atmos-
7 pheric Research \$173,250,000 for fiscal year 2000
8 and \$173,250,000 for fiscal year 2001, to remain
9 available until expended.

10 (2) CLIMATE AND AIR QUALITY RESEARCH.—Of
11 the amounts authorized under paragraph (1),
12 \$126,200,000 for fiscal year 2000 and
13 \$126,200,000 for fiscal year 2001 shall be for Cli-
14 mate and Air Quality Research, of which—

15 (A) \$16,900,000 for fiscal year 2000 and
16 \$16,900,000 for fiscal year 2001 shall be for
17 Interannual and Seasonal Climate Research;

18 (B) \$34,600,000 for fiscal year 2000 and
19 \$34,600,000 for fiscal year 2001 shall be for
20 Long-Term Climate and Air Quality Research;

21 (C) \$69,700,000 for fiscal year 2000 and
22 \$69,700,000 for fiscal year 2001 shall be for
23 Climate and Global Change; and

24 (D) \$5,000,000 for fiscal year 2000 and
25 \$5,000,000 for fiscal year 2001 shall be for

1 Global Learning and Observations to Benefit
2 the Environment (GLOBE).

3 (3) ATMOSPHERIC PROGRAMS.—Of the amounts
4 authorized under paragraph (1), \$47,050,000 for
5 fiscal year 2000 and \$47,050,000 for fiscal year
6 2001 shall be for Atmospheric Programs, of which—

7 (A) \$36,600,000 for fiscal year 2000 and
8 \$36,600,000 for fiscal year 2001 shall be for
9 Weather Research;

10 (B) \$4,350,000 for fiscal year 2000 and
11 \$4,350,000 for fiscal year 2001 shall be for
12 Wind Profiler; and

13 (C) \$6,100,000 for fiscal year 2000 and
14 \$6,100,000 for fiscal year 2001 shall be for
15 Solar-Terrestrial Services and Research.

16 (b) PROCUREMENT, ACQUISITION, AND CONSTRUCTION.—There are authorized to be appropriated to the
17 Secretary to enable the National Oceanic and Atmospheric
18 Administration to carry out the Atmospheric Research
19 Procurement, Acquisition, and Construction environ-
20 mental research and development activities of the Office
21 of Oceanic and Atmospheric Research \$10,040,000 for fis-
22 cal year 2000 and \$14,160,000 for fiscal year 2001, to
23 remain available until expended. Of such amounts—

1 (1) \$5,700,000 for fiscal year 2000 and
2 \$8,000,000 for fiscal year 2001 shall be for the Geo-
3 physical Fluid Dynamics Laboratory Supercomputer;
4 and

5 (2) \$4,340,000 for fiscal year 2000 and
6 \$6,160,000 for fiscal year 2001 shall be for the Ad-
7 vanced Composition Explorer (ACE) Follow-On Sat-
8 ellite/GEOSTORM.

9 **SEC. 5. NATIONAL ENVIRONMENTAL SATELLITE, DATA AND**
10 **INFORMATION SERVICE.**

11 (a) OPERATIONS, RESEARCH, AND FACILITIES.—

12 (1) IN GENERAL.—There are authorized to be
13 appropriated to the Secretary to enable the National
14 Oceanic and Atmospheric Administration to carry
15 out the Operations, Research, and Facilities environ-
16 mental research and development and related activi-
17 ties of the National Environmental Satellite, Data
18 and Information Service \$103,092,000 for fiscal
19 year 2000 and \$103,092,000 for fiscal year 2001, to
20 remain available until expended.

21 (2) SATELLITE OBSERVING SYSTEMS.—Of the
22 amounts authorized under paragraph (1),
23 \$59,236,000 for fiscal year 2000 and \$59,236,000
24 for fiscal year 2001 shall be for Satellite Observing
25 Systems, of which—

1 (A) \$2,000,000 for fiscal year 2000 and
2 \$2,000,000 for fiscal year 2001 shall be for
3 Global Disaster Information Network (GDIN);

4 (B) \$4,000,000 for fiscal year 2000 and
5 \$4,000,000 for fiscal year 2001 shall be for
6 Ocean Remote Sensing; and

7 (C) \$53,236,000 for fiscal year 2000 and
8 \$53,236,000 for fiscal year 2001 shall be for
9 Environmental Observing Systems.

10 (3) ENVIRONMENTAL DATA MANAGEMENT SYS-
11 TEMS.—Of the amounts authorized under paragraph
12 (1), \$43,856,000 for fiscal year 2000 and
13 \$43,856,000 for fiscal year 2001 shall be for Envi-
14 ronmental Data Management Systems, of which—

15 (A) \$31,521,000 for fiscal year 2000 and
16 \$31,521,000 for fiscal year 2001 shall be for
17 Data and Information Services; and

18 (B) \$12,335,000 for fiscal year 2000 and
19 \$12,335,000 for fiscal year 2001 shall be for
20 Environmental Data Systems Modernization.

21 (b) PROCUREMENT, ACQUISITION, AND CONSTRUC-
22 TION.—

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 the Procurement, Acquisition, and Construction
2 environmental research and development and related
3 activities of the National Environmental Satellite,
4 Data and Information Service \$413,657,000 for fis-
5 cal year 2000 and \$476,183,000 for fiscal year
6 2001, to remain available until expended.

7 (2) SYSTEMS ACQUISITION.—Of the amounts
8 authorized under paragraph (1), \$410,612,000 for
9 fiscal year 2000 and \$473,803,000 for fiscal year
10 2001 shall be for Systems Acquisition, of which—

11 (A) \$140,979,000 for fiscal year 2000 and
12 \$114,594,000 for fiscal year 2001 shall be for
13 the procurement and launch of, and supporting
14 ground systems for, Polar Orbiting Environ-
15 mental Satellites (POES), K, L, M, N, and N’;

16 (B) \$80,100,000 for fiscal year 2000 and
17 \$113,600,000 for fiscal year 2001 shall be for
18 the procurement and launch of, and supporting
19 ground systems for, the National Polar-Orbiting
20 Operational Environmental Satellite System
21 (NPOESS); and

22 (C) \$189,533,000 for fiscal year 2000 and
23 \$245,609,000 for fiscal year 2001 shall be for
24 the procurement and launch of, and supporting
25 ground systems for, up to three Geostationary

1 Operational Environmental NEXT follow-on
2 Satellites (GOES N–Q).

3 (3) CONSTRUCTION.—Of the amounts author-
4 ized under paragraph (1), \$3,045,000 for fiscal year
5 2000 and \$2,380,000 for fiscal year 2001 shall be
6 for National Oceanic and Atmospheric Administra-
7 tion Operations Center Rehabilitation Construction.

8 **SEC. 6. FACILITIES.**

9 There are authorized to be appropriated to the Sec-
10 retary to enable the National Oceanic and Atmospheric
11 Administration to carry out the Operations, Research, and
12 Facilities environmental research and development and re-
13 lated activities required to meet recurring facilities oper-
14 ations costs associated with the David Skaggs Research
15 Center in Boulder, Colorado, \$3,850,000 for fiscal year
16 2000 and \$3,850,000 for fiscal year 2001.

17 **SEC. 7. ELIGIBILITY FOR AWARDS.**

18 (a) IN GENERAL.—The Administrator shall exclude
19 from consideration for grant agreements made after fiscal
20 year 1999 by the National Oceanic and Atmospheric Ad-
21 ministration, under the programs for which funds are au-
22 thorized under this Act, any person who received funds,
23 other than those described in subsection (b), appropriated
24 for a fiscal year after fiscal year 1999, under a grant
25 agreement from any Federal funding source for a project

1 that was not subjected to a competitive, merit-based award
2 process. Any exclusion from consideration pursuant to this
3 section shall be effective for a period of 5 years after the
4 person receives such Federal funds.

5 (b) EXCEPTION.—Subsection (a) shall not apply to
6 the receipt of Federal funds by a person due to the mem-
7 bership of that person in a class specified by law for which
8 assistance is awarded to members of the class according
9 to a formula provided by law.

10 (c) DEFINITION.—For purposes of this section, the
11 term “grant agreement” means a legal instrument whose
12 principal purpose is to transfer a thing of value to the
13 recipient to carry out a public purpose of support or stim-
14 ulation authorized by a law of the United States, and does
15 not include the acquisition (by purchase, lease, or barter)
16 of property or services for the direct benefit or use of the
17 United States Government. Such term does not include
18 a cooperative agreement (as such term is used in section
19 6305 of title 31, United States Code) or a cooperative re-
20 search and development agreement (as such term is de-
21 fined in section 12(d)(1) of the Stevenson-Wydler Tech-
22 nology Innovation Act of 1980 (15 U.S.C. 3710a(d)(1))).

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