

118TH CONGRESS
1ST SESSION

S. _____

To formally establish within statute the National Oceanic and Atmospheric Administration, and for other purposes.

IN THE SENATE OF THE UNITED STATES

_____ introduced the following bill; which was read twice
and referred to the Committee on _____

A BILL

To formally establish within statute 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “National Oceanic and Atmospheric Administration Act of
6 2023”.

7 (b) TABLE OF CONTENTS.—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.
Sec. 2. Definitions.

TITLE I—ESTABLISHMENT OF THE NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION

2

- Sec. 101. Establishment of the National Oceanic and Atmospheric Administration.
- Sec. 102. Mission of the National Oceanic and Atmospheric Administration.
- Sec. 103. Functions of the National Oceanic and Atmospheric Administration.
- Sec. 104. Savings provision on responsibility.

TITLE II—ADMINISTRATION OF THE NATIONAL OCEANIC AND
ATMOSPHERIC ADMINISTRATION

Subtitle A—Leadership; Officers

- Sec. 201. Administrator of National Oceanic and Atmospheric Administration and Under Secretary of Commerce for Oceans and Atmosphere.
- Sec. 202. Chief Scientist.
- Sec. 203. Assistant Secretary of Commerce for Tribal Affairs.
- Sec. 204. Deputy Administrator for Conservation and Management.
- Sec. 205. Deputy Administrator for Environmental Observation and Prediction.
- Sec. 206. Deputy Administrator for Operations.
- Sec. 207. Scientific Integrity Officer.
- Sec. 208. Establishment of additional positions.
- Sec. 209. Continuation in office.
- Sec. 210. Conforming amendments.

Subtitle B—Offices

- Sec. 211. In general.
- Sec. 212. Office of the Chief Scientist.
- Sec. 213. National Office of Climate Services.
- Sec. 214. Climate Council.
- Sec. 215. Office of Education.
- Sec. 216. Office of International Affairs.
- Sec. 217. Office of Space Commerce.
- Sec. 218. Office of Aquatic Invasive Species.
- Sec. 219. Line offices.
- Sec. 220. Other Administration offices.
- Sec. 221. Continuation in office.

Subtitle C—Other Matters

- Sec. 231. General authorities.
- Sec. 232. Data availability and management.
- Sec. 233. Relations with Indian Tribes.
- Sec. 234. Grants for Tribal coastal zone objectives.
- Sec. 235. Emblem, logo, insignia, and name of the Administration.
- Sec. 236. Savings provision.
- Sec. 237. Authorization of appropriations.

TITLE III—ADVISORY COMMITTEES

- Sec. 301. Science Advisory Board.
- Sec. 302. Advisory Committee on Tribal Affairs.
- Sec. 303. Tribal Treaty Fisheries Advisory Committee.
- Sec. 304. **[Placeholder]**.
- Sec. 305. Advisory Committee on Commercial Remote Sensing.
- Sec. 306. Hydrographic Services Review Panel.
- Sec. 307. Marine and Coastal Area-Based Management Advisory Committee.

3

- Sec. 308. Marine Fisheries Advisory Committee.
- Sec. 309. National Sea Grant Advisory Board.
- Sec. 310. Ocean Exploration Advisory Board.
- Sec. 311. Ocean Policy Committee.
- Sec. 312. Ocean Research Advisory Panel.
- Sec. 313. Space Weather Advisory Group.
- Sec. 314. Integrated Ocean Observing System Advisory Committee.
- Sec. 315. Continuation of existing members.

TITLE IV—WEATHER AND ATMOSPHERE MATTERS

Subtitle A—National Weather Service

PART I—ESTABLISHMENT AND BASIC AUTHORITIES

- Sec. 401. Establishment of the National Weather Service.
- Sec. 402. Authority for certain functions and activities.
- Sec. 403. Employees of the National Weather Service.

PART II—PROGRAMS

- Sec. 411. National Integrated Drought Information System program.
- Sec. 412. Meteorological observation in the Arctic region.

PART III—ADMINISTRATION

- Sec. 421. Estimates of future appropriations needs.

PART IV—TECHNICAL AMENDMENTS

- Sec. 431. Conforming repeals.

Subtitle B—Weather Research and Forecasting

- Sec. 441. Composition of the atmosphere; atmospheric observations; precipitation prediction program.
- Sec. 442. Aircraft reconnaissance for precipitation prediction, atmospheric research and operations, and other purposes.

TITLE V—HIGH-PERFORMANCE COMPUTING AND RELATED MATTERS

- Sec. 501. General responsibilities of the Administrator.
- Sec. 502. Strategic plan on high-performance computing and data management needs.
- Sec. 503. Authorization of appropriations.

TITLE VI—INFRASTRUCTURE

- Sec. 601. Acquisition and construction policy.
- Sec. 602. Infrastructure action plan.
- Sec. 603. Administration vessel fleet.
- Sec. 604. Operation and maintenance of Administration aircraft fleet.
- Sec. 605. Acquisition of aircraft.
- Sec. 606. Capital investment plan.
- Sec. 607. Multiyear contracts for high-performance computing property or services.
- Sec. 608. High-performance computing, technological capabilities, and data management assessment.

- Sec. 609. Unerewed systems research and development program.
- Sec. 610. Transparency and oversight of grants and contracts.
- Sec. 611. Government Accountability Office study on Administration infrastructure.
- Sec. 612. Government Accountability Office study on multiyear contract authority.

TITLE VII—WORKFORCE

- Sec. 701. Comptroller General of the United States report on positioning Administration workforce for the future.
- Sec. 702. Workforce strategy and action plan.
- Sec. 703. Fellowships.
- Sec. 704. Cooperative institutes.
- Sec. 705. Competitive service.
- Sec. 706. Licensure of health-care professionals.
- Sec. 707. Streamlining separation and retirement process.
- Sec. 708. Alignment of physical disqualification standard for obligated service agreements with standard for veterans' benefits.
- Sec. 709. Repeal of limitation on educational assistance.
- Sec. 710. Implementing Government Accountability Office recommendations on sexual assault and sexual harassment policies of the Administration.
- Sec. 711. Office of Human Capital Services study and plan.
- Sec. 712. Working group on food and beverage service and fitness centers of the Administration.

TITLE VIII—REPORTS AND RELATED MATTERS

- Sec. 801. Unfunded priorities list and report relating to the budget of the President.
- Sec. 802. Report on engagement by National Weather Service with external weather enterprise.
- Sec. 803. Report on gaps in weather observations data.
- Sec. 804. Report on fire weather data, tools, and services.
- Sec. 805. Recommendations to Congress on technical and conforming amendments.

1 **SEC. 2. DEFINITIONS.**

2 In this Act:

3 (1) **ADMINISTRATION.**—The term “Administra-
 4 tion” means the National Oceanic and Atmospheric
 5 Administration.

6 (2) **ADMINISTRATOR.**—The term “Adminis-
 7 trator” means the Administrator of the National
 8 Oceanic and Atmospheric Administration, also

1 known as the Under Secretary of Commerce for
2 Oceans and Atmosphere.

3 (3) CAREER RESERVED POSITION.—The term
4 “career reserved position” has the meaning given
5 that term in section 3132(a) of title 5, United
6 States Code.

7 (4) DATA MANAGEMENT.—The term “data
8 management” means the practice, concepts, and
9 processes of collecting, mining, storing, archiving,
10 organizing, maintaining, disseminating, and using
11 data securely and efficiently based on purpose and
12 ensuring open access to data.

13 (5) EARTH SYSTEMS.—The term “Earth sys-
14 tems” means the interacting physical, chemical, and
15 biological processes of the Earth, including anthro-
16 pogenic processes. Earth systems—

17 (A) consist of the land, oceans, atmos-
18 phere, and polar regions; and

19 (B) include the natural cycles of the
20 Earth, namely the carbon, water, nitrogen,
21 phosphorous, sulfur, and other cycles.

22 (6) EXTREME WEATHER.—The term “extreme
23 weather” includes observed or anticipated severe and
24 unseasonable atmospheric conditions, including
25 drought, fire weather, heavy precipitation, mixed

1 precipitation, severe thunderstorms, tropical and
2 extratropical cyclones and surge, hurricanes, torna-
3 does and other windstorms including derechos, ocean
4 waves, snow, blizzards, extreme heat, extreme cold,
5 flooding, sustained temperatures or precipitation
6 that deviate substantially from historical averages,
7 space weather, and any other weather event that the
8 Administrator determines qualifies as extreme
9 weather.

10 (7) HIGH-PERFORMANCE COMPUTING.—The
11 term “high-performance computing” means the most
12 advanced and capable computing systems, including
13 cloud-based operating environments, hardware, stor-
14 age, networking, and software of such systems, en-
15 compassing massive computational capability and
16 large-scale data analytics to solve computational
17 problems of national importance under the jurisdic-
18 tion of the Administration that are beyond the capa-
19 bility of small- to medium-scale systems.

20 (8) INDIAN TRIBE.—The term “Indian Tribe”
21 has the meaning given that term in section 4 of the
22 Indian Self-Determination and Education Assistance
23 Act (25 U.S.C. 5304).

24 (9) INSTITUTION OF HIGHER EDUCATION.—The
25 term “institution of higher education” has the

1 meaning given that term in section 101(a) of the
2 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

3 (10) NATIVE HAWAIIAN ORGANIZATION.—The
4 term “Native Hawaiian organization” has the mean-
5 ing given that term in section 6207 of the Elemen-
6 tary and Secondary Education Act of 1965 (20
7 U.S.C. 7517).

8 (11) OPEN ACCESS.—The term “open access”
9 means a set of principles and a range of practices
10 through which research outputs are distributed on-
11 line, free of cost or other access barriers, as prac-
12 ticable.

13 (12) PACIFIC SALMON.—The term “Pacific
14 salmon” means any of the wild anadromous
15 *Oncorhynchus* species that occur in the Western
16 United States, including—

17 (A) chum salmon (*Oncorhynchus keta*);

18 (B) pink salmon (*Oncorhynchus*
19 *gorbuscha*);

20 (C) sockeye salmon (*Oncorhynchus nerka*);

21 (D) Chinook salmon (*Oncorhynchus*
22 *tshawytscha*);

23 (E) coho salmon (*Oncorhynchus kisutch*);

24 and

1 (F) steelhead trout (*Oncorhynchus*
2 mykiss).

3 (13) PERSON.—The term “person” means an
4 individual or entity.

5 (14) RESILIENCE.—The term “resilience”
6 means the ability to anticipate, prepare for, plan for,
7 respond to, and recover from multi-hazard threats
8 and hazardous events to minimize damage to social
9 well-being, the economy, and the environment, and
10 to adapt to future conditions.

11 (15) SECRETARY.—The term “Secretary”
12 means the Secretary of Commerce.

13 (16) SENIOR EXECUTIVE SERVICE.—The term
14 “Senior Executive Service” has the meaning given
15 that term in section 2101a of title 5, United States
16 Code.

17 (17) SENIOR EXECUTIVE SERVICE POSITION.—
18 The term “Senior Executive Service position” has
19 the meaning given that term in section 3132(a) of
20 title 5, United States Code.

21 (18) SPACE SITUATIONAL AWARENESS.—The
22 term “space situational awareness” means—

23 (A) the knowledge and characterization of
24 space objects and the operational environment

1 of those objects to support safe, stable, and sus-
2 tainable space activities; and

3 (B) the understanding of the manner in
4 which space objects and orbital debris behave in
5 space.

6 (19) SPACE WEATHER.—The term “space
7 weather” means variations in the space environment
8 between the Sun and the Earth (and throughout the
9 solar system) that can affect technologies in space
10 and on Earth. The primary types of space weather
11 events are solar flares, solar energetic particles, and
12 geomagnetic disturbances.

13 (20) STATE.—The term “State” means any
14 State of the United States, the District of Columbia,
15 the Commonwealth of Puerto Rico, the United
16 States Virgin Islands, Guam, American Samoa, the
17 Commonwealth of the Northern Mariana Islands, or
18 any other commonwealth, territory, or possession of
19 the United States.

20 (21) TREATY RIGHTS AT RISK INITIATIVE.—
21 The term “Treaty Rights at Risk Initiative” means
22 the report from the treaty Indian Tribes of western
23 Washington, entitled “Treaty Rights at Risk: Ongo-
24 ing Habitat Loss, the Decline of the Salmon Re-
25 source, and Recommendations for Change” and

1 dated July 14, 2011, which outlines issues and of-
2 fers solutions for the protection of Tribal treaty
3 rights, recovery of salmon habitat, and management
4 of sustainable treaty and nontreaty salmon fisheries,
5 including through Tribal salmon hatchery programs.

6 (22) TRIBAL GOVERNMENT.—The term “Tribal
7 government” means the recognized governing body
8 of any Indian or Alaska Native tribe, band, nation,
9 pueblo, village, community, component band, or com-
10 ponent reservation, individually identified (including
11 parenthetically) in the list published most recently as
12 of the date of the enactment of this Act pursuant to
13 section 104 of the Federally Recognized Indian
14 Tribe List Act of 1994 (25 U.S.C. 5131).

15 (23) UNDER SECRETARY.—The term “Under
16 Secretary” means the Under Secretary of Commerce
17 for Oceans and Atmosphere.

18 (24) WEATHER.—The term “weather” includes
19 terrestrial and space-based conditions and associated
20 conditions, hazards, and impacts, as applicable.

1 **TITLE I—ESTABLISHMENT OF**
2 **THE NATIONAL OCEANIC AND**
3 **ATMOSPHERIC ADMINISTRATION**
4 **TION**

5 **SEC. 101. ESTABLISHMENT OF THE NATIONAL OCEANIC**
6 **AND ATMOSPHERIC ADMINISTRATION.**

7 There is established in the Department of Commerce
8 an agency to be known as the “National Oceanic and At-
9 mospheric Administration”, which shall—

10 (1) be the Federal agency principally respon-
11 sible for—

12 (A) providing data, observations, pre-
13 diction, information, and forecast and warning
14 impact-based decision support services relating
15 to oceanic, coastal, weather, space weather, cli-
16 mate, fisheries and seafood harvest, water, and
17 Earth systems to the United States; and

18 (B) supporting research, restoration, con-
19 servation, management, stewardship, and edu-
20 cation for the United States;

21 (2) succeed the National Oceanic and Atmos-
22 pheric Administration established on October 3,
23 1970, in Reorganization Plan No. 4 of 1970 (15
24 U.S.C. 1511 note); and

1 (3) continue the activities of that agency as it
2 was in existence on the day before the date of the
3 enactment of this Act, which shall not be construed
4 to limit that agency to its mission as of that date.

5 **SEC. 102. MISSION OF THE NATIONAL OCEANIC AND AT-**
6 **MOSPHERIC ADMINISTRATION.**

7 (a) IN GENERAL.—The mission of the Administra-
8 tion is—

9 (1) to understand atmospheric and oceanic
10 processes related to Earth systems and predict
11 changes in climate, weather, space weather, water,
12 oceans, the Great Lakes, and coasts;

13 (2) to share that knowledge, information, and
14 understanding with others;

15 (3) to understand, map, explore, conserve, and
16 manage living marine resources and coastal and ma-
17 rine ecosystems and resources, including manage-
18 ment and support of United States fisheries- and
19 seafood-related businesses; and

20 (4) to promote throughout the Federal Govern-
21 ment the development, integration, and dissemina-
22 tion of weather, water, and climate services for soci-
23 etal needs, to support the blue economy, and to ben-
24 efit public health and welfare.

1 (b) DATA AND SERVICES.—The Administration shall
2 serve as the lead operational provider of climate data and
3 services to the United States and coordinate across Fed-
4 eral agencies to benefit the United States.

5 (c) SENSE OF CONGRESS.—It is the sense of Con-
6 gress that the general welfare and security of the United
7 States requires that adequate provision continue to be
8 made for sustained geodetic, coastal, oceanic, Great
9 Lakes, atmospheric, and ecologic study and stewardship,
10 including acquisition and management of data and infor-
11 mation, to support understanding of Earth systems.

12 (d) BLUE ECONOMY DEFINED.—In this section, the
13 term “blue economy” means industries related to the
14 Great Lakes, oceans, bays, estuaries, and coasts in the
15 economy of the United States, including living resources,
16 marine construction, marine transportation, offshore en-
17 ergy development and siting, including for renewable en-
18 ergy, offshore mineral production, ship- and boat-building,
19 tourism, recreation, subsistence, commercial, recreational,
20 and charter fishing, seafood processing, and other fishery-
21 related businesses, aquaculture (such as kelp and shell-
22 fish), and other industries the Secretary considers appro-
23 priate.

1 **SEC. 103. FUNCTIONS OF THE NATIONAL OCEANIC AND AT-**
2 **MOSPHERIC ADMINISTRATION.**

3 (a) IN GENERAL.—The Administration shall—

4 (1) serve as the authority of the United States
5 on the atmospheric and oceanic systems of the
6 Earth and as the lead operational provider and coor-
7 dinator of related data and services to the United
8 States and across Federal agencies to observe, track,
9 understand, and predict changes in climate, species
10 distributions, weather, chemical composition, space
11 weather, water, oceans, the Great Lakes, and
12 coasts—

13 (A) to share that knowledge and informa-
14 tion with others;

15 (B) to map, explore, conserve, and manage
16 living marine resources and their habitats and
17 coastal and marine ecosystems and resources;
18 and

19 (C) to support and grow ocean and coastal
20 dependent economies, including United States
21 fisheries and seafood dependent businesses and
22 communities;

23 (2) plan, direct, conduct, and provide services
24 relating to sustained geodetic, coastal, oceanic, Great
25 Lakes, climatic, atmospheric, hydrologic,
26 cryospheric, and space weather science, research, ob-

1 servation, monitoring, exploration, modeling, pre-
2 diction, warning, forecasting, decision support serv-
3 ices, mapping, stewardship, conservation, manage-
4 ment, restoration, regulatory permitting, environ-
5 mental review, and enforcement activities;

6 (3) support appropriate participation by other
7 governmental entities, Indian Tribes, Native Hawai-
8 ian organizations, the scientific community, and
9 members of the private sector such as fishermen and
10 other partners, in planning and conducting geodetic,
11 oceanic, coastal, Great Lakes, climatic, atmospheric,
12 hydrologic, cryospheric, and space weather science,
13 including through—

14 (A) the acquisition and use of data, mod-
15 els, vessels, aircraft, satellites, buoys, uncrewed
16 systems, including future technological systems,
17 and other related infrastructure of the Adminis-
18 tration;

19 (B) the provision of social, behavioral, and
20 economic services as appropriate; and

21 (C) early and sustained engagement with
22 Indian Tribes, Native Hawaiian organizations,
23 and holders of indigenous knowledge.

24 (4) provide for open and public dissemination of
25 information concerning methods, predictions, data,

1 and results of the Administration to address existing
2 and emerging challenges to the maximum extent
3 practicable;

4 (5) provide direct education and support for
5 educational programs;

6 (6) promote a culture of integrity and excel-
7 lence in science and engineering; and

8 (7) promote a culture that values safety, diver-
9 sity, equity, and inclusion in the workplace and
10 among the workforce and collaborating partners.

11 **SEC. 104. SAVINGS PROVISION ON RESPONSIBILITY.**

12 The functions and activities described in this Act
13 shall be the responsibility of the Administration and di-
14 rected by the Administrator as provided in this Act, except
15 activities associated with the military operations or de-
16 fense of the United States shall be the responsibility of,
17 and directed by, the Secretary of Defense or the Secretary
18 of the department in which the Coast Guard is operating,
19 as appropriate.

1 **TITLE II—ADMINISTRATION OF**
2 **THE NATIONAL OCEANIC AND**
3 **ATMOSPHERIC ADMINISTRATION**
4 **TION**

5 **Subtitle A—Leadership; Officers**

6 **SEC. 201. ADMINISTRATOR OF NATIONAL OCEANIC AND AT-**
7 **MOSPHERIC ADMINISTRATION AND UNDER**
8 **SECRETARY OF COMMERCE FOR OCEANS**
9 **AND ATMOSPHERE.**

10 (a) IN GENERAL.—

11 (1) ADMINISTRATOR.—The Administration shall
12 be headed by the Administrator, who shall also serve
13 as the Under Secretary of Commerce for Oceans and
14 Atmosphere and who shall be appointed by the
15 President by and with the advice and consent of the
16 Senate.

17 (2) AUTHORITY.—Any authority, power, or
18 function vested by law in the Administration, in the
19 Administrator, in the Administrator of the Adminis-
20 tration, or in any officer, employee, or part of the
21 Administration, is vested in, and may be exercised
22 by, the Administrator.

23 (3) REFERENCES.—Any reference in law, regu-
24 lation, document, paper, or other record of the
25 United States to the Under Secretary of Commerce

1 for Oceans and Atmosphere shall be deemed to be
2 a reference to the Administrator.

3 (b) DUTIES OF THE ADMINISTRATOR.—

4 (1) IN GENERAL.—The Administrator shall be
5 responsible for—

6 (A) general management and supervision
7 of the operations of the Administration;

8 (B) policy development and guidance for
9 the Administration;

10 (C) formulation and execution of the budg-
11 et for the Administration, and guidance with re-
12 spect to that budget;

13 (D)(i) appointing such officers and employ-
14 ees as the Administrator considers necessary to
15 carry out the functions of the Administration;
16 and

17 (ii) defining the title, authority, and duties
18 of such officers and employees and delegating
19 functions, powers, and duties to such officers
20 and employees in accordance with paragraph
21 (2);

22 (E) advising the President on climate,
23 weather, oceans, coasts, the Great Lakes, and
24 other matters relating to oceanic and atmos-
25 pheric systems;

1 (F) maintaining stewardship and manage-
2 ment responsibilities related to marine, coastal,
3 and Great Lakes resources and ecosystem
4 health;

5 (G) serving as the official of the Depart-
6 ment of Commerce responsible for all ocean,
7 coastal, and atmosphere issues—

8 (i) in coordination with other elements
9 of the Department and other Federal
10 agencies;

11 (ii) in consultation with State, terri-
12 torial, and local governments;

13 (iii) in consultation with and through
14 meaningful engagement with Indian
15 Tribes; and

16 (iv) through engagement with the
17 public; and

18 (H) such other duties with respect to the
19 Administration as the Secretary determines ap-
20 propriate.

21 (2) DELEGATION OF AUTHORITY.—The Admin-
22 istrator may, except as otherwise prohibited by
23 law—

24 (A) delegate any functions, powers, or du-
25 ties of the Administrator to such officers and

1 employees of the Administration as the Admin-
2 istrator may designate; and

3 (B) authorize successive redelegations of
4 such functions, powers, or duties within the Ad-
5 ministration as the Administrator considers
6 necessary or appropriate.

7 (c) RATE OF PAY.—

8 (1) IN GENERAL.—Section 5313 of title 5,
9 United States Code, is amended by adding at the
10 end the following:

11 “Administrator of the National Oceanic and At-
12 mospheric Administration and Under Secretary of
13 Commerce for Oceans and Atmosphere.”.

14 (2) CONFORMING AMENDMENT.—Section 5314
15 of title 5, United States Code, is amended by strik-
16 ing “Under Secretary of Commerce for Oceans and
17 Atmosphere, the incumbent of which also serves as
18 Administrator of the National Oceanic and Atmos-
19 pheric Administration.”.

20 **SEC. 202. CHIEF SCIENTIST.**

21 (a) IN GENERAL.—There shall be in the Administra-
22 tion a Chief Scientist, who shall—

23 (1) be selected by the Administrator through a
24 competitive search process;

25 (2) have produced work of scientific merit; and

1 (3) have an established record of distinguished
2 service and achievement highly respected by the sci-
3 entific community.

4 (b) CAREER RESERVED POSITION.—The position of
5 Chief Scientist shall be a career reserved position in the
6 Senior Executive Service.

7 (c) DUTIES.—The Chief Scientist shall—

8 (1) serve as the senior scientist for the Admin-
9 istration;

10 (2) in coordination with the Chief Technology
11 Officer and the Chief Information Officer of the Ad-
12 ministration, lead policy and program direction for
13 science and technology priorities throughout the Ad-
14 ministration;

15 (3) provide scientific expertise to the Executive
16 Office of the President and other Federal agencies,
17 as appropriate; and

18 (4) in coordination with the Scientific Integrity
19 Officer, uphold the scientific integrity policies of the
20 Administration, including NAO 202–753D–2 (issued
21 January 19, 2021).

22 **SEC. 203. ASSISTANT SECRETARY OF COMMERCE FOR TRIB-**
23 **AL AFFAIRS.**

24 (a) IN GENERAL.—In accordance with Federal poli-
25 cies supporting Indian Tribes and in promoting Tribal

1 self-determination, there shall be in the Administration an
2 Assistant Secretary of Commerce for Tribal Affairs (in
3 this section referred to as the “Assistant Secretary”), who
4 shall—

5 (1) be selected by the Secretary and the Admin-
6 istrator through a competitive search process;

7 (2) have expertise in Tribal law or policy; and

8 (3) have an established record of distinguished
9 service and achievement that is respected by Indian
10 Tribes.

11 (b) CAREER RESERVED POSITION.—The position of
12 Assistant Secretary shall be a career reserved position in
13 the Senior Executive Service.

14 (c) DUTIES.—The Assistant Secretary shall, in addi-
15 tion to carrying out the duties described in section 233—

16 (1) ensure meaningful, consistent, and timely
17 consultation and engagement between Indian Tribes
18 and the Administration, the leadership of the Ad-
19 ministration, and all line offices of the Administra-
20 tion that meet or exceed the standards of the Fed-
21 eral Government for promoting consultation, engage-
22 ment, and Tribal self-determination, as appropriate;

23 (2) in addition to the engagement described in
24 paragraph (1), ensure meaningful, consistent, and
25 timely engagement between the Administration and

1 Native Hawaiian organizations and other territorial
2 indigenous groups;

3 (3) advise the Secretary and the Administrator
4 on efforts to improve implementation of section 233
5 and other policy of the Administration and Execu-
6 tive orders regarding consultation with Indian
7 Tribes, including government-to-government con-
8 sultation;

9 (4) plan, coordinate, and implement policy and
10 programs of the Administration serving Indian
11 Tribes;

12 (5) enhance meaningful consultation with In-
13 dian Tribes with respect to any rulemaking relating
14 to, or having an effect on, projects, programs, or
15 funding associated with activities of those Indian
16 Tribes under the jurisdiction of the Administration;

17 (6) support the Advisory Committee on Tribal
18 Affairs, the Tribal Treaty Fisheries Advisory Com-
19 mittee, and the **【_____】** **【NOTE: Placeholder for**
20 **committee to be established under section 304.】** estab-
21 lished under sections 302, 303, **【and 304】**, respec-
22 tively;

23 (7) oversee Tribal liaisons located throughout
24 the line offices and the Office of Legislative and
25 Intergovernmental Affairs of the Administration to

1 ensure the policies of the Administration regarding
2 consultation and engagement with Indian Tribes are
3 implemented in a thorough and thoughtful manner
4 across the Administration; and

5 (8) advise the Secretary and the Administrator
6 on budget matters relating to Indian Tribes across
7 line offices of the Administration to ensure the views
8 of Indian Tribes are incorporated into the annual
9 budget submission of the President to Congress.

10 (d) RATE OF PAY.—Section 5316 of title 5, United
11 States Code, is amended by inserting after the item relat-
12 ing to the General Counsel, National Oceanic and Atmos-
13 pheric Administration, the following:

14 “Assistant Secretary of Commerce for Tribal Af-
15 fairs.”.

16 **SEC. 204. DEPUTY ADMINISTRATOR FOR CONSERVATION**
17 **AND MANAGEMENT.**

18 (a) IN GENERAL.—There shall be in the Administra-
19 tion a Deputy Administrator for Conservation and Man-
20 agement (in this section referred to as the “Deputy Ad-
21 ministrator”), who shall—

22 (1) be appointed by the President, by and with
23 the advice and consent of the Senate; and

24 (2) have a broad background, professional
25 knowledge, and substantial experience in policy or

1 programs relating to fisheries management, marine
2 conservation, or coastal climate resilience.

3 (b) DEPUTY.—The Deputy Administrator shall serve
4 as the Deputy to the Administrator.

5 (c) DUTIES.—The Deputy Administrator shall—

6 (1) lead policy and program direction for the
7 stewardship responsibilities of the Administration,
8 including with respect to—

9 (A) the management of ocean, coastal, and
10 Great Lakes ecosystems and resources, includ-
11 ing coastal and ecosystems resilience; and

12 (B) supporting domestic commercial sea-
13 food harvest and other related matters;

14 (2) perform such duties and exercise such pow-
15 ers as the Administrator shall from time to time as-
16 sign or delegate; and

17 (3) act as the Administrator during the absence
18 or disability of the Administrator or in the event of
19 a vacancy in the office of the Administrator.

20 (d) RATE OF PAY.—

21 (1) IN GENERAL.—Section 5314 of title 5,
22 United States Code, is amended by adding at the
23 end the following:

1 “Deputy Administrator for Conservation and Man-
2 agement of the National Oceanic and Atmospheric Admin-
3 istration.”.

4 (2) CONFORMING AMENDMENT.—Section 5315
5 of title 5, United States Code, is amended by strik-
6 ing “Assistant Secretary of Commerce for Oceans
7 and Atmosphere, the incumbent of which also serves
8 as Deputy Administrator of the National Oceanic
9 and Atmospheric Administration.”.

10 **SEC. 205. DEPUTY ADMINISTRATOR FOR ENVIRONMENTAL**
11 **OBSERVATION AND PREDICTION.**

12 (a) IN GENERAL.—There shall be in the Administra-
13 tion a Deputy Administrator for Environmental Observa-
14 tion and Prediction (in this section referred to as the
15 “Deputy Administrator”), who shall—

16 (1) be appointed by the President, by and with
17 the advice and consent of the Senate; and

18 (2) have a broad background, professional
19 knowledge, and substantial experience in climate,
20 oceanic, or atmospheric policy or programs.

21 (b) DUTIES.—The Deputy Administrator shall—

22 (1) oversee policy and program direction for
23 weather, water, and climate research, including ob-
24 servations, modeling, data assimilation, predictions,
25 and dissemination of related data and products, in-

1 cluding by integrating advanced technologies such as
2 artificial intelligence and machine learning and de-
3 veloping and managing high-performance computing
4 for the Administration; and

5 (2) oversee programs and policy of the Adminis-
6 tration related to integrated mapping, space com-
7 merce, and observing architecture, including ground-
8 based and space-based observations, ocean observa-
9 tions, space situational awareness, space weather,
10 space traffic management, and duties pertaining to
11 weather forecasting and prediction; and

12 (3) perform such duties and exercise such pow-
13 ers as the Administrator shall from time to time as-
14 sign or delegate.

15 (c) RATE OF PAY.—Section 5314 of title 5, United
16 States Code, is amended by adding at the end the fol-
17 lowing:

18 “Deputy Administrator for Environmental Observa-
19 tion and Prediction of the National Oceanic and Atmos-
20 pheric Administration.”.

21 **SEC. 206. DEPUTY ADMINISTRATOR FOR OPERATIONS.**

22 (a) IN GENERAL.—There shall be in the Administra-
23 tion a Deputy Administrator for Operations (in this sec-
24 tion referred to as the “Deputy Administrator”), who shall

1 be selected by the Administrator through a competitive
2 search process.

3 (b) CAREER RESERVED POSITION.—The position of
4 Deputy Administrator shall be a career reserved position
5 in the Senior Executive Service.

6 (c) DUTIES.—The Deputy Administrator shall—

7 (1) ensure the timely and effective implementa-
8 tion of directives from the Administrator; and

9 (2) manage and direct the daily operations of
10 the Administration through oversight of the line and
11 staff offices of the Administration.

12 (d) RATE OF PAY.—Section 5314 of title 5, United
13 States Code, as amended by section 205(c), is further
14 amended by adding at the end the following:

15 “Deputy Administrator for Operations.”.

16 **SEC. 207. SCIENTIFIC INTEGRITY OFFICER.**

17 (a) IN GENERAL.—There shall be in the Administra-
18 tion a Scientific Integrity Officer, who shall—

19 (1) be selected by the Administrator through a
20 competitive search process;

21 (2) have produced work of scientific merit; and

22 (3) have an established record of distinguished
23 service and achievement highly respected by the sci-
24 entific community.

1 (b) SENIOR-LEVEL OR SCIENTIFIC OR PROFESSIONAL
2 POSITION.—The position of Scientific Integrity Officer
3 shall be a senior-level position to which section 5376 of
4 title 5, United States Code, applies or a scientific or pro-
5 fessional position established under section 3104 of such
6 title, as determined by the Director of the Office of Per-
7 sonnel Management.

8 (c) DUTIES.—The Scientific Integrity Officer shall
9 ensure that the Administration adheres fully to principles
10 of scientific integrity, consistent with the scientific integ-
11 rity polices of the Administration and the Federal Govern-
12 ment, including NAO 202–753D–2 (issued January 19,
13 2021).

14 **SEC. 208. ESTABLISHMENT OF ADDITIONAL POSITIONS.**

15 To carry out the functions of the Administration as-
16 signed by law, and consistent with applicable law, includ-
17 ing the National Oceanic and Atmospheric Administration
18 Commissioned Officer Corps Act of 2002 (33 U.S.C. 3001
19 et seq.), the Administrator may establish positions in the
20 Administration and prescribe the authorities and duties of
21 such positions.

22 **SEC. 209. CONTINUATION IN OFFICE.**

23 (a) ADMINISTRATOR.—The individual serving as the
24 Administrator on the day before the date of the enactment
25 of this Act may serve as the Administrator on and after

1 such date of enactment until an Administrator is ap-
2 pointed under section 201.

3 (b) OTHER POSITIONS.—Any other individual serv-
4 ing, on the day before the date of the enactment of this
5 Act, in a position in the Administration established under
6 this subtitle, may serve in that position on and after such
7 date of enactment until another individual is appointed to
8 the position under this subtitle.

9 **SEC. 210. CONFORMING AMENDMENTS.**

10 (a) ADMINISTRATOR.—Section 407(a) of the Act en-
11 titled “An Act to amend certain provisions of the law re-
12 garding the fisheries of the United States, and for other
13 purposes”, approved November 14, 1986 (15 U.S.C.
14 1503b), is repealed.

15 (b) ASSISTANT SECRETARY.—Section 407(b) of such
16 Act (15 U.S.C. 1507c) is repealed.

17 **Subtitle B—Offices**

18 **SEC. 211. IN GENERAL.**

19 The Administrator—

20 (1) may establish in the Administration such
21 offices as may be appropriate to provide for the
22 greatest possible coordination of activities of the Ad-
23 ministration internally and with related public and
24 private agencies and organizations, including agen-

1 cies and organizations of the United States and for-
2 eign agencies and organizations; and

3 (2) shall establish and maintain, at a minimum,
4 the offices described in sections 212 through 219.

5 **SEC. 212. OFFICE OF THE CHIEF SCIENTIST.**

6 (a) ESTABLISHMENT.—The Administrator shall es-
7 tablish an Office of the Chief Scientist, which shall be
8 under the direction of the Chief Scientist selected under
9 section 202(a).

10 (b) STAFFING.—

11 (1) IN GENERAL.—The Office of the Chief Sci-
12 entist shall be staffed by career employees of the Ad-
13 ministration.

14 (2) TERMS.—Employees staffing the Office of
15 the Chief Scientist shall serve terms of periods not
16 greater than 4 years, on a rotating basis.

17 (3) REPRESENTATION.—The Office of the Chief
18 Scientist shall be staffed in a manner that promotes
19 diversity, equity, inclusion, leadership, and profes-
20 sional development, such that, to the maximum ex-
21 tent practicable, each line office of the Administra-
22 tion is given equal representation in the Office over
23 time.

24 (c) FUNCTIONS.—The Office of the Chief Scientist
25 shall—

1 (1) provide written justification and approval
2 for all applicable scientific integrity policies of the
3 Administration before adoption, with such written
4 justification and approval to be made available on a
5 publicly accessible website of the Administration;
6 and

7 (2) provide policy and program direction for
8 science and technology priorities of the Administra-
9 tion and facilitate integration and coordination of re-
10 search efforts across line offices of the Administra-
11 tion, with other Federal agencies, and with the ex-
12 ternal scientific community, including through—

13 (A) leading the development of science
14 strategy at the Administration and issuing pol-
15 icy guidance to ensure that the overarching pol-
16 icy of the Administration is aligned with science
17 goals and objectives;

18 (B) ensuring core fisheries science pro-
19 grams and vessel-based fisheries stock assess-
20 ments are properly resourced and carried out to
21 provide for sustained harvest and optimal bene-
22 fits of Federal fisheries; and

23 (C) advancing diversity, equity, and inclu-
24 sion in the scientific workforce of the Adminis-

1 tration and the Administration’s conduct and
2 application of science.

3 **SEC. 213. NATIONAL OFFICE OF CLIMATE SERVICES.**

4 (a) ESTABLISHMENT.—The Administrator shall es-
5 tablish the National Office of Climate Services.

6 (b) PURPOSE.—The purpose of the National Office
7 of Climate Services shall be—

8 (1) to coordinate across the Administration and
9 between line offices of the Administration and other
10 Federal agencies to deliver climate services to the
11 United States through the development and provi-
12 sion of climate-related observations, predictions, pro-
13 jections, models, products and tools, information,
14 and decision support services in alignment with
15 weather services and products; and

16 (2) to coordinate the Federal Government’s en-
17 gagement in and service delivery for adaptation,
18 mitigation, monitoring, and resilience to climate
19 change.

20 (c) DIRECTOR.—

21 (1) IN GENERAL.—The National Office of Cli-
22 mate Services shall be headed by a Director, who
23 shall be appointed by the Administrator through a
24 competitive search process.

1 (2) CAREER RESERVED POSITION.—The posi-
2 tion of Director shall be a career reserved position
3 in the Senior Executive Service.

4 (3) REPORTING.—The Director shall report di-
5 rectly to the Administrator.

6 (4) DUTIES.—The Director shall—

7 (A) serve in a national leadership role on
8 climate data and services to provide advice to
9 the Administrator, the Office of Science and
10 Technology Policy, and other relevant organiza-
11 tions under the Executive Office of the Presi-
12 dent;

13 (B) serve as liaison to other Federal agen-
14 cies that collect climate data and provide cli-
15 mate services to facilitate efforts that avoid du-
16 plication and improve efficiencies in the collec-
17 tion, sharing, and dissemination of climate data
18 and information and support services;

19 (C) identify collaborations nationally and
20 internationally to advance the mission of the
21 Administration with respect to climate services;

22 (D) ensure the timely dissemination of
23 data and information on climate produced by
24 the Administration to decision makers at the
25 Federal, regional, State, Tribal, and local levels

1 of government, the private sector, the public,
2 and other stakeholders; and

3 (E) facilitate cooperation and collaboration
4 on climate services with State and local govern-
5 ments, Indian Tribes, regional entities, aca-
6 demic and nonprofit research organizations, and
7 private sector entities, including commercial in-
8 formation providers and other stakeholders.

9 **SEC. 214. CLIMATE COUNCIL.**

10 The Administrator shall establish and maintain a Cli-
11 mate Council that—

12 (1) succeeds the Climate Council of the Admin-
13 istration in existence on the day before the date of
14 the enactment of this Act; and

15 (2) continues the activities of that Council as it
16 was in existence on the day described in paragraph
17 (1) and consistent with this Act.

18 **SEC. 215. OFFICE OF EDUCATION.**

19 (a) ESTABLISHMENT.—The Administrator shall es-
20 tablish an Office of Education.

21 (b) PURPOSE.—The purpose of the Office of Edu-
22 cation shall be—

23 (1) to support and coordinate the formal and
24 informal education priorities of the Administration
25 and support the mission of the Administration;

1 (2) to support and carry out undergraduate,
2 graduate, and other scholarships, internships, and
3 fellowships, training, and educational opportunities
4 of the Administration;

5 (3) to support efforts to create and expand
6 science, technology, engineering, and mathematics
7 (STEM) and environmental education opportunities
8 for kindergarten through grade 12 students and
9 educators, including in under-resourced commu-
10 nities;

11 (4) to support partnerships and networks with-
12 in the Administration, with Indian Tribes, and with
13 external stakeholders to strengthen the capacity of
14 the Administration to serve children, youth, and
15 adults through education in the United States;

16 (5) to support collaborations with minority-serv-
17 ing institutions and other academic institutions; and

18 (6) to support enhancing research and coordi-
19 nation between the Administration and institutions
20 of higher education.

21 (c) DIRECTOR.—

22 (1) IN GENERAL.—The Office of Education
23 shall be headed by a Director, who shall be ap-
24 pointed by the Administrator.

1 (2) CAREER RESERVED POSITION.—The posi-
2 tion of Director shall be a career reserved position
3 in the Senior Executive Service.

4 **SEC. 216. OFFICE OF INTERNATIONAL AFFAIRS.**

5 (a) ESTABLISHMENT.—The Administrator shall es-
6 tablish an Office of International Affairs.

7 (b) PURPOSE.—The purpose of the Office of Inter-
8 national Affairs shall be to coordinate and support imple-
9 mentation of the international policies and activities of the
10 Administration, including activities relating to trade
11 agreements, research, science, technology, operations, and
12 environmental agreements, bilateral and multilateral
13 agreements and other arrangements, interagency proc-
14 esses, and international engagement, including with re-
15 spect to capacity building.

16 (c) FUNCTIONS.—The Office of International Affairs
17 shall—

18 (1) lead the Administration’s contributions to,
19 and engagement in, United States negotiations and
20 foreign policy development, including negotiations of
21 international agreements and appropriate represen-
22 tation of the Administration at international fora;

23 (2) in coordination with the Deputy Assistant
24 Secretary for International Fisheries, coordinate the
25 Administration’s interactions on international issues

1 with other Federal departments and agencies, inter-
2 national partners, and external stakeholders, includ-
3 ing with respect to the issues of promoting domestic
4 seafood competitiveness and trade in global seafood
5 markets; and

6 (3) coordinate the major international activities
7 of the Administration, including those programs that
8 overlap with line or staff office responsibilities.

9 (d) DIRECTOR.—

10 (1) IN GENERAL.—The Office of International
11 Affairs shall be headed by a Director, who shall be
12 appointed by the Administrator.

13 (2) SENIOR EXECUTIVE SERVICE.—The position
14 of Director shall be a Senior Executive Service posi-
15 tion.

16 **SEC. 217. OFFICE OF SPACE COMMERCE.**

17 (a) ESTABLISHMENT.—The Administrator shall es-
18 tablish an Office of Space Commerce.

19 (b) FUNCTIONS.—The Office of Space Commerce
20 shall be the principal unit for the coordination of space-
21 related issues, programs, and initiatives within the De-
22 partment of Commerce, including—

23 (1) to foster the conditions for the economic
24 growth and technological advancement of the space
25 commerce industry of the United States;

1 (2) to coordinate space commerce policy issues
2 and actions within the Department of Commerce;

3 (3) to represent the Department of Commerce
4 in the development of United States policies and in
5 negotiations with foreign countries to promote
6 United States space commerce;

7 (4) to promote the advancement of United
8 States geospatial technologies related to space com-
9 merce, in cooperation with relevant interagency
10 working groups;

11 (5) to support the collection, processing, and
12 dissemination of space situational awareness data,
13 information, and services; and

14 (6) to provide support to organizations of the
15 Federal Government working on space-based posi-
16 tioning, navigation, and timing policy, including the
17 National Coordination Office for Space-Based Posi-
18 tioning, Navigation, and Timing.

19 (c) DIRECTOR.—

20 (1) IN GENERAL.—The Office of Space Com-
21 merce shall be headed by a Director, who shall be
22 appointed by the Administrator through a competi-
23 tive search process.

1 (2) SENIOR EXECUTIVE SERVICE.—The position
2 of Director shall be a Senior Executive Service posi-
3 tion.

4 (3) RESPONSIBILITIES OF DIRECTOR.—

5 (A) IN GENERAL.—The primary respon-
6 sibilities of the Director in carrying out the
7 functions of the Office of Space Commerce shall
8 include—

9 (i) promoting investment by commer-
10 cial providers in space activities by col-
11 lecting, analyzing, and disseminating infor-
12 mation on space markets and conducting
13 workshops and seminars to increase aware-
14 ness of commercial space opportunities;

15 (ii) assisting commercial providers of
16 the United States in the efforts of those
17 providers to conduct business with the
18 United States Government;

19 (iii) acting as an industry advocate
20 within the executive branch of the Federal
21 Government to ensure that the Federal
22 Government meets the space-related re-
23 quirements of the Federal Government, to
24 the fullest extent feasible, using commer-
25 cially available space goods and services;

1 (iv) ensuring that the United States
2 Government does not compete with com-
3 mercial providers of the United States in
4 the provision of space hardware and serv-
5 ices otherwise available from those pro-
6 viders;

7 (v) promoting the export of space-re-
8 lated goods and services;

9 (vi) representing the Department of
10 Commerce in the development of United
11 States policies and in negotiations with
12 foreign countries to ensure free and fair
13 trade internationally in the area of space
14 commerce;

15 (vii) seeking the removal of legal, pol-
16 icy, and institutional impediments to space
17 commerce; and

18 (viii) carrying out an operational ca-
19 pability for the collection, processing, and
20 dissemination of space situational aware-
21 ness data, information, and services in
22 support of space commerce, spaceflight
23 safety, and space sustainability.

24 (B) COORDINATION.—In carrying out sub-
25 paragraph (A), the Director shall coordinate

1 with the National Weather Service on space
2 weather predictions and other programs of the
3 Administration as appropriate.

4 (d) REPEAL.—

5 (1) IN GENERAL.—Chapter 507 of title 51,
6 United States Code, is repealed.

7 (2) CLERICAL AMENDMENT.—The table of
8 chapters for title 51, United States Code, is amend-
9 ed by striking the item relating to chapter 507.

10 **SEC. 218. OFFICE OF AQUATIC INVASIVE SPECIES.**

11 (a) ESTABLISHMENT.—The Administrator shall es-
12 tablish an Office of Aquatic Invasive Species.

13 (b) PURPOSE.—The purpose of the Office of Aquatic
14 Invasive Species shall be—

15 (1) to identify, respond to, and prevent the in-
16 troduction of aquatic invasive species into marine,
17 coastal, and other habitats under the jurisdiction of
18 the Administration;

19 (2) to control existing populations of aquatic
20 invasive species;

21 (3) to minimize the impacts of aquatic invasive
22 species on marine, coastal, and other habitats under
23 the jurisdiction of the Administration;

24 (4) to coordinate with Federal, State, and Trib-
25 al partners, Native Hawaiian organizations, and

1 international partners to develop and implement
2 strategies for monitoring, research, and management
3 of aquatic invasive species;

4 (5) to coordinate, leverage, and provide assist-
5 ance and capacity to State and Tribal agencies, In-
6 dian Tribes, Native Hawaiian organizations, and
7 other external stakeholders;

8 (6) to develop methods and tools to improve in-
9 formation sharing, research, response, and restora-
10 tion with respect to ecosystems impacted by aquatic
11 invasive species, including best practices to improve
12 detection, management, and research of such spe-
13 cies;

14 (7) to support research, management, and out-
15 reach projects, including through providing grants to
16 States and Indian Tribes, focused on—

17 (A) understanding, mitigating, and reduc-
18 ing the impacts and spread of aquatic invasive
19 species; and

20 (B) promoting the development and use of
21 advanced monitoring and management tech-
22 nologies and tools to detect, track, contain, and
23 manage such species;

24 (8) to establish policies and guidelines and de-
25 velop tools to prevent the introduction and spread of

1 aquatic invasive species through early detection,
2 rapid response, and risk assessment;

3 (9) in consultation with the Coast Guard, the
4 United States Fish and Wildlife Service, the Na-
5 tional Invasive Species Council, and the Aquatic
6 Nuisance Species Task Force, to develop guidelines
7 and protocols to prevent the unintentional introduc-
8 tion of aquatic invasive species through ballast
9 water, boating, international and domestic trade,
10 and other vectors; and

11 (10) to establish programs to raise awareness
12 about the impacts of aquatic invasive species by—

13 (A) engaging stakeholders in prevention
14 and management efforts; and

15 (B) conducting public and professional
16 educational activities, developing outreach mate-
17 rials, and providing training and technical as-
18 sistance to support the effective management of
19 such species.

20 (c) DIRECTOR.—

21 (1) IN GENERAL.—The Office shall be headed
22 by a Director, who shall be selected by the Adminis-
23 trator through a competitive search process.

1 (2) REPORTING.—The Director shall report to
2 the Assistant Administrator for the National Marine
3 Fisheries Service.

4 (3) DUTIES.—The Director shall coordinate ef-
5 forts related to aquatic invasive species across the
6 Administration, in consultation with the National
7 Marine Fisheries Service, the national sea grant col-
8 lege program, the Office of Response and Restora-
9 tion, and other entities as determined by the Direc-
10 tor.

11 (d) STRATEGY.—

12 (1) IN GENERAL.—Not later than 180 days
13 after the date of the enactment of this Act, the Di-
14 rector, in consultation with States, Indian Tribes,
15 Native Hawaiian organizations, and other stake-
16 holders as the Director considers appropriate, shall
17 develop, submit to the appropriate congressional
18 committees, and make publicly available a strategy
19 to improve the management of aquatic invasive spe-
20 cies under the jurisdiction of the Administration.

21 (2) PLAN.—The strategy required by paragraph
22 (1) shall include a plan to protect—

23 (A) the environment;

24 (B) water-dependent businesses such as
25 commercial, Tribal, and recreational fisheries;

1 (C) shellfish farms; and

2 (D) other sustainable water-dependent ac-
3 tivities.

4 (3) UPDATES.—Not less frequently than once
5 every 5 years after the date on which the strategy
6 required by paragraph (1) is submitted under such
7 paragraph, the Director shall—

8 (A) update the strategy;

9 (B) submit such update to the appropriate
10 congressional committees; and

11 (C) make such update publicly available.

12 (4) DEFINITION OF APPROPRIATE CONGRES-
13 SIONAL COMMITTEES.—In this subsection, the term
14 “appropriate congressional committees” means—

15 (A) the Committee on Commerce, Science,
16 and Transportation of the Senate; and

17 (B) the Committee on Natural Resources
18 of the House of Representatives.

19 **SEC. 219. LINE OFFICES.**

20 (a) ESTABLISHMENT.—

21 (1) LINE OFFICES REQUIRED.—The Adminis-
22 trator shall establish and oversee not fewer than 6
23 line offices of the Administration to oversee pro-
24 grams of the Administration, as follows:

1 (A) NATIONAL MARINE FISHERIES SERV-
2 ICE.—

3 (i) ESTABLISHMENT.—The Adminis-
4 trator shall establish the National Marine
5 Fisheries Service.

6 (ii) PURPOSE.—The purpose of the
7 National Marine Fisheries Service shall be
8 to coordinate and support implementation
9 of the fisheries activities of the Adminis-
10 tration, including—

11 (I) the delivery of optimum yield
12 of United States fisheries; and

13 (II) sustainable stewardship, con-
14 servation, and management of the ma-
15 rine living resources and protected re-
16 sources of the United States and the
17 habitat of those resources.

18 (iii) ASSISTANT ADMINISTRATOR.—
19 The National Marine Fisheries Service
20 shall be led by an Assistant Administrator,
21 who shall—

22 (I) be appointed by Secretary,
23 subject to the approval of the Presi-
24 dent; and

1 (II) have a broad background,
2 professional knowledge, and substan-
3 tial experience in marine fisheries
4 science, the seafood industry, Federal
5 fisheries management, and conserva-
6 tion.

7 (B) OFFICE OF MARINE AND AVIATION OP-
8 ERATIONS.—

9 (i) ESTABLISHMENT.—The Adminis-
10 trator shall establish the Office of Marine
11 and Aviation Operations.

12 (ii) PURPOSES.—The purposes of the
13 Office of Marine and Aviation Operations
14 shall be—

15 (I) administration of the commis-
16 sioned officer corps of the Administra-
17 tion, including to provide emergency
18 response capabilities for unpredictable
19 events and sustainable stewardship
20 and management of the marine living
21 resources and protected resources of
22 the United States and the habitat of
23 those resources;

1 (II) coordination and support for
2 the vessel and aircraft fleets of the
3 Administration; and

4 (III) oversight of the Diving Pro-
5 gram, the Small Boat Program, the
6 Uncrewed Systems Operation Center,
7 and other activities of the Administra-
8 tion as determined by the Assistant
9 Administrator for the Office and the
10 Administrator.

11 (iii) ASSISTANT ADMINISTRATOR.—

12 (I) IN GENERAL.—The Office of
13 Marine and Aviation Operations shall
14 be headed by an Assistant Adminis-
15 trator, who shall be appointed by the
16 President, by and with the advice and
17 consent of the Senate, from among of-
18 ficers on the lineal list (maintained
19 under section 213(b) of the National
20 Oceanic and Atmospheric Administra-
21 tion Commissioned Officer Corps Act
22 of 2002 (33 U.S.C. 3003(b))) serving
23 in or above the grade of rear admiral
24 (lower half).

1 (II) ADMINISTRATION OF COM-
2 MISSIONED OFFICER CORPS.—For the
3 specific purpose of administering the
4 commissioned officer corps of the Ad-
5 ministration, the Assistant Adminis-
6 trator shall carry the title of Assistant
7 Administrator for the National Oce-
8 anic and Atmospheric Administration
9 Commissioned Officer Corps.

10 (III) OTHER DUTIES.—For the
11 purposes described in subclauses (II)
12 and (III) of clause (ii), the Assistant
13 Administrator shall carry the title of
14 Assistant Administrator for the Office
15 of Marine and Aviation Operations.

16 (C) NATIONAL OCEAN SERVICE.—

17 (i) ESTABLISHMENT.—The Adminis-
18 trator shall establish the National Ocean
19 Service.

20 (ii) PURPOSE.—The purpose of the
21 National Ocean Service shall be to provide
22 and coordinate data, tools, and services
23 that support safe, sustainable, and efficient
24 use of marine and coastal resources, and to
25 support coastal economies and their con-

1 tribution to the national economy, includ-
2 ing by—

3 (I) providing foundational navi-
4 gational, geodetic, geospatial, and
5 oceanographic data and services, map-
6 ping, charting, real-time data and
7 services, and forecasts to support the
8 safe and efficient transportation of
9 commerce;

10 (II) providing data, services, and
11 direct support to communities to im-
12 prove resilience of oceanic, coastal,
13 and Great Lakes infrastructure, com-
14 munities, and habitats consistent with
15 the mission of the Administration;

16 (III) providing information, prod-
17 ucts, and services to assist commu-
18 nities in—

19 (aa) managing ocean, coast-
20 al, and Great Lakes resources;
21 and

22 (bb) anticipating, adapting,
23 and responding to climate
24 change;

1 (IV) carrying out preparedness
2 activities, including during emergency
3 events such as extreme weather events
4 and for long-term threats such as sea
5 level rise and other flooding;

6 (V) carrying out natural and an-
7 thropogenic disaster response through
8 data, mapping, and providing emer-
9 gent science in the event of harmful
10 algal blooms, oil or chemical spills, or
11 marine debris events (including severe
12 marine debris events), or other events;

13 (VI) supporting stewardship,
14 recreation, and tourism, including
15 through providing funding and tech-
16 nical assistance to communities to
17 protect and grow coastal economies
18 that are dependent on natural re-
19 sources;

20 (VII) carrying out coastal resil-
21 ience activities, including funding in-
22 frastructure and natural infrastruc-
23 ture projects necessary to protect
24 communities from extreme weather,
25 sea level rise, and such other stressors

1 as the Administrator determines ap-
2 propriate; and

3 (VIII) other activities as deter-
4 mined by the Administrator.

5 (iii) ASSISTANT ADMINISTRATOR.—
6 The National Ocean Service shall be led by
7 an Assistant Administrator, who shall be
8 selected by the Administrator through a
9 competitive search process.

10 (D) OFFICE OF OCEANIC AND ATMOS-
11 PHERIC RESEARCH.—

12 (i) ESTABLISHMENT.—The Adminis-
13 trator shall establish the Office of Oceanic
14 and Atmospheric Research.

15 (ii) PURPOSES.—The purposes of the
16 Office of Oceanic and Atmospheric shall
17 be—

18 (I) to conduct research, con-
19 sistent with the mission of the Admin-
20 istration, with respect to under-
21 standing and predicting of Earth sys-
22 tems and carry out engagement with
23 respect to such research;

1 (II) to develop technology to im-
2 prove the science, service, and stew-
3 ardsip of the Administration; and

4 (III) to transition the results of
5 the research and engagement de-
6 scribed in subclause (I) so it is useful
7 to society, through research labora-
8 tories, research programs, education,
9 and public-private partnerships.

10 (iii) ASSISTANT ADMINISTRATOR.—
11 The Office of Oceanic and Atmospheric
12 Research shall be led by an Assistant Ad-
13 ministrator, who shall be selected by the
14 Administrator through a competitive
15 search process.

16 (E) NATIONAL WEATHER SERVICE.—

17 (i) IN GENERAL.—The Administrator
18 shall establish the National Weather Serv-
19 ice in accordance with subtitle A of title
20 IV.

21 (ii) ASSISTANT ADMINISTRATOR.—
22 The National Weather Service shall be led
23 by an Assistant Administrator, who shall
24 be selected by the Administrator through a
25 competitive search process.

1 (F) NATIONAL ENVIRONMENTAL SAT-
2 ELLITE, DATA, AND INFORMATION SERVICE.—

3 (i) ESTABLISHMENT.—The Adminis-
4 trator shall establish the National Environ-
5 mental Satellite, Data, and Information
6 Service.

7 (ii) PURPOSE.—The purpose of the
8 National Environmental Satellite, Data,
9 and Information Service shall be to provide
10 accurate, secure, and timely access to glob-
11 al environmental data and information
12 from satellites of the Service and other
13 sources to promote and protect the secu-
14 rity, environment, and economy of and
15 quality of life in the United States, con-
16 sistent with the mission of the Administra-
17 tion, including through—

18 (I) the management, including
19 acquisition, operations, and oversight,
20 of satellites of the Administration, in-
21 cluding development, launch, and
22 maintenance of operational satellites;

23 (II) the development of products
24 based on data obtained by satellites
25 that support the mission of the Ad-

1 ministration to understand and pre-
2 dict changes in climate, weather,
3 space weather, oceans, coasts, and
4 Great Lakes, to share that knowledge
5 and information with others, and to
6 conserve and manage coastal and ma-
7 rine ecosystems and resources;

8 (III) coordinating with domestic
9 and international organizations to ac-
10 cess and manage space-based data
11 and information, and assessing and
12 transitioning emerging capabilities
13 onto platforms of the Administration
14 for long-term operations;

15 (IV) maintaining and ensuring
16 the quality, integrity, and continuity
17 of the global environment data prin-
18 ciples of the Administration to sup-
19 port scientific inquiry, long-term glob-
20 al environmental monitoring, and the
21 collection and dissemination of essen-
22 tial information for the general public
23 and user communities in a fair, acces-
24 sible, interoperable, and reusable man-
25 ner;

1 (V) ensuring continuity of space
2 assets of the Administration to pro-
3 vide the foundational observational
4 data, information, services, and prod-
5 ucts that support numerical weather
6 prediction and environmental models
7 that implement the responsibility of
8 the Administration to support the pro-
9 tection of the domestic and inter-
10 national interests of the United
11 States; and

12 (VI) collaborating with data pro-
13 viders to ensure appropriate manage-
14 ment strategies for data and metadata
15 are in place, and maintaining the offi-
16 cial archive of data and information of
17 the Administration at the National
18 Centers for Environmental Informa-
19 tion.

20 (iii) ASSISTANT ADMINISTRATOR.—
21 The National Environmental Satellite,
22 Data, and Information Service shall be led
23 by an Assistant Administrator, who shall
24 be selected by the Administrator through a
25 competitive search process.

1 (2) ADDITIONAL LINE OFFICES AUTHORIZED.—

2 The Administrator may establish such other line of-
3 fices of the Administration as the Administrator de-
4 termines appropriate.

5 (3) CONFORMING AMENDMENT.—Section 5316
6 of title 5, United States Code, is amended by strik-
7 ing the following:

8 “Assistant Administrator for Coastal Zone
9 Management, National Oceanic and Atmospheric
10 Administration.

11 “Assistant Administrator for Fisheries, Na-
12 tional Oceanic and Atmospheric Administration.

13 “Assistant Administrators (3), National Oce-
14 anic and Atmospheric Administration.”.

15 (b) ASSISTANT ADMINISTRATORS.—

16 (1) SUPPORT.—The Assistant Administrators
17 for the lines offices of the Administration shall col-
18 lectively support the Administrator in carrying out
19 the mission described in section 102 and the func-
20 tions described in section 103.

21 (2) HIRING AUTHORITY.—Each Assistant Ad-
22 ministrator for a line office of the Administration
23 may appoint to positions within the Federal work-
24 force of the line office candidates who meet quali-

1 fication standards established by the Office of Per-
2 sonnel Management.

3 (3) CAREER RESERVED POSITIONS.—

4 (A) IN GENERAL.—Except as provided in
5 subparagraph (B), the position of Assistant Ad-
6 ministrator for a line office of the Administra-
7 tion shall be a career reserved position in the
8 Senior Executive Service.

9 (B) EXCEPTIONS.—The following positions
10 shall not be career reserved positions in the
11 Senior Executive Service:

12 (i) The Assistant Administrator for
13 the National Marine Fisheries Service.

14 (ii) The Assistant Administrator for
15 the Office of Marine and Aviation Oper-
16 ations.

17 (c) CONFORMING AMENDMENTS.—Section 228 of the
18 National Oceanic and Atmospheric Administration Com-
19 missioned Officer Corps Act of 2002 (33 U.S.C. 3028)
20 is amended—

21 (1) by striking subsection (e); and

22 (2) by redesignating subsections (d) through (g)
23 as subsections (c) through (f), respectively.

1 **SEC. 220. OTHER ADMINISTRATION OFFICES.**

2 The Administrator shall establish other offices of the
3 Administration, including—

4 (1) the Office of Communications;

5 (2) the Office of the General Counsel;

6 (3) the Office of Legislative and Intergovern-
7 mental Affairs;

8 (4) the Office of Acquisition and Grants;

9 (5) the Office of the Chief Administrative Offi-
10 cer;

11 (6) the Office of the Chief Financial Officer;

12 (7) the Office of Information and Technology
13 Services (the Chief Information Office);

14 (8) the Office of Human Capital Services;

15 (9) the Office of Inclusion and Civil Rights; and

16 (10) other offices as the Administrator deter-
17 mines appropriate.

18 **SEC. 221. CONTINUATION IN OFFICE.**

19 An individual serving, on the day before the date of
20 the enactment of this Act, in a position in the Administra-
21 tion established under this subtitle, may serve in that posi-
22 tion on and after such date of enactment until another
23 individual is appointed to the position under this subtitle.

1 **Subtitle C—Other Matters**

2 **SEC. 231. GENERAL AUTHORITIES.**

3 (a) **RULES AND REGULATIONS.**—The Administrator
4 may make, promulgate, issue, rescind, and amend rules
5 and regulations governing the operations of the Adminis-
6 tration to carry out the powers vested in the Administrator
7 by law.

8 (b) **OFFICERS AND EMPLOYEES.**—The Administrator
9 may appoint and fix the compensation of officers and em-
10 ployees of the Administration as the Administrator deter-
11 mines necessary to carry out the functions of the Adminis-
12 tration.

13 (c) **PROPERTY.**—To carry out the functions of the
14 Administration, the Administrator may—

15 (1) procure, acquire, construct, co-locate, im-
16 prove, repair, operate, and maintain land, labora-
17 tories, research and testing sites and facilities, ves-
18 sels, piers, towers, aircraft, buoys, satellites, other
19 similar infrastructure, autonomous or uncrewed sys-
20 tems, vehicles or other equipment, visitor centers,
21 warehouses and storage facilities, and office or other
22 facilities as the Administrator determines necessary;

23 (2) sell, exchange, and otherwise dispose of real
24 and personal property and, notwithstanding section
25 3302 of title 31, United States Code, retain until ex-

1 pended and use proceeds from such sales without
2 further appropriation to meet related facility and
3 mission requirements;

4 (3) when co-locating, assign space and, notwith-
5 standing section 1302 of title 40, United States
6 Code, receive in-kind contributions or collect funds,
7 and retain and use the funds until expended and
8 without further appropriation, to pay for related
9 costs, such as operations, maintenance, utility serv-
10 ices, repairs, restoration (including environmental
11 restoration), protection, administrative costs, alter-
12 ations, and capital investments;

13 (4) enter into rental or co-location agreements
14 for real property, and incidental goods and services,
15 with a State or local government, Indian Tribe, Na-
16 tive Hawaiian organization, institution of higher
17 education, or nonprofit research organization with a
18 similar mission and expertise, for periods of up to
19 30 years, with limited or no competition, as long as
20 each transaction is supported by a price reasonable-
21 ness and selection analysis;

22 (5) provide by contract or otherwise for nec-
23 essary amenities for the welfare of employees and
24 contractors of the Administration; and

1 (6) continue to exercise such authorities of the
2 Administrator relating to the administration of prop-
3 erty in effect as of the day before the date of the
4 enactment of this Act.

5 (d) AGREEMENTS, GRANTS, CONTRACTS, LEASES,
6 AND OTHER TRANSACTIONS.—

7 (1) IN GENERAL.—To carry out the functions
8 of the Administration, the Administrator may enter
9 into and perform such agreements (including cooper-
10 ative research and development agreements), grants,
11 contracts, leases, or other transactions, including
12 with foreign persons, as may be necessary.

13 (2) ADVANCE PAYMENTS.—The authority pro-
14 vided by paragraph (1) may be exercised without re-
15 gard to section 3324 of title 31, United States Code.

16 (3) PARTNER AGREEMENTS.—

17 (A) IN GENERAL.—In connection with the
18 execution of a rental or co-location agreement
19 with an entity described in subsection (c)(4),
20 the Administrator may enter into 1 or more
21 agreements with the entity to collaborate or en-
22 gage in projects, programs, or activities on mat-
23 ters of mutual interest, including infrastructure
24 work, for periods not to exceed the term of the
25 rental or co-location agreement.

1 (B) COST.—The cost of any agreement to
2 collaborate or engage as described in subpara-
3 graph (A) shall be apportioned equitably, as de-
4 termined by the Administrator.

5 (e) COOPERATION WITH FEDERAL AGENCIES AND
6 OTHERS.—To carry out the functions of the Administra-
7 tion, the Administrator may, by agreement, on a reimburs-
8 able or nonreimbursable basis, utilize the services, equip-
9 ment, personnel, and facilities of Federal and other gov-
10 ernment agencies or instrumentalities, institutions of high-
11 er education, and nonprofit organizations, with the con-
12 sent of the head of such agency, instrumentality, institu-
13 tion, or organization.

14 (f) ACCEPTANCE AND EXPENDITURE OF FUNDS.—

15 (1) IN GENERAL.—To carry out the functions
16 of the Administration, the Administrator may accept
17 and expend funds from non-Federal entities, includ-
18 ing foreign entities, notwithstanding section 3302 of
19 title 31, United States Code, and consistent with
20 section 1 of the Act entitled “An Act to authorize
21 the Secretary of Commerce to accept gifts and be-
22 quests for the purposes of the Department of Com-
23 merce, and for other purposes”, approved October 2,
24 1964 (15 U.S.C. 1522).

1 (2) USE OF FUNDS.—Funds accepted from an
2 entity under paragraph (1) may be used to expedite
3 the evaluation of a permit of that entity related to
4 a project or activity under the jurisdiction of the Ad-
5 ministrator.

6 (g) GIFTS.—To carry out the functions of the Admin-
7 istration, the Administrator may accept unconditional
8 gifts or donations of services (notwithstanding section
9 1342 of title 31, United States Code), money, or property,
10 real, personal, or mixed, tangible or intangible.

11 (h) ADVISORY COMMITTEES.—To carry out the func-
12 tions of the Administration, the Administrator may ap-
13 point advisory committees, as appropriate, to consult with
14 and provide advice to the Administrator.

15 (i) COORDINATION WITH OTHER AGENCIES AND OR-
16 GANIZATIONS.—To carry out the functions of the Admin-
17 istration, the Administrator may establish in the Adminis-
18 tration such procedures as may be appropriate to provide
19 for the greatest possible coordination of the activities of
20 the Administration with relevant public and private agen-
21 cies and organizations, including agencies and organiza-
22 tions of the United States, including Federal, State, local,
23 and Tribal agencies, Indian Tribes, and Native Hawaiian
24 organizations.

1 (j) INTERNATIONAL COLLABORATION.—To carry out
2 the functions of the Administration, the Administrator, in
3 consultation with the Secretary of State, may develop col-
4 laborative relationships and agreements with foreign part-
5 ners and counterparts to address transboundary issues
6 pertaining to programs and actions taken by the Adminis-
7 tration to meet mission mandates and to facilitate the full
8 and open exchange of data and information, as appro-
9 priate.

10 (k) APP- OR WEB-BASED TOOLS.—The Adminis-
11 trator may develop and implement app- or web-based tools
12 to increase the utility of and access to data, services, and
13 products for the benefit of governmental and nongovern-
14 mental partners of the Administration or the public as ap-
15 propriate.

16 **SEC. 232. DATA AVAILABILITY AND MANAGEMENT.**

17 (a) IN GENERAL.—The Administrator shall—

18 (1) make data and metadata generated, col-
19 lected, procured, or funded by the Administration
20 that the Administrator has the legal right to redis-
21 tribute fully and openly available, in accordance with
22 chapter 35 of title 44, United States Code, and the
23 Foundations for Evidence-Based Policymaking Act
24 of 2018 (Public Law 115–435; 132 Stat. 5529) and
25 the amendments made by that Act, and preserve and

1 curate such data and metadata, in accordance with
2 chapter 31 of title 44, United States Code (com-
3 monly known as the “Federal Records Act of
4 1950”), in order to maximize use of such data and
5 metadata;

6 (2) ensure procurement contracts, Federal
7 awards, and other agreements include necessary
8 terms to provide the Administrator with the legal
9 right to redistribute any data and metadata fully
10 and openly; and

11 (3) manage and steward access to, and archival
12 and retrieval activities for, the data and metadata
13 described in paragraph (1) by—

14 (A) using—

15 (i) enterprise-wide governance, infra-
16 structure, high-performance computing and
17 storage, emerging technologies, commercial
18 partnerships, and the skilled workforce
19 needed to provide appropriate data man-
20 agement from collection to broad access,
21 independent understandability, and
22 reusability; and

23 (ii) associated information services;
24 and

1 (B) pursuing the maximum interoperability
2 of data and information by—

3 (i) leveraging data, information,
4 knowledge, and tools from across the Fed-
5 eral Government to support equitable ac-
6 cess, cross-sectoral collaboration and inno-
7 vation, and local planning and decision
8 making;

9 (ii) maintaining and ensuring the
10 quality, integrity, and continuity of data
11 using findable, accessible, interoperable,
12 and reusable (commonly referred to as
13 “FAIR”) principles to support scientific
14 inquiry, and essential decision-making in-
15 formation for the general public and user
16 communities; and

17 (iii) developing standards and prac-
18 tices for the adoption and citation of dig-
19 ital object identifiers for datasets, models,
20 and analytical tools, as well as associated
21 publications; and

22 (C) at the inception of any contract or
23 grant, stipulating that the final disposition of
24 the data of the Administration occur before the

1 end of the final period of performance or the
2 termination of the contract or grant.

3 (b) COLLABORATION.—In carrying out this section,
4 the Administrator shall collaborate with such Federal
5 partners and stakeholders as the Administrator considers
6 relevant—

7 (1) to develop standards to pursue maximum
8 interoperability of data, information, knowledge, and
9 tools across the Federal Government, convert histor-
10 ical records into common digital formats, and im-
11 prove access and usability of data by partners and
12 stakeholders;

13 (2) to identify and solicit relevant data from
14 Federal and international partners and other rel-
15 evant stakeholders, as the Administrator considers
16 appropriate; and

17 (3) to develop standards and practices for the
18 adoption and citation of digital object identifiers for
19 datasets, models, and analytical tools.

20 (c) DIGITAL PRESENCE.—The Administrator shall
21 develop and maintain a comprehensive, centralized, and
22 publicly accessible digital presence designed to promote ac-
23 cessibility and utility of the services, tools, data, and infor-
24 mation produced by the Administration.

1 **SEC. 233. RELATIONS WITH INDIAN TRIBES.**

2 (a) TRUST OBLIGATIONS.—

3 (1) RESPONSIBILITY OF SECRETARY AND AD-
4 MINISTRATOR.—In carrying out this Act, the Sec-
5 retary and the Administrator shall be responsible for
6 exercising the trust obligations of the United States
7 to Tribal governments to ensure that the rights of
8 Tribal governments are protected, and shall inte-
9 grate consideration of Tribal treaty and reserved
10 rights early in decision-making and regulatory proc-
11 esses to ensure that agency actions are consistent
12 with constitutional, treaty, reserved, and statutory
13 rights.

14 (2) PRESERVATION OF UNITED STATES RE-
15 SPONSIBILITY.—Nothing in this Act shall absolve
16 the United States from any responsibility to Tribal
17 governments or Indian Tribes, including responsibil-
18 ities derived from—

19 (A) the trust relationship; and

20 (B) any—

21 (i) treaty;

22 (ii) Executive order; or

23 (iii) agreement between the United
24 States and a Tribal government or Indian
25 Tribe.

1 (b) COORDINATION.—The Assistant Secretary of
2 Commerce for Tribal Affairs (in this section referred to
3 as the “Assistant Secretary”) shall establish a program
4 to enhance coordination with Indian Tribes throughout
5 programs of the Administration, including with respect to
6 resilience, economic development, habitat conservation and
7 restoration, fisheries conservation, research and observa-
8 tions, weather forecasting, weather communications, and
9 emergency preparedness, and such other programs as the
10 Assistant Secretary determines appropriate in consulta-
11 tion with Indian Tribes.

12 (c) COLLABORATION.—The Assistant Secretary shall
13 oversee the work of the Administration to collaborate with
14 Indian Tribes to provide opportunities for Tribal members
15 to have an integral role in decision making related to the
16 marine and coastal areas and trust resources that the Ad-
17 ministration manages through consultation, capacity
18 building, and other means consistent with applicable au-
19 thority.

20 (d) TRIBAL LIAISONS.—

21 (1) IN GENERAL.—To implement the collabora-
22 tion required by subsection (c), the Administrator
23 shall hire, for the purposes of implementation of
24 programs and policies of the Administration with re-
25 spect to Indian Tribes—

1 (A) Tribal liaisons to be stationed in the
2 office of the Assistant Administrator for each
3 line office established under section 219; and

4 (B) an additional Tribal liaison to be sta-
5 tioned in the Office of Legislative and Intergov-
6 ernmental Affairs of the Administration.

7 (2) REPORTING.—The liaisons hired under
8 paragraph (1) shall report to the Assistant Secretary
9 with respect to recommendations and resources that
10 would to improve the effectiveness and accessibility
11 of programs of the Administration with respect to
12 Indian Tribes. The Assistant Secretary shall report
13 to the Administrator and the Secretary with respect
14 to such recommendations and resources.

15 (e) MEMORANDUM OF AGREEMENT WITH THE BU-
16 REAU OF INDIAN AFFAIRS ON GRANTS.—The Adminis-
17 trator may enter into a program-level memorandum of
18 agreement with the Director of the Bureau of Indian Af-
19 fairs to facilitate the administration, including the trans-
20 fer of funding, of grants awarded to Indian Tribes, by the
21 Administration, as determined appropriate by the Admin-
22 istrator.

23 (f) WEBSITE AND RESOURCES.—

24 (1) IN GENERAL.—The Administrator and the
25 Assistant Secretary shall develop and maintain a

1 publicly available website to communicate resources,
2 grant opportunities, technical assistance, govern-
3 ment-to-government consultation opportunities, and
4 other resources available to Indian Tribes or individ-
5 uals to improve coordination, collaboration, and im-
6 plementation of programs of the Administration.

7 (2) CONTENTS.—The website developed and
8 maintained under paragraph (1) shall include—

9 (A) hyperlinks to all grant opportunities
10 administered by the Administration relevant to
11 this section;

12 (B) hyperlinks to all grant opportunities
13 related to coastal resilience and living marine
14 resources available from other Federal agencies;
15 and

16 (C) contact information, hyperlinks, and
17 other information intended to facilitate im-
18 proved access to funding for Indian Tribes.

19 **SEC. 234. GRANTS FOR TRIBAL COASTAL ZONE OBJEC-**
20 **TIVES.**

21 (a) GRANTS AUTHORIZED.—The Coastal Zone Man-
22 agement Act of 1972 (16 U.S.C. 1451 et seq.) is amended
23 by inserting after section 309 the following:

1 **“SEC. 309A. GRANTS FOR TRIBAL COASTAL ZONE OBJEC-**
2 **TIVES.**

3 “(a) GRANTS AUTHORIZED.—The Secretary may
4 award competitive grants to—

5 “(1) Indian Tribes to further achievement of
6 the Tribal coastal zone objectives of such Tribes;
7 and

8 “(2) Native Hawaiian organizations to further
9 achievement of the coastal zone objectives identified
10 in the corresponding approved management program
11 as specified in section 306(d).

12 “(b) COST SHARE.—The Federal share of the cost
13 of any activity carried out with a grant under this section
14 shall be 100 percent of such cost.

15 “(c) CONDITIONS.—The Secretary may not award a
16 grant under this section unless the Secretary determines
17 that—

18 “(1) the activities to be carried out with the
19 grant are compatible with this title; and

20 “(2) the potential grant recipient has consulted
21 with the affected coastal state regarding the objec-
22 tives and purposes of the grant.

23 “(d) AUTHORIZED OBJECTIVES AND PURPOSES.—
24 Amounts awarded through a grant under this section shall
25 be used for 1 or more of the objectives and purposes au-
26 thorized under subsections (b) and (c), respectively, of sec-

1 tion 306A, with respect to the grant recipient and the cor-
2 responding coastal zone. In applying section 306A(b)
3 under this subsection, a reference in that section to a pro-
4 vision shall be considered to be a corresponding provision
5 or policy for an Indian Tribe or Native Hawaiian organi-
6 zation, as the case may be.

7 “(e) AUTHORIZATION OF APPROPRIATIONS.—There
8 is authorized to be appropriated to carry out this section
9 \$5,000,000 for each of fiscal years 2024 through 2028,
10 to remain available until expended, of which not more than
11 5 percent may be used by the National Oceanic and At-
12 mospheric Administration to administer the grants award-
13 ed under this section.

14 “(f) DEFINITIONS.—In this section:

15 “(1) INDIAN LAND.—The term ‘Indian land’
16 has the meaning given that term in section 2601 of
17 the Energy Policy Act of 1992 (25 U.S.C. 3501).

18 “(2) INDIAN TRIBE.—The term ‘Indian Tribe’
19 has the meaning given that term in section 4 of the
20 Indian Self-Determination and Education Assistance
21 Act (25 U.S.C. 5304).

22 “(3) NATIVE HAWAIIAN ORGANIZATION.—The
23 term ‘Native Hawaiian organization’ has the mean-
24 ing given that term in section 6207 of the Elemen-

1 tary and Secondary Education Act of 1965 (20
2 U.S.C. 7517).

3 “(4) TRIBAL COASTAL ZONE.—The term ‘Tribal
4 coastal zone’ means any Indian land of an Indian
5 Tribe that is within the coastal zone.

6 “(5) TRIBAL COASTAL ZONE OBJECTIVE.—The
7 term ‘Tribal coastal zone objective’ means, with re-
8 spect to an Indian Tribe and its Tribal coastal zone,
9 any of the following objectives:

10 “(A) Protection, restoration, or preserva-
11 tion of areas in the Tribal coastal zone of the
12 Indian Tribe that hold—

13 “(i) important ecological, cultural, or
14 sacred significance for the Indian Tribe; or

15 “(ii) traditional, historic, and esthetic
16 values essential to the Indian Tribe.

17 “(B) Preparing and implementing a special
18 area management plan and technical planning
19 for important coastal areas.

20 “(C) Taking any coastal or shoreline sta-
21 bilization measure, including any mitigation
22 measure, for the purpose of public safety, public
23 access, or cultural or historical preservation.”.

24 (b) GUIDANCE.—Not later than 180 days after the
25 date of enactment of this Act, the Secretary, acting

1 through the Administrator, shall issue guidance for the
2 program established under section 309A of the Coastal
3 Zone Management Act of 1972, as added by subsection
4 (a), including the criteria for awarding grants under such
5 program, which guidance shall be established in consulta-
6 tion with Indian Tribes and Native Hawaiian organiza-
7 tions (as such terms are defined in section 309A(f) of that
8 Act).

9 (c) USE OF STATE GRANTS TO FULFILL TRIBAL OB-
10 JECTIVES.—Section 306A(c)(2) of the Coastal Zone Man-
11 agement Act of 1972 (16 U.S.C. 1455a(c)(2)) is amend-
12 ed—

13 (1) in subparagraph (D), by striking “; and”
14 and inserting a semicolon;

15 (2) in subparagraph (E), by striking the period
16 at the end and inserting “; and”; and

17 (3) by adding at the end the following:

18 “(F) fulfilling any Tribal coastal zone ob-
19 jective (as that term is defined in section 309A)
20 or coastal zone objective described in section
21 309A(a)(2).”.

22 (d) OTHER PROGRAMS NOT AFFECTED.—Nothing in
23 this section, including the amendments made by this sec-
24 tion, may be construed to affect the ability of a Tribal
25 government or Native Hawaiian organization to apply for

1 or receive assistance under, or participate in any program
2 authorized by, the Coastal Zone Management Act of 1972
3 (16 U.S.C. 1451 et seq.) or other related Federal laws.

4 **SEC. 235. EMBLEM, LOGO, INSIGNIA, AND NAME OF THE AD-**
5 **MINISTRATION.**

6 (a) IN GENERAL.—No person may knowingly, except
7 with the written permission of the Administrator, the Dep-
8 uty Administrator for Operations, or the designee of the
9 Administrator or the Deputy Administrator, and con-
10 sistent with the procedures and processes established
11 under subsection (b), use or imitate the official emblem,
12 logo, insignia, name, or initials of the Administration—

13 (1) as a firm or business emblem, logo, insignia,
14 or name in a manner reasonably intended to convey
15 the impression that the firm or business has some
16 connection with, endorsement of, or authorization
17 from, the Administration, or any component of the
18 Administration, which does not, in fact, exist; or

19 (2) in connection with any product, service, or
20 activity being offered, promoted, or made available
21 to the public in a manner reasonably intended to
22 convey the impression that the product, service, or
23 activity has the authorization, support, sponsorship,
24 or endorsement of, or was developed, used, or manu-
25 factured by or on behalf of, the Administration, or

1 any component of the Administration, which is not,
2 in fact, the case.

3 (b) REQUIREMENTS.—The Administrator shall—

4 (1) establish procedures and processes for the
5 design and use of the emblem, logo, insignia, name,
6 and initials of the Administration; and

7 (2) increase public visibility and awareness of
8 the Administration through use of identifiers, em-
9 blems, devices, or imagery of the Administration.

10 (c) USES.—The emblem, logo, insignia, name, or ini-
11 tials of the Administration may be used on the following:

12 (1) Letterhead stationery of the Administration.

13 (2) Films, videotapes, and sound recordings, or
14 other forms of media, produced by or for the Admin-
15 istration.

16 (3) Apparel and personal property items worn
17 or used by employees of the Administration in the
18 performance of their duties.

19 (4) Uniforms required to be worn by contractor
20 employees when performing public affairs, guard,
21 fire protection, or similar duties within facilities of
22 the Administration or at other assigned duty sta-
23 tions of the Administration, when authorized by con-
24 tracting officers of the Administration.

1 (5) Vehicles owned by contractors that are re-
2 quired to be used exclusively in the performance of
3 the duties described paragraph (4), when authorized
4 by contracting officers of the Administration.

5 (6) Aircraft, satellites, vessels, boats, auto-
6 mobiles, trucks and similar vehicles, buoys, and
7 other autonomous vehicles owned by or leased to the
8 Administration, or produced for the Administration
9 by contractors, but excluding vehicles owned by the
10 Administration that are used and operated by con-
11 tractors for the conduct of contractor business.

12 (7) Equipment and facilities owned by or leased
13 to the Administration, such as machinery, major
14 tools, laboratory equipment, office and shop fur-
15 nishings (if appropriate), and similar items of a per-
16 manent nature, including items produced for the Ad-
17 ministration by contractors.

18 (8) Publications of the Administration, includ-
19 ing pamphlets, brochures, manuals, handbooks,
20 house organs, bulletins, general reports, posters,
21 signs, charts, exhibits, blogs, websites, and items of
22 a similar nature for general use, as specified in any
23 procedure or process established under subsection
24 (a).

1 (9) Buildings occupied by the Administration,
2 as determined by the Administrator.

3 (10) Business calling cards of employees of the
4 Administration.

5 (11) If determined appropriate in a procedure
6 or process established under subsection (a), on per-
7 sonal vehicles of employees of the Administration if
8 such identification will facilitate entry or control of
9 such vehicles at facilities or parking areas of the Ad-
10 ministration.

11 (12) Personal items of employees and contrac-
12 tors of the Administration that are used in connec-
13 tion with recreation association activities of the em-
14 ployees and contractors.

15 (13) Items for sale through nonappropriated
16 fund activities of employees and contractors of the
17 Administration, subject to subsection (d)(2)(B).

18 (14) Other items as identified by the Adminis-
19 trator.

20 (d) LIMITATIONS.—

21 (1) ENDORSEMENT; OFFICIAL POSITION.—

22 (A) ADMINISTRATOR.—The Administrator
23 may not authorize the use of the emblem, logo,
24 insignia, name, or initials of the Administration
25 if such use can be construed as an endorsement

1 by the Administration of a commercial product,
2 service, or activity.

3 (B) EMPLOYEES AND OTHERS.—No person
4 may use the emblem, logo, insignia, name, or
5 initials of the Administration in any manner
6 that would imply—

7 (i) that the Administration endorses a
8 commercial product, service, or activity; or

9 (ii) that material of a nonofficial na-
10 ture represents the official position of the
11 Administration.

12 (2) MANUFACTURE AND COMMERCIAL SALE.—

13 (A) SEPARATE AND DISTINCT DEVICE.—

14 The manufacture and commercial sale of the
15 emblem, logo, insignia, name, or initials of the
16 Administration as a separate and distinct device
17 in the form of an emblem, patch, insignia,
18 badge, decal, vinylcal, cloth, metal, or other ma-
19 terial that would preclude control of the Admin-
20 istration over the use or application of the em-
21 blem, logo, or insignia is prohibited.

22 (B) ITEMS BEARING EMBLEM, LOGO, IN-
23 SIGNIA, NAME, OR INITIALS.—Items bearing the
24 emblem, logo, insignia, name, or initials of the
25 Administration, such as souvenirs, novelties,

1 toys, models, clothing, or similar items (includ-
2 ing items for sale through nonappropriated
3 fund activities of employees of the Administra-
4 tion), may be manufactured and sold only after
5 a request has been submitted to, and approved
6 by, the Administrator in writing and consistent
7 with this section.

8 (3) UNIFORM PATCHES.—Uniform patches of
9 the Administration that incorporate the emblem,
10 logo, insignia, name, or initials of the Administra-
11 tion may be used only as prescribed in a procedure
12 or process established under subsection (b).

13 (e) GENERAL PROHIBITION.—Use of the emblem,
14 logo, insignia, name, or initials of the Administration for
15 any purpose other than the purposes described in this sec-
16 tion is prohibited, except that the Administrator or the
17 Deputy Administrator for Operations may authorize in
18 writing on a case-by-case basis the use of the emblem,
19 logo, insignia, name, or initials for other purposes, as ap-
20 propriate.

21 (f) EXISTING RIGHTS.—Nothing in this section shall
22 affect any rights of third parties, acquired in good faith,
23 that existed before the date of the enactment of this Act,
24 including under common law or the Act entitled “An Act
25 to provide for the registration and protection of trade-

1 marks used in commerce, to carry out the provisions of
2 certain international conventions, and for other purposes”,
3 approved July 5, 1946 (commonly known as the “Trade-
4 mark Act of 1946” or the “Lanham Act”) (15 U.S.C.
5 1051 et seq.), to use the emblem, logo, insignia, name,
6 or initials described in subsection (a).

7 **SEC. 236. SAVINGS PROVISION.**

8 All rules and regulations, permits, determinations,
9 standards, contracts, certifications, authorizations, ap-
10 pointments, delegations and redelegations, results and
11 findings of investigations, or other actions duly promul-
12 gated, issued, approved, made, or taken pursuant to or
13 under the authority of any law and based on a delegation,
14 redelegation, or assignment of functions, responsibilities,
15 or activities from the Secretary, the Department of Com-
16 merce, the Administrator, the Administration, or any
17 other officer of the Administration, in effect immediately
18 before the date of the enactment of this Act, shall continue
19 in full force and effect after the date of the enactment
20 of this Act, until modified or rescinded.

21 **SEC. 237. AUTHORIZATION OF APPROPRIATIONS.**

22 There are authorized to be appropriated to carry out
23 this Act, and the amendments made by this Act, to remain
24 available until expended—

25 **[(1) \$7,228,343,850 for fiscal year 2024;]**

- 1 **[(2) \$7,589,761,043 for fiscal year 2025;]**
2 **[(3) \$7,969,249,095 for fiscal year 2026;]**
3 **[(4) \$8,367,711,550 for fiscal year 2027; and]**
4 **[(5) \$8,367,711,550 for fiscal year 2028.]**

5 **TITLE III—ADVISORY**
6 **COMMITTEES**

7 **SEC. 301. SCIENCE ADVISORY BOARD.**

8 (a) **ESTABLISHMENT.**—There is established, within
9 the Administration, the Science Advisory Board (in this
10 section referred to as the “Board”).

11 (b) **DUTIES.**—The Board shall—

12 (1) provide such scientific advice as may be re-
13 quested by—

14 (A) the Administrator;

15 (B) the Committee on Commerce, Science,
16 and Transportation of the Senate;

17 (C) the Committee on Science, Space, and
18 Technology of the House of Representatives;

19 (D) the Committee on Natural Resources
20 of the House of Representatives; or

21 (E) the Committee on Transportation and
22 Infrastructure of the House of Representatives;
23 and

24 (2) advise the Administrator and Congress on
25 strategies and priorities for research, education, and

1 the application of science to operations and informa-
2 tion services to help the Administration—

3 (A) better understand and predict changes
4 in Earth's environment; and

5 (B) better conserve and manage coastal
6 and marine resources to meet the economic, so-
7 cial, and environmental needs of the United
8 States.

9 (c) MEMBERSHIP.—

10 (1) IN GENERAL.—The Board shall be com-
11 posed of not fewer than 15 members appointed by
12 the Administrator.

13 (2) QUALIFICATIONS.—Each member of the
14 Board shall be qualified by education, training, and
15 experience to evaluate scientific and technical infor-
16 mation on matters referred to the Board under this
17 section.

18 (3) TERMS.—

19 (A) IN GENERAL.—A member of the
20 Board—

21 (i) shall be appointed for a term of 3
22 years;

23 (ii) may be appointed for not more
24 than 1 additional 3-year term; and

1 (iii) shall serve at the discretion of the
2 Administrator.

3 (B) VACANCIES.—

4 (i) IN GENERAL.—An individual ap-
5 pointed to fill a vacancy occurring before
6 the expiration of the term for which the in-
7 dividual's predecessor was appointed shall
8 be appointed only for the remainder of
9 such unexpired term.

10 (ii) SUBSEQUENT TERMS.—If the re-
11 mainder of the unexpired term described in
12 clause (i) is less than 1 year, an individual
13 described in clause (i) may subsequently be
14 reappointed for not more than 2 terms of
15 3 years each.

16 (4) CHAIRPERSON.—The Administrator shall
17 designate a Chairperson from among the members
18 of the Board.

19 (5) SPECIAL GOVERNMENT EMPLOYEE DES-
20 IGNATION.—A member of the Board shall be consid-
21 ered a special Government employee (as defined in
22 section 202(a) of title 18, United States Code).

23 (6) COMPENSATION AND TRAVEL EXPENSES.—
24 A member of the Board shall not be compensated
25 for service on the Board, but may be allowed travel

1 expenses, including per diem in lieu of subsistence,
2 in accordance with subchapter I of chapter 57 of
3 title 5, United States Code.

4 (d) ADMINISTRATIVE PROVISIONS.—

5 (1) ADMINISTRATIVE SUPPORT.—The Adminis-
6 trator shall provide administrative support to the
7 Board.

8 (2) MEETINGS.—The Board shall meet—

9 (A) at the call of the Chairperson; and

10 (B) not less frequently than twice each
11 year.

12 (3) REPORTS AND BRIEFINGS.—The Board
13 may issue reports and briefings to Congress.

14 (4) SUBCOMMITTEES.—The Board may estab-
15 lish such subcommittees of its members as may be
16 necessary, in addition to such subcommittees as may
17 be required by law.

18 (5) TASK FORCES AND WORKING GROUPS.—The
19 Board may establish such task forces and working
20 groups consisting of members of the Board and out-
21 side experts as may be necessary.

22 (e) TERMINATION.—Section 1013 of title 5, United
23 States Code, shall not apply to the Board.

1 **SEC. 302. ADVISORY COMMITTEE ON TRIBAL AFFAIRS.**

2 (a) ESTABLISHMENT.—Not later than 60 days after
3 the date of the enactment of this Act, the Administrator
4 shall begin consultation under subsection (f) to establish
5 a committee to be known as the “Advisory Committee on
6 Tribal Affairs” (in this section referred to as the “Com-
7 mittee”).

8 (b) DUTIES.—The Committee shall provide advice
9 and guidance to the Secretary and the Administrator on
10 matters relating to—

11 (1) the marine, coastal, oceans, river basins,
12 Arctic, and Great Lakes environment and living ma-
13 rine resources under the jurisdiction of the Adminis-
14 tration and relevant to Indian Tribes;

15 (2) the resilience of Indian Tribes to the im-
16 pacts of climate change and other coastal, inland,
17 and natural hazards, including impacts on water
18 supply, working waterfronts, river basins, lands,
19 coastal infrastructure, and natural resources under
20 the jurisdiction of the Administration or that sup-
21 port living coastal and marine resources under the
22 jurisdiction of the Administration;

23 (3) improved coordination and engagement be-
24 tween the Administration and Indian Tribes, includ-
25 ing technical assistance and capacity-building assist-
26 ance;

1 (4) the consideration and application of indige-
2 nous knowledge in research, policies, and decision
3 making of the Administration;

4 (5) the development of approaches relating to
5 collaborative resource management between the Ad-
6 ministration and Indian Tribes; and

7 (6) indigenous data sovereignty.

8 (c) ADVICE.—The advice provided by the Committee
9 to the Secretary and the Administrator under subsection
10 (b) shall include advice on the following matters relating
11 to the priorities of Indian Tribes:

12 (1) Climate adaptation and mitigation, includ-
13 ing coastal inundation changes as a result of sea
14 level rise and other climate change factors.

15 (2) Habitat and living marine resources con-
16 servation and restoration, including with respect to
17 changes to the hydrological cycle that may impact
18 Tribal treaty and trust resources.

19 (3) Community resilience and planning.

20 (4) Capacity building.

21 (5) Natural and nature-based infrastructure
22 planning, conservation, restoration, and construc-
23 tion.

1 (B) may include such other members as
2 the Administrator determines appropriate.

3 (2) TERMS.—A member of the Committee—

4 (A) shall be appointed for an initial 4-year
5 term;

6 (B) may be appointed for not more than 2
7 additional 4-year terms; and

8 (C) shall serve at the discretion of the Ad-
9 ministrator.

10 (3) CHAIRPERSON.—The Committee shall des-
11 ignate a Chairperson from among the members of
12 the Committee.

13 (4) COMPENSATION AND EXPENSES.—A mem-
14 ber of the Committee shall not be compensated for
15 service on the Committee, but may be allowed travel
16 expenses, including per diem in lieu of subsistence,
17 in accordance with subchapter I of chapter 57 of
18 title 5, United States Code.

19 (e) ADMINISTRATIVE PROVISIONS.—

20 (1) REPORTS AND BRIEFINGS.—The Committee
21 may issue reports and briefings to Congress.

22 (2) ADMINISTRATIVE SUPPORT.—The Adminis-
23 trator shall provide administrative support to the
24 Committee.

25 (3) MEETINGS.—The Committee shall meet—

1 (A) at the call of the Chairperson; and

2 (B) not less frequently than twice each
3 year.

4 (4) SUBCOMMITTEES.—The Committee may es-
5 tablish such subcommittees of its members as may
6 be necessary.

7 (5) WORKING GROUPS.—The Committee may
8 establish such working groups consisting of members
9 of the Committee and outside experts as may be nec-
10 essary.

11 (f) CONSULTATION REQUIRED.—In establishing the
12 Committee under subsection (a), the Administrator shall
13 consult with Indian Tribes.

14 (g) EXEMPTION FROM THE FEDERAL ADVISORY
15 COMMITTEE ACT.—Chapter 10 of title 5, United States
16 Code, shall not apply to the Committee.

17 (h) FUNDING FOR TRIBAL PARTICIPATION.—The
18 Administrator shall provide assistance to Indian Tribes to
19 facilitate the implementation of this section such as re-
20 search and other activities, and to ensure the participation
21 of Indian Tribes in activities of the Committee.

22 (i) SAVINGS CLAUSE.—Nothing in this section may
23 be construed—

24 (1) to satisfy any requirement for government-
25 to-government consultation with Indian Tribes; or

1 (2) to affect or modify any treaty or other right
2 of any Indian Tribe.

3 (j) RECOMMENDATIONS AND RESPONSES.—

4 (1) RECOMMENDATIONS.—Not less frequently
5 than once each year, the Committee shall submit to
6 the Secretary, the Administrator, and the appro-
7 priate committees of Congress such recommenda-
8 tions as the Committee determines appropriate.

9 (2) RESPONSES.—Not later than 90 days after
10 the date on which the Secretary receives a rec-
11 ommendation under paragraph (1), the Secretary
12 shall submit to the appropriate committees of Con-
13 gress a written response to the recommendation.

14 (3) PUBLIC AVAILABILITY.—The Administrator
15 shall make publicly available on an internet website
16 of the Administration—

17 (A) each recommendation the Secretary
18 and the Administrator receive under paragraph
19 (1); and

20 (B) each response the Secretary submits
21 under paragraph (2).

22 (4) APPROPRIATE COMMITTEES OF CONGRESS
23 DEFINED.—In this subsection, the term “appro-
24 priate committees of Congress” means—

1 (A) the Committee on Commerce, Science,
2 and Transportation of the Senate; and

3 (B) the Committee on Natural Resources
4 of the House of Representatives.

5 (k) PROHIBITION.—The Committee may not conduct
6 activities related to fisheries management.

7 (l) INDIGENOUS DATA SOVEREIGNTY DEFINED.—In
8 this section, the term “indigenous data sovereignty”
9 means the right of indigenous persons to control data from
10 and about their communities and land, articulating both
11 individual and collective rights to data access and privacy.

12 (m) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$5,000,000 for each of fiscal years 2024 through 2028.

15 **SEC. 303. TRIBAL TREATY FISHERIES ADVISORY COM-**
16 **MITTEE.**

17 (a) ESTABLISHMENT.—Not later than 60 days after
18 the date of the enactment of this Act, the Administrator
19 shall establish a Tribal Treaty Fisheries Advisory Com-
20 mittee (in this section referred to as the “Committee”).

21 (b) DUTIES.—The Committee shall provide advice to
22 the Secretary, the Administrator, and the Assistant Ad-
23 ministrator for the National Marine Fisheries Service (in
24 this section referred to as the “Assistant Administrator”)

1 on matters relating to the protection of the treaty fishing
2 rights of Tribal governments, including—

3 (1) conservation, restoration, and protection of
4 fish stocks subject to Tribal treaty fisheries;

5 (2) support for Tribal treaty fisheries, including
6 harvest, processing, production, or marketing of fish
7 or fish products harvested by Tribal fishermen;

8 (3) Pacific salmon hatchery infrastructure and
9 hatchery production necessary to supplement or
10 maintain Tribal treaty fisheries;

11 (4) protection and restoration of fisheries and
12 fishery habitat important to Tribal governments;
13 and

14 (5) supporting workforce development, safety,
15 training, working waterfront infrastructure, and eco-
16 nomic opportunity for Tribal fishermen and Tribal
17 governments.

18 (c) MEMBERSHIP.—

19 (1) IN GENERAL.—The Committee shall be
20 composed of not fewer than 18 members as follows:

21 (A) Not fewer than 18 members of the
22 Committee shall be members of Tribal govern-
23 ments with treaty fishing rights.

1 (B) Not fewer than 4 members of the
2 Committee shall possess scientific and manage-
3 ment experience relating to fisheries.

4 (2) INCLUSION OF MEMBERS OF FISHERIES
5 COMMISSIONS.—The members of the Committee ap-
6 pointed under paragraph (1)(A) shall include mem-
7 bers of the Northwest Indian Fisheries Commission,
8 the Columbia River Inter-Tribal Fish Commission,
9 and the Great Lakes Indian Fish and Wildlife Com-
10 mission.

11 (3) NOAA NON-MEMBER PARTICIPANTS.—The
12 Administrator, acting through the Assistant Admin-
13 istrator, may designate career employees of the Ad-
14 ministration who are subject matter experts in fields
15 relevant to the Committee to participate in meetings
16 of the Committee and other supporting activities
17 with the approval of the Chairperson.

18 (4) STAFFING.—The Committee shall be staffed
19 by the Assistant Secretary of Commerce for Tribal
20 Affairs, the Tribal liaison of the National Marine
21 Fisheries Service of the Administration, and other
22 individuals as appropriate and as determined by the
23 Administrator and the Assistant Administrator.

24 (5) TERMS.—A member of the Committee—

1 (A) shall be appointed for an initial 4-year
2 term;

3 (B) may be appointed for not more than 2
4 additional 4-year terms; and

5 (C) shall serve at the discretion of the Ad-
6 ministrator.

7 (6) CHAIRPERSON.—The Committee shall des-
8 ignate a Chairperson from among the members of
9 the Committee.

10 (d) ADMINISTRATIVE PROVISIONS.—

11 (1) REPORTS AND BRIEFINGS.—The Committee
12 may issue reports and briefings to Congress.

13 (2) ADMINISTRATIVE SUPPORT.—The Adminis-
14 trator shall provide administrative support to the
15 Committee.

16 (3) MEETINGS.—The Committee shall meet—

17 (A) at the call of the Chairperson; and

18 (B) not less frequently than twice each
19 year.

20 (4) WORKING GROUPS.—The Committee may
21 establish such working groups consisting of members
22 of the Committee and outside experts as may be nec-
23 essary.

1 (e) EXEMPTION FROM THE FEDERAL ADVISORY
2 COMMITTEE ACT.—Chapter 10 of title 5, United States
3 Code, shall not apply to the Committee.

4 (f) FUNDING FOR TRIBAL PARTICIPATION.—The Ad-
5 ministrator shall provide assistance to Tribal governments
6 to facilitate the implementation of this section and to en-
7 sure the participation of Tribal governments in activities
8 of the Committee.

9 (g) SAVINGS CLAUSE.—Nothing in this section may
10 be construed—

11 (1) to satisfy any requirement for government-
12 to-government consultation with Tribal governments;
13 or

14 (2) to affect or modify any treaty or other right
15 of any Tribal government.

16 (h) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to carry out this section
18 \$5,000,000 for each of fiscal years 2024 through 2028.

19 **SEC. 304. [PLACEHOLDER].**

20 ***[To be supplied.]***

21 **SEC. 305. ADVISORY COMMITTEE ON COMMERCIAL RE-**
22 **MOTE SENSING.**

23 (a) ESTABLISHMENT.—There is established, within
24 the Administration, the Advisory Committee on Commer-

1 cial Remote Sensing (in this section referred to as the
2 “Committee”).

3 (b) DUTIES.—The Committee shall—

4 (1) provide information, advice, and rec-
5 ommendations to the Administrator on matters re-
6 lating to—

7 (A) the United States commercial remote
8 sensing space industry; and

9 (B) activities of the Administration to
10 carry out the responsibilities of the Department
11 of Commerce under chapter 601 of title 51,
12 United States Code;

13 (2) with respect to issues identified by the Ad-
14 ministrator for consideration by the Committee—

15 (A) conduct such information-gathering ac-
16 tivities as are necessary; and

17 (B) develop positions for consideration by
18 the Administrator; and

19 (3) evaluate economic, technological, and insti-
20 tutional developments relating to commercial remote
21 sensing.

22 (c) MEMBERSHIP.—

23 (1) IN GENERAL.—The Committee shall be
24 composed of not fewer than 10 and not more than

1 20 members, who shall be appointed by the Adminis-
2 trator.

3 (2) QUALIFICATIONS.—Each member of the
4 Committee shall have expertise in remote sensing,
5 space commerce, or a related field.

6 (3) TERMS.—

7 (A) IN GENERAL.—A member of the Com-
8 mittee—

9 (i) shall be appointed for a term of 2
10 years;

11 (ii) may be appointed for a second or
12 subsequent term;

13 (iii) may serve after the expiration of
14 the term of the member until a new mem-
15 ber is appointed; and

16 (iv) shall serve at the discretion of the
17 Administrator.

18 (B) VACANCIES.—If a member of the Com-
19 mittee does not serve the entire term to which
20 the member is appointed, the seat of the mem-
21 ber shall remain vacant until the expiration of
22 the term of the member.

23 (4) CHAIRPERSON; VICE CHAIRPERSON.—The
24 Administrator shall designate a Chairperson and

1 Vice Chairperson from among the members of the
2 Committee.

3 (5) COMPENSATION AND TRAVEL EXPENSES.—

4 A member of the Committee shall not be com-
5 pensated for service on the Board, but may be al-
6 lowed travel expenses, including per diem in lieu of
7 subsistence, in accordance with subchapter I of
8 chapter 57 of title 5, United States Code.

9 (d) ADMINISTRATIVE PROVISIONS.—

10 (1) ADMINISTRATIVE SUPPORT.—The Adminis-
11 trator shall provide administrative support to the
12 Committee.

13 (2) MEETINGS.—The Committee shall meet—

14 (A) at the call of the Chairperson; and

15 (B) not less frequently than twice each
16 year.

17 (3) REPORTS AND BRIEFINGS.—The Committee
18 may issue reports and briefings to Congress.

19 (4) SUBCOMMITTEES.—The Committee may es-
20 tablish such subcommittees of its members as may
21 be necessary.

22 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
23 authorized to be appropriated to carry out this section
24 \$5,000,000 for each of fiscal years 2024 through 2028.

1 **SEC. 306. HYDROGRAPHIC SERVICES REVIEW PANEL.**

2 (a) ESTABLISHMENT.—There is established, within
3 the Administration, the Hydrographic Services Review
4 Panel (in this section referred to as the “Panel”).

5 (b) DUTIES.—

6 (1) IN GENERAL.—The Panel shall advise the
7 Administrator on matters related to the responsibil-
8 ities and authorities set forth in section 303 of the
9 Hydrographic Services Improvement Act of 1998
10 (33 U.S.C. 892a) and such other appropriate mat-
11 ters as the Administrator refers to the Panel for re-
12 view and advice.

13 (2) ADMINISTRATIVE RESOURCES.—The Ad-
14 ministrator shall make available to the Panel such
15 information, personnel, and administrative services
16 and assistance as it may reasonably require to carry
17 out its duties.

18 (c) MEMBERSHIP.—

19 (1) VOTING MEMBERS.—

20 (A) IN GENERAL.—The Panel shall consist
21 of 15 voting members, who shall be appointed
22 by the Administrator.

23 (B) QUALIFICATIONS.—

24 (i) IN GENERAL.—The voting mem-
25 bers of the Panel shall be individuals who,
26 by reason of knowledge, experience, or

1 training, are especially qualified in 1 or
2 more of the disciplines and fields relating
3 to hydrographic data and hydrographic
4 services, marine transportation, port ad-
5 ministration, vessel pilotage, coastal and
6 fishery management, and other disciplines
7 as determined appropriate by the Adminis-
8 trator.

9 (ii) PROHIBITION ON MEMBERS BEING
10 FEDERAL EMPLOYEES.—An individual may
11 not be appointed as a voting member of
12 the Panel if the individual is a full-time of-
13 ficer or employee of the United States.

14 (iii) DISCLOSURE OF ASSISTANCE
15 UNDER HYDROGRAPHIC SERVICES IM-
16 PROVEMENT ACT OF 1998.—Any voting
17 member of the Panel who is an applicant
18 for, or beneficiary (as determined by the
19 Secretary) of, any assistance under the
20 Hydrographic Services Improvement Act of
21 1998 (33 U.S.C. 892 et seq.) shall disclose
22 to the Panel that relationship, and may
23 not vote on any matter pertaining to that
24 assistance.

25 (C) TERMS.—

1 (i) IN GENERAL.—The term of office
2 of a voting member of the Panel shall be
3 4 years, except that of the original ap-
4 pointees, 5 shall be appointed for a term of
5 2 years, 5 shall be appointed for a term of
6 3 years, and 5 shall be appointed for a
7 term of 4 years, as specified by the Admin-
8 istrator at the time of appointment.

9 (ii) REAPPOINTMENT; SERVICE AFTER
10 EXPIRATION OF TERM.—Any individual ap-
11 pointed to a partial or full term may be re-
12 appointed for 1 additional full term. A vot-
13 ing member may serve after the date of
14 the expiration of the term of office for
15 which appointed until a successor has
16 taken office.

17 (2) NOMINATIONS.—At least once each year,
18 the Administrator shall publish a notice in the Fed-
19 eral Register soliciting nominations for membership
20 on the Panel.

21 (3) CHAIRPERSON AND VICE CHAIRPERSON.—

22 (A) IN GENERAL.—The Panel shall select
23 1 voting member to serve as the Chairperson
24 and another voting member to serve as the Vice
25 Chairperson.

1 (B) VICE CHAIRPERSON SERVING AS
2 CHAIRPERSON IN EVENT OF ABSENCE OR INCA-
3 PACITY.—The Vice Chairperson shall act as
4 Chairperson in the absence or incapacity of the
5 Chairperson.

6 (4) NONVOTING MEMBERS.—The Co-directors
7 of the Center for Coastal and Ocean Mapping/Joint
8 Hydrographic Center and not more than 2 employ-
9 ees of the Administration appointed by the Adminis-
10 trator shall serve as nonvoting members of the
11 Panel.

12 (d) COMPENSATION.—Voting members of the Panel
13 shall—

14 (1) receive compensation at a rate established
15 by the Administrator, not to exceed the maximum
16 daily rate payable under section 5376 of title 5,
17 United States Code, when actually engaged in the
18 performance of duties for such Panel; and

19 (2) be reimbursed for actual and reasonable ex-
20 penses incurred in the performance of such duties.

21 (e) MEETINGS.—The Panel shall meet on a biannual
22 basis and, at any other time, at the call of the Chairperson
23 or upon the request of a majority of the voting members
24 or of the Administrator.

1 (f) POWERS.—The Panel may exercise such powers
2 as are reasonably necessary in order to carry out its duties
3 under subsection (b).

4 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
5 authorized to be appropriated to carry out this section
6 \$5,000,000 for each of fiscal years 2024 through 2028.

7 (h) CONFORMING AMENDMENTS.—The Hydro-
8 graphic Services Improvement Act of 1998 (33 U.S.C. 892
9 et seq.) is amended—

10 (1) by striking section 305 (33 U.S.C. 892c);

11 and

12 (2) in section 306(a)(1) (33 U.S.C.
13 892d(a)(1)), by striking “sections 304 and 305” and
14 inserting “section 304”.

15 **SEC. 307. MARINE AND COASTAL AREA-BASED MANAGE-**
16 **MENT ADVISORY COMMITTEE.**

17 (a) ESTABLISHMENT.—There is established, within
18 the Administration, the Marine and Coastal Area-Based
19 Management Advisory Committee (in this section referred
20 to as the “Committee”).

21 (b) DUTIES.—The Committee shall advise the Ad-
22 ministrator on science-based approaches to area-based
23 protection, conservation, restoration, and management in
24 coastal and marine areas, including the Great Lakes.

25 (c) MEMBERSHIP.—

1 regional ocean councils, and interstate
2 fisheries commissions;

3 (ii) indigenous communities involved
4 in coastal and ocean resource issues, in-
5 cluding representatives from Indian Tribes,
6 Alaska Native corporations, Alaska Native
7 organizations, Tribal organizations, and
8 Native Hawaiian organizations;

9 (iii) conservation, philanthropic, and
10 other nongovernmental organizations in-
11 volved in coastal and ocean resource issues,
12 as well as youth-serving organizations, edu-
13 cation and outreach, and environmental
14 justice organizations; and

15 (iv) affected interest groups, such as
16 representatives from the offshore minerals,
17 energy, marine transportation, fishing (rec-
18 reational and commercial), boating, diving,
19 recreational, tourism, and maritime com-
20 munities.

21 (3) TERMS.—

22 (A) IN GENERAL.—The term of office of a
23 member of the Committee shall be 4 years, ex-
24 cept that of the original appointees—

1 (i) half shall be appointed for a term
2 of 2 years and may be reappointed 1 time;
3 and

4 (ii) half shall be appointed for a term
5 of 4 years and may not be reappointed.

6 (B) REAPPOINTMENT; SERVICE AFTER EX-
7 PIRATION OF TERM.—Except as provided by
8 subparagraph (A)(i), an individual appointed as
9 a member of the Committee may not be re-
10 appointed for a second or subsequent term.

11 (4) CHAIRPERSON.—The Administrator shall
12 designate a Chairperson from among the members
13 of the Committee.

14 (5) SPECIAL GOVERNMENT EMPLOYEE DES-
15 IGNATION.—A member of the Committee appointed
16 under paragraph (2)(A) shall be considered a special
17 Government employee (as defined in section 202(a)
18 of title 18, United States Code). A member ap-
19 pointed under paragraph (2)(B) is not a special
20 Government employee.

21 (6) NONVOTING MEMBERS.—In addition to the
22 members appointed under paragraph (1), 1 rep-
23 resentative from each of the following Federal agen-
24 cies may serve as a nonvoting member of the Com-
25 mittee:

- 1 (A) The Department of Commerce.
- 2 (B) The Department of the Interior.
- 3 (C) The Department of Defense.
- 4 (D) The Department of State.
- 5 (E) The Department of Homeland Security.
- 6
- 7 (F) The Environmental Protection Agency.
- 8 (G) The Department of Agriculture.
- 9 (H) The National Science Foundation.
- 10 (I) Any other Federal agency the Administrator considers appropriate.
- 11

12 (7) COMPENSATION AND TRAVEL EXPENSES.—

13 A member of the Committee shall not be compensated for service on the Committee, but may be
14 allowed travel expenses, including per diem in lieu of
15 subsistence, in accordance with subchapter I of
16 chapter 57 of title 5, United States Code.

18 (d) ADMINISTRATIVE PROVISIONS.—

19 (1) ADMINISTRATIVE SUPPORT.—The Administrator shall provide administrative support to the
20 Committee.
21

22 (2) MEETINGS.—The Committee shall meet—

- 23 (A) at the call of the Chairperson; and
- 24 (B) not less frequently than once each
25 year.

1 (3) REPORTS AND BRIEFINGS.—The Committee
2 may issue reports and briefings to Congress.

3 (4) SUBCOMMITTEES.—The Committee may es-
4 tablish such subcommittees of its members as may
5 be necessary.

6 (5) TASK FORCES AND WORKING GROUPS.—The
7 Committee may establish such task forces and work-
8 ing groups consisting of members of the Committee
9 and outside experts as may be necessary.

10 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
11 authorized to be appropriated to carry out this section
12 \$5,000,000 for each of fiscal years 2024 through 2028.

13 **SEC. 308. MARINE FISHERIES ADVISORY COMMITTEE.**

14 (a) ESTABLISHMENT.—There is established, within
15 the Administration, the Marine Fisheries Advisory Com-
16 mittee (in this section referred to as the “Committee”).

17 (b) DUTIES.—The Committee shall—

18 (1) advise the Secretary, the Administrator, and
19 the Assistant Administrator for the National Marine
20 Fisheries Service with respect to all living marine re-
21 source matters that are the responsibility of the De-
22 partment of Commerce and the Administration and
23 such other matters as the Secretary considers appro-
24 priate; and

1 (2) evaluate and recommend priorities for fish-
2 eries-related activities of the Administration, with
3 the objective of ensuring that the federally managed
4 and sustainable commercial and recreational fish-
5 eries resource policies and programs of the United
6 States support the conservation and management of
7 fisheries, including support of sustainable commer-
8 cial and recreational fisheries, authorized aqua-
9 culture activities, and environmental, consumer, aca-
10 ademic, Tribal, governmental, and other national in-
11 terests.

12 (c) MEMBERSHIP.—

13 (1) VOTING MEMBERS.—

14 (A) IN GENERAL.—The Committee shall be
15 composed of not fewer than 15 and not more
16 than 21 voting members, to be appointed by the
17 Secretary in a manner that ensures balanced
18 representation among commercial and rec-
19 reational fishermen, aquaculture, environ-
20 mental, consumer, academic, Tribal, govern-
21 mental, and other national interest areas, as
22 well as geographic diversity.

23 (B) QUALIFICATIONS.—

1 (i) IN GENERAL.—Each voting mem-
2 ber of the Committee shall have expertise
3 or experience in 1 or more of the following:

4 (I) Harvesting fish.

5 (II) Processing or marketing fish
6 or fish products.

7 (III) Promoting fishing for pleas-
8 ure, relaxation, or consumption—

9 (aa) which may include op-
10 erating a recreational fishing
11 business; and

12 (bb) for which recreational
13 fishing experience by itself is not
14 sufficient.

15 (IV) Having a leadership role in
16 a national, State, or regional organi-
17 zation representing marine fisheries
18 interests.

19 (V) Managing and conserving
20 fisheries or representing consumers of
21 fish or fish products through active
22 and sustained participation in local,
23 State, or national organizations.

24 (VI) Teaching, writing, research-
25 ing, consulting, or adjudicating mat-

1 ters related to living marine resources,
2 fishery management, ecosystem ap-
3 proaches to fishery science and man-
4 agement, and fishery resource con-
5 servation.

6 (VII) Teaching, writing, re-
7 searching, consulting, or adjudicating
8 matters related to the fisheries and
9 seafood production.

10 (ii) LIMITATIONS.—An individual may
11 not serve as a member of the Committee
12 and on a Regional Fishery Management
13 Council established under section 302(a) of
14 the Magnuson-Stevens Fishery Conserva-
15 tion and Management Act (16 U.S.C.
16 1852(a)) at the same time.

17 (C) TERMS.—

18 (i) IN GENERAL.—Each voting mem-
19 ber of the Committee shall—

20 (I) except as provided by sub-
21 paragraph (B), be appointed for a
22 term of 3 years;

23 (II) may be reappointed for a
24 second term;

1 (III) may serve until reappointed
2 or replaced;

3 (IV) serve at the discretion of the
4 Secretary.

5 (ii) STAGGERED TERMS.—The Sec-
6 retary shall ensure that the terms of the
7 voting members of the Committee are stag-
8 gered such that the terms of not more
9 than approximately one-third of the voting
10 membership of the Committee expire in
11 any 1 year.

12 (iii) TERMINATION.—The term of a
13 voting member of the Committee may be
14 terminated if the member misses 2 con-
15 secutive meetings, unless excused for good
16 cause by the Chairperson or the Vice
17 Chairperson.

18 (iv) VACANCIES.—In the event a vot-
19 ing member of the Committee does not
20 serve the entire term to which the member
21 was appointed, the Secretary may appoint
22 a new member to serve the remainder of
23 that term.

24 (D) CHAIRPERSON; VICE CHAIRPERSON.—
25 The Secretary shall designate a Chairperson

1 and Vice Chairperson from among the voting
2 members of the Committee.

3 (E) SPECIAL GOVERNMENT EMPLOYEE
4 DESIGNATION.—A voting member of the Com-
5 mittee shall be considered a special Government
6 employee (as defined in section 202(a) of title
7 18, United States Code).

8 (F) COMPENSATION AND TRAVEL EX-
9 PENSES.—A voting member of the Committee
10 shall not be compensated for service on the
11 Committee, but may be allowed travel expenses,
12 including per diem in lieu of subsistence, in ac-
13 cordance with subchapter I of chapter 57 of
14 title 5, United States Code.

15 (2) NONVOTING MEMBERS.—The following may
16 serve as nonvoting, ex officio members of the Com-
17 mittee:

18 (A) The Secretary.

19 (B) The Administrator.

20 (C) The Assistant Administrator for the
21 National Marine Fisheries Service.

22 (D) The executive directors of the Atlantic,
23 Gulf of Mexico, and Pacific Interstate Fisheries
24 Commissions.

25 (d) ADMINISTRATIVE PROVISIONS.—

1 (1) ADMINISTRATIVE SUPPORT.—The Adminis-
2 trator shall provide administrative support to the
3 Committee.

4 (2) MEETINGS.—The Committee shall meet—
5 (A) at the call of the Chairperson; and
6 (B) not less frequently than twice each
7 year.

8 (3) REPORTS AND BRIEFINGS.—The Committee
9 may issue reports and briefings to Congress.

10 (4) SUBCOMMITTEES.—The Committee may es-
11 tablish such subcommittees of its members as may
12 be necessary.

13 (5) TASK FORCES AND WORKING GROUPS.—The
14 Committee may establish such task forces and work-
15 ing groups consisting of members of the Committee
16 and outside experts as may be necessary.

17 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
18 authorized to be appropriated to carry out this section
19 \$5,000,000 for each of fiscal years 2024 through 2028.

20 **SEC. 309. NATIONAL SEA GRANT ADVISORY BOARD.**

21 (a) ESTABLISHMENT.—There is established, within
22 the Administration, the National Sea Grant Advisory
23 Board (in this section referred to as the “Board”).

24 (b) DUTIES.—

1 (1) IN GENERAL.—The Board shall advise the
2 Secretary, the Administrator, and the Director of
3 the National Sea Grant College Program (in this
4 section referred to as the “Director”) concerning—

5 (A) strategies for utilizing the sea grant
6 college program to address the Nation’s highest
7 priorities regarding the understanding, assess-
8 ment, development, management, utilization,
9 and conservation of ocean, coastal, and Great
10 Lakes resources;

11 (B) the designation of sea grant colleges
12 and sea grant institutes; and

13 (C) such other matters as the Secretary re-
14 fers to the Board for review and advice.

15 (2) PERIODIC REPORT.—The Board shall report
16 to Congress at least once every 4 years on the state
17 of the national sea grant college program and shall
18 notify Congress of any significant changes to the
19 state of the program not later than 2 years after the
20 submission of such a report. The Board shall indi-
21 cate in each such report the progress made toward
22 meeting the priorities identified in the strategic plan
23 in effect under section 204(c) of the National Sea
24 Grant College Program Act (33 U.S.C. 1123(c)) and

1 provide a summary of research conducted under the
2 program.

3 (3) AVAILABILITY OF RESOURCES OF DEPART-
4 MENT OF COMMERCE.—The Administrator shall
5 make available to the Board such information, per-
6 sonnel, and administrative services and assistance as
7 it may reasonably require to carry out its duties
8 under this section and the National Sea Grant Col-
9 lege Program Act (33 U.S.C. 1121 et seq.).

10 (c) MEMBERSHIP.—

11 (1) VOTING MEMBERS.—

12 (A) IN GENERAL.—The Board shall consist
13 of 15 voting members who shall be appointed by
14 the Secretary.

15 (B) QUALIFICATIONS.—Not less than 8 of
16 the voting members of the Board shall be indi-
17 viduals who, by reason of knowledge, experi-
18 ence, or training, are especially qualified in 1 or
19 more of the disciplines and fields included in
20 marine science. The other voting members shall
21 be individuals who, by reason of knowledge, ex-
22 perience, or training, are especially qualified in,
23 or representative of, education, marine affairs
24 and resource management, coastal manage-
25 ment, extension services, State government, in-

1 industry, economics, planning, or any other activ-
2 ity which is appropriate to, and important for,
3 any effort to enhance the understanding, as-
4 sessment, development, management, utiliza-
5 tion, or conservation of ocean, coastal, and
6 Great Lakes resources.

7 (C) INELIGIBILITY OF CERTAIN INDIVID-
8 UALS.—No individual is eligible to be a voting
9 member of the Board if the individual is—

10 (i) the director of a sea grant college
11 or sea grant institute;

12 (ii) an applicant for, or beneficiary (as
13 determined by the Secretary) of, any grant
14 or contract under section 205 of the Na-
15 tional Sea Grant College Program Act (33
16 U.S.C. 1124); or

17 (iii) a full-time officer or employee of
18 the United States.

19 (D) TERMS.—

20 (i) IN GENERAL.—The term of office
21 of a voting member of the Board shall be
22 4 years. At least once each year, the Sec-
23 retary shall publish a notice in the Federal
24 Register soliciting nominations for mem-
25 bership on the Board.

1 (ii) REAPPOINTMENT.—Any individual
2 appointed to a partial or full term may be
3 reappointed for 1 addition full term. The
4 Director may extend the term of office of
5 a voting member of the Board once by up
6 to 1 year.

7 (E) CHAIRPERSON; VICE CHAIRPERSON.—
8 The Board shall select 1 voting member to
9 serve as the Chairperson and another voting
10 member to serve as the Vice Chairperson. The
11 Vice Chairperson shall act as Chairperson in
12 the absence or incapacity of the Chairman.

13 (F) COMPENSATION.—Voting members of
14 the Board shall—

15 (i) receive compensation at a rate es-
16 tablished by the Secretary, not to exceed
17 the maximum daily rate payable under sec-
18 tion 5376 of title 5, United States Code,
19 when actually engaged in the performance
20 of duties for such Board; and

21 (ii) be reimbursed for actual and rea-
22 sonable expenses incurred in the perform-
23 ance of such duties.

24 (2) NONVOTING MEMBERS.—The Director and
25 a director of a sea grant program who is elected by

1 the various directors of sea grant programs shall
2 serve as nonvoting members of the Board.

3 (d) MEETINGS.—The Board shall meet on a biannual
4 basis and, at any other time, at the call of the Chairperson
5 or upon the request of a majority of the voting members
6 or of the Director.

7 (e) POWERS.—The Board may exercise such powers
8 as are reasonably necessary in order to carry out its duties
9 under subsection (b).

10 (f) SUBCOMMITTEES.—The Board may establish
11 such subcommittees as are reasonably necessary to carry
12 out its duties under subsection (b). Such subcommittees
13 may include individuals who are not members of the
14 Board.

15 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out this section
17 \$5,000,000 for each of fiscal years 2024 through 2028.

18 (h) DEFINITIONS.—In this section, the terms set
19 forth in section 203 of the National Sea Grant College
20 Program Act (33 U.S.C. 1122) apply.

21 (i) CONFORMING AMENDMENTS.—The National Sea
22 Grant College Program Act (33 U.S.C. 1121 et seq.) is
23 amended—

24 (1) in section 203(9) (33 U.S.C. 1122(9)), by
25 striking “section 209” and inserting “section 309 of

1 the National Oceanic and Atmospheric Administra-
2 tion Act of 2023”; and

3 (2) by striking section 209 (33 U.S.C. 1128).

4 **SEC. 310. OCEAN EXPLORATION ADVISORY BOARD.**

5 (a) ESTABLISHMENT.—There is established, within
6 the Administration, the Ocean Exploration Advisory
7 Board (in this section referred to as the “Board”).

8 (b) DUTIES.—The Board shall—

9 (1) advise the Administrator with respect to—

10 (A) matters pertaining to ocean explo-
11 ration, including the identification of priority
12 areas that warrant exploration; and

13 (B) the development and enhancement of
14 technologies for exploring the oceans, managing
15 the data and information, and disseminating
16 the results;

17 (2) assist the Administrator, acting through the
18 National Ocean Exploration Program, in the devel-
19 opment of a 5-year strategic plan for the fields of
20 ocean, marine, and Great Lakes science, exportation,
21 and discovery;

22 (3) review the quality and effectiveness of the
23 proposal review process established under section
24 12003 of the Omnibus Public Land Management
25 Act of 2009 (33 U.S.C. 3403(a)(4)); and

1 (4) provide such other assistance and advice as
2 the Administrator may request.

3 (c) MEMBERSHIP.—

4 (1) IN GENERAL.—The Board shall be com-
5 posed of approximately 10 members, who shall be
6 appointed by the Administrator.

7 (2) QUALIFICATIONS.—In selecting members to
8 serve on the Board, the Administrator shall give
9 consideration to individuals who—

10 (A) are from academia, government, indus-
11 try, nongovernmental not-for-profit organiza-
12 tions, and other ocean-related institutions; and

13 (B)(i) are experts in fields relevant to
14 ocean exploration, including ocean scientists,
15 engineers and technical experts, and experts in
16 education and communications; or

17 (ii) have national and international reputa-
18 tions, or have degrees or professional qualifica-
19 tions in physical, chemical, or biological ocean-
20 ography, social sciences, or ocean engineering,
21 technology, operations, education, or commu-
22 nications.

23 (3) TERMS.—

24 (A) IN GENERAL.—Except as provided by
25 subparagraph (B), a member of the Board shall

1 be appointed for a term of 3 years, and may be
2 reappointed for 1 additional term.

3 (B) INITIAL APPOINTMENTS.—The initial
4 appointments of members of the Board shall be
5 as follows:

6 (i) Four members shall be appointed
7 for 3-year terms.

8 (ii) Three members shall be appointed
9 for 4-year terms.

10 (iii) Three members shall be ap-
11 pointed for 5-year terms.

12 (C) VACANCIES.—In the event a member
13 of the Board does not serve the entire term to
14 which the member was appointed, the Adminis-
15 trator may appoint a new member to serve the
16 remainder of that term. If the remainder of the
17 term is less than 1 year, that member may be
18 reappointed for 2 terms.

19 (4) CHAIRPERSON; VICE CHAIRPERSON.—The
20 Administrator shall designate a Chairperson and a
21 Vice Chairperson from among the members of the
22 Board.

23 (5) SPECIAL GOVERNMENT EMPLOYEE DES-
24 IGNATION.—A member of the Board shall be consid-

1 ered a special Government employee (as defined in
2 section 202(a) of title 18, United States Code).

3 (6) COMPENSATION AND TRAVEL EXPENSES.—

4 A member of the Board shall not be compensated
5 for service on the Board, but may be allowed travel
6 expenses, including per diem in lieu of subsistence,
7 in accordance with subchapter I of chapter 57 of
8 title 5, United States Code.

9 (d) ADMINISTRATIVE PROVISIONS.—

10 (1) ADMINISTRATIVE SUPPORT.—The Adminis-
11 trator shall provide administrative support to the
12 Board.

13 (2) MEETINGS.—The Board shall meet—

14 (A) at the call of the Chairperson; and

15 (B) not less frequently than 3 times each
16 year.

17 (3) REPORTS AND BRIEFINGS.—The Board
18 may issue reports and briefings to Congress.

19 (4) SUBCOMMITTEES.—The Board may estab-
20 lish such subcommittees of its members as may be
21 necessary.

22 (5) TASK FORCES AND WORKING GROUPS.—The
23 Board may establish such task forces and working
24 groups consisting of members of the Board and out-
25 side experts as may be necessary.

1 (e) TERMINATION.—Section 1013 of title 5, United
2 States Code, shall not apply to the Board.

3 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
4 authorized to be appropriated to carry out this section
5 \$5,000,000 for each of fiscal years 2024 through 2028.

6 **SEC. 311. OCEAN POLICY COMMITTEE.**

7 (a) COMMITTEE.—There is established an Ocean Pol-
8 icy Committee (in this section referred to as the “Com-
9 mittee”). The Committee shall retain broad and inclusive
10 membership.

11 (b) RESPONSIBILITIES.—The Committee shall—

12 (1) continue the activities of that Committee as
13 it was in existence on the day before the date of the
14 enactment of the William M. (Mac) Thornberry Na-
15 tional Defense Authorization Act for Fiscal Year
16 2021 (Public Law 116–283; 134 Stat. 3388);

17 (2) engage and collaborate, pursuant to existing
18 laws and regulations, with stakeholders, including
19 regional ocean partnerships, to address ocean-related
20 matters that may require interagency or intergovern-
21 mental solutions;

22 (3) facilitate coordination and integration of
23 Federal activities in ocean and coastal waters to in-
24 form ocean policy and identify priority ocean re-
25 search, technology, and data needs;

1 (4) prescribe policies and procedures to imple-
2 ment the National Oceanographic Partnership Pro-
3 gram established under section 8931 of title 10,
4 United States Code, including developing guidelines
5 for review, selection, identification, and approval of
6 partnership projects, in conjunction with Federal
7 agencies participating in the program, for implemen-
8 tation under the program, based on—

9 (A) whether the project addresses impor-
10 tant research objectives or operational goals;

11 (B) whether the project has, or is designed
12 to have, appropriate participation or support
13 from public, academic, commercial, and private
14 entities within the oceanographic community;

15 (C) whether the partners have a long-term
16 commitment to the objectives of the project;

17 (D) whether the resources supporting the
18 project are shared among the partners;

19 (E) whether the project has been subjected
20 to adequate scientific and technical merit review
21 according to each participating agency; and

22 (F) the approval of such guidelines by a
23 consensus of the members of the Committee;
24 and

1 (5) for projects under the purview of the Com-
2 mittee, establish or designate 1 or more systems for
3 ocean-related and ocean-mapping-related documents
4 prepared under the National Environmental Policy
5 Act of 1969 (42 U.S.C. 4321 et seq.), in accordance
6 with subsection (g).

7 (c) SUBCOMMITTEES.—

8 (1) IN GENERAL.—The Committee shall in-
9 clude—

10 (A) a subcommittee to be known as the
11 “Ocean Science and Technology Sub-
12 committee”; and

13 (B) a subcommittee to be known as the
14 “Ocean Resource Management Subcommittee”.

15 (2) DELEGATION TO OTHER SUBCOMMIT-
16 TEES.—In discharging its responsibilities in support
17 of agreed-upon scientific needs, and to assist in the
18 execution of the responsibilities described in sub-
19 section (b), the Committee may delegate responsibil-
20 ities to the Ocean Science and Technology Sub-
21 committee, the Ocean Resource Management Sub-
22 committee, or another subcommittee of the Com-
23 mittee, as the Committee determines appropriate.

24 (d) ANNUAL REPORT AND BRIEFING.—

1 (1) IN GENERAL.—Not later than March 1 of
2 each year, the Committee shall—

3 (A) make publicly available on an appro-
4 priate website a report on the National Oceanographic Partnership Program; and

5 (B) provide to the appropriate congress-
6 sional committees a briefing on the contents of
7 the report.
8

9 (2) PUBLIC AVAILABILITY OF BRIEFING MATE-
10 RIALS.—Not later than 30 days after providing a
11 briefing under paragraph (1)(B), the Committee
12 shall make publicly available on an appropriate
13 website the briefing materials covered by the brief-
14 ing.

15 (3) ELEMENTS.—Each report and briefing shall
16 include the following:

17 (A) A description of activities of the Na-
18 tional Oceanographic Partnership Program car-
19 ried out during the fiscal year preceding the fis-
20 cal year during which the report is published.

21 (B) A general outline of the activities
22 planned for the program during the fiscal year
23 during which the report is published.

24 (C) A summary of projects, partnerships,
25 and collaborations, including the Federal and

1 non-Federal sources of funding, continued from
2 the fiscal year preceding the fiscal year during
3 which the report is published and projects ex-
4 pected to begin during the fiscal year during
5 which the report is published and any subse-
6 quent fiscal year, as required under section
7 8932(a)(4)(C) of title 10, United States Code,
8 as amended by subsection (i).

9 (D) The amounts requested in the budget
10 submitted to Congress pursuant to section
11 1105(a) of title 31, United States Code, for the
12 fiscal year following the fiscal year during
13 which the report is published, for the programs,
14 projects, and activities, and the estimated ex-
15 penditures under such programs, projects, and
16 activities, to execute the National Oceanog-
17 raphic Partnership Program.

18 (E) A summary of national ocean research
19 priorities informed by the Ocean Research Advi-
20 sory Panel, as required under section 312(c)(4).

21 (F) A list of the members of the Ocean
22 Research Advisory Panel established under sec-
23 tion 312(a) and any working groups described
24 in section 8932(a)(4)(A) of title 10, United
25 States Code, as amended by subsection (i), in

1 existence during the fiscal years covered by the
2 report.

3 (e) CONTRACT AND GRANT AUTHORITY.—The Com-
4 mittee may authorize 1 or more of the departments or
5 agencies represented on the Committee to enter into con-
6 tracts and make grants, using funds appropriated pursu-
7 ant to an authorization of appropriations for the National
8 Oceanographic Partnership Program, for the purpose of
9 implementing the program and carrying out the respon-
10 sibilities of the Committee.

11 (f) ESTABLISHMENT AND FORMS OF PARTNERSHIP
12 PROJECTS.—

13 (1) IN GENERAL.—A partnership project under
14 the National Oceanographic Partnership Program
15 may be established by any instrument that the Com-
16 mittee considers appropriate, including a memo-
17 randum of understanding, a cooperative research
18 and development agreement, and any similar instru-
19 ment.

20 (2) DEMONSTRATION PROJECTS.—Projects
21 under the program may include demonstration
22 projects.

23 (g) ELEMENTS OF DOCUMENT SYSTEM.—The sys-
24 tems established or designated under subsection (b)(5)
25 may include the following:

1 (1) A publicly accessible, centralized digital ar-
2 chive of documents described in subsection (b)(5)
3 that are finalized after the date of the enactment of
4 the James M. Inhofe National Defense Authoriza-
5 tion Act for Fiscal Year 2023 (Public Law 117–283;
6 136 Stat. 2395), including—

7 (A) environmental impact statements;

8 (B) environmental assessments;

9 (C) records of decision; and

10 (D) other relevant documents as deter-
11 mined by the lead agency on a project.

12 (2) Geospatially referenced data, if any, con-
13 tained in the documents under paragraph (1).

14 (3) A mechanism to retrieve information
15 through geo-information tools that can map and in-
16 tegrate relevant geospatial information, such as—

17 (A) Ocean Report Tools;

18 (B) the Environmental Studies Program
19 Information System;

20 (C) Regional Ocean Partnerships; and

21 (D) the Integrated Ocean Observing Sys-
22 tem.

23 (4) Appropriate safeguards on the public acces-
24 sibility of data to protect national security equities.

1 (h) DEFINITION OF APPROPRIATE CONGRESSIONAL
2 COMMITTEES.—In this section, the term “appropriate
3 congressional committees” means—

4 (1) the Committee on Commerce, Science, and
5 Transportation of the Senate;

6 (2) the Committee on Armed Services of the
7 Senate;

8 (3) the Committee on Appropriations of the
9 Senate;

10 (4) the Committee on Natural Resources of the
11 House of Representatives;

12 (5) the Committee on Science, Space, and
13 Technology of the House of Representatives;

14 (6) the Committee on Armed Services of the
15 House of Representatives; and

16 (7) the Committee on Appropriations of the
17 House of Representatives.

18 (i) CONFORMING AMENDMENTS.—

19 (1) IN GENERAL.—Section 8932 of title 10,
20 United States Code, is amended—

21 (A) in the section heading, by striking
22 “**Ocean Policy Committee**” and inserting
23 “**Partnership Program Office**”;

24 (B) by striking subsection (a) through (d);

1 (C) by redesignating subsection (e) as sub-
2 section (a);

3 (D) in subsection (a), as so redesignated—

4 (i) in the subsection heading, by strik-
5 ing “PARTNERSHIP PROGRAM OFFICE”
6 and inserting “IN GENERAL”; and

7 (ii) in paragraph (3), by striking
8 “Committee” and inserting “Committee on
9 Ocean Policy established under section 311
10 of the National Oceanic and Atmospheric
11 Administration Act of 2023 (in this section
12 referred to as the ‘Committee’)”;

13 (E) by striking subsections (f) through (h);
14 and

15 (F) by redesignating subsection (i) as sub-
16 section (b).

17 (2) CLERICAL AMENDMENT.—The tables of sec-
18 tions at the beginning of chapter 893 of title 10,
19 United States Code, is amended by striking the item
20 relating to section 8932 and inserting the following:

“8932. Partnership Program Office.”.

21 **SEC. 312. OCEAN RESEARCH ADVISORY PANEL.**

22 (a) ESTABLISHMENT.—The Administrator shall es-
23 tablish an Ocean Research Advisory Panel (in this section
24 referred to as the “Panel”).

25 (b) MEMBERSHIP.—

1 (1) IN GENERAL.—The Panel shall consist of
2 not fewer than 10 and not more than 18 members
3 appointed by the co-chairs of the Ocean Policy Com-
4 mittee established under section 311 (in this section
5 referred to as the “Committee”), including each of
6 the following:

7 (A) Three members who represent the Na-
8 tional Academies of Sciences, Engineering, and
9 Medicine.

10 (B) Members selected from among individ-
11 uals who represent the views of ocean indus-
12 tries, State, Tribal, territorial, or local govern-
13 ments, academia, and such other views as the
14 co-chairs consider appropriate.

15 (C) Members selected from among individ-
16 uals eminent in the fields of marine science,
17 marine technology, and marine policy, or re-
18 lated fields.

19 (2) BALANCED INTERESTS REQUIRED.—The
20 Committee shall ensure that an appropriate balance
21 of academic, scientific, industry, and geographical
22 interests and gender and racial diversity are rep-
23 resented by the members of the Panel.

24 (c) RESPONSIBILITIES.—The Committee shall assign
25 the following responsibilities to the Panel:

1 (1) To advise the Committee on policies and
2 procedures to implement the National Oceano-
3 graphic Partnership Program established under sec-
4 tion 8931 of title 10, United States Code.

5 (2) To advise the Committee on matters relat-
6 ing to national oceanographic science, engineering,
7 facilities, or resource requirements.

8 (3) To advise the Committee on improving di-
9 versity, equity, and inclusion in the ocean sciences
10 and related fields.

11 (4) To advise the Committee on national ocean
12 research priorities.

13 (5) Any additional responsibilities that the
14 Committee considers appropriate.

15 (d) MEETINGS.—The Committee shall require the
16 Panel to meet not less frequently than 2 times each year.

17 (e) ADMINISTRATIVE AND TECHNICAL SUPPORT.—
18 The Administrator shall provide to the Panel such admin-
19 istrative and technical support as the Panel may require.

20 (f) TERMINATION.—Notwithstanding section 1013 of
21 title 5, United States Code, the Panel shall terminate on
22 January 1, 2040.

23 (g) AUTHORIZATION OF APPROPRIATIONS.—There is
24 authorized to be appropriated to carry out this section
25 \$5,000,000 for each of fiscal years 2024 through 2028.

1 (h) CONFORMING REPEAL.—

2 (1) IN GENERAL.—Section 8933 of title 10,
3 United States Code, is repealed.

4 (2) CLERICAL AMENDMENT.—The table of sec-
5 tions at the beginning of chapter 893 of such title
6 is amended by striking the item relating to section
7 8933.

8 **SEC. 313. SPACE WEATHER ADVISORY GROUP.**

9 (a) IN GENERAL.—

10 (1) ESTABLISHMENT.—The Administrator, in
11 consultation with other relevant Federal agencies,
12 shall establish the Space Weather Advisory Group
13 (in this section referred to as the “Advisory Group”)
14 for the purposes of receiving advice from the aca-
15 demic community, the commercial space weather
16 sector, and space weather end users that informs the
17 interests and work of the interagency working group.

18 (2) COMPOSITION.—The Advisory Group shall
19 be composed of not more than 15 members ap-
20 pointed by the Administrator, of whom—

21 (A) 5 members shall be representatives of
22 the academic community;

23 (B) 5 members shall be representatives of
24 the commercial space weather sector; and

1 (C) 5 members shall be nongovernmental
2 representatives of the space weather end user
3 community.

4 (3) CHAIRPERSON.—The Administrator shall
5 appoint 1 member as the Chairperson of the Advi-
6 sory Group.

7 (4) TERMS.—The length of the term of each
8 member of the Advisory Group shall be 3 years be-
9 ginning on the date on which the member is ap-
10 pointed.

11 (5) TERM LIMITS.—

12 (A) IN GENERAL.—A member of the Advi-
13 sory Group may not serve on the Advisory
14 Group for more than 2 consecutive terms.

15 (B) CHAIRPERSON.—A member of the Ad-
16 visory Group may not serve as the Chairperson
17 of the Advisory Group for more than 2 terms,
18 regardless of whether the terms are consecutive.

19 (b) DUTIES.—The Advisory Group shall advise the
20 Administrator on the following:

21 (1) Facilitating advances in the space weather
22 enterprise of the United States.

23 (2) Improving the ability of the United States
24 to prepare for, mitigate, respond to, and recover
25 from space weather phenomena.

1 (3) Enabling the coordination and facilitation of
2 research to operations and operations to research, as
3 described in section 60604(d) of such title.

4 (4) Developing and implementing the integrated
5 strategy under section 60602 of such title, including
6 subsequent updates and reevaluations.

7 (c) USER SURVEY.—

8 (1) IN GENERAL.—Not less frequently than
9 every 3 years, the Advisory Group shall conduct a
10 comprehensive survey of the needs of users of space
11 weather products to identify the space weather re-
12 search, observations, forecasting, prediction, and
13 modeling advances required to improve space weath-
14 er products.

15 (2) SURVEY CONSIDERATIONS.—Each survey
16 conducted under paragraph (1) shall—

17 (A) assess the adequacy of current Federal
18 Government goals for lead time, accuracy, cov-
19 erage, timeliness, data rate, and data quality
20 for space weather observations and forecasting;

21 (B) identify options and methods to, in
22 consultation with the academic community and
23 the commercial space weather sector, improve
24 upon the advancement of the goals described in
25 subparagraph (A);

1 (C) identify opportunities for collection of
2 new data to address the needs of the space
3 weather user community;

4 (D) identify methods to increase coordina-
5 tion of space weather research to operations
6 and operations to research;

7 (E) identify opportunities for new tech-
8 nologies, research, and instrumentation to aid
9 in research, understanding, monitoring, mod-
10 eling, prediction, forecasting, and warning of
11 space weather; and

12 (F) identify methods and technologies to
13 improve preparedness for potential space weath-
14 er phenomena.

15 (3) COORDINATION WITH AGENCIES.—In car-
16 rying out the requirements of this section, the Advi-
17 sory Group shall communicate and coordinate with
18 the interagency working group established under
19 section 60601(c) of title 51, United States Code, to
20 ensure the needs of the governmental space weather
21 user community are adequately and appropriately
22 identified by the survey under paragraph (1).

23 (4) BRIEFING TO CONGRESS.—Not later than
24 30 days after the completion of a survey under para-
25 graph (1), the Advisory Group shall provide to the

1 Committee on Commerce, Science, and Transpor-
2 tation of the Senate and the Committee on Science,
3 Space, and Technology of the House of Representa-
4 tives a briefing on the results of the survey.

5 (5) PUBLICATION.—Within 30 days of the
6 briefing to Congress under paragraph (4), the Advi-
7 sory Group shall make the results of the survey
8 under paragraph (1) publicly available.

9 (d) TERMINATION.—Section 1013 of title 5, United
10 States Code, shall not apply to the Advisory Group.

11 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to carry out this section
13 \$5,000,000 for each of fiscal years 2024 through 2028.

14 (f) CONFORMING AMENDMENTS.—Chapter 606 of
15 title 51, United States Code, is amended—

16 (1) in section 60601, by striking subsection (d);

17 (2) in section 60602—

18 (A) in subsection (a), by striking “advisory
19 group” and inserting “Space Weather Advisory
20 Group established under section 313 of the Na-
21 tional Oceanic and Atmospheric Administration
22 Act of 2023”;

23 (B) in subsection (b)(3), by striking “sec-
24 tion 60601(d)” and inserting “section 313(c) of

1 the National Oceanic and Atmospheric Admin-
2 istration Act of 2023”; and

3 (C) in subsection (c)(3), in the first sen-
4 tence, by striking “section 60601(d)(3)” and in-
5 serting “section 313(c) of the National Oceanic
6 and Atmospheric Administration Act of 2023”;

7 (3) in section 60603(f)(1), by striking “section
8 60601(d)(3)” and inserting “section 313(c) of the
9 National Oceanic and Atmospheric Administration
10 Act of 2023”; and

11 (4) in section 60604(d), in the matter preceding
12 paragraph (1), by striking “advisory group” and in-
13 serting “Space Weather Advisory Group established
14 under section 313 of the National Oceanic and At-
15 mospheric Administration Act of 2023”.

16 **SEC. 314. INTEGRATED OCEAN OBSERVING SYSTEM ADVI-**
17 **SORY COMMITTEE.**

18 (a) **ESTABLISHMENT.**—The Secretary, acting
19 through the Administrator, shall establish or designate the
20 Integrated Ocean Observing System Advisory Committee
21 (in this section referred to as the “Committee”), which
22 shall provide advice to the Secretary and the Adminis-
23 trator.

24 (b) **PURPOSES.**—The purposes of the Committee
25 are—

1 (1) to advise the Administrator and the Inter-
2 agency Ocean Observing Committee established
3 under section 12304(c)(2) of the Integrated Coastal
4 and Ocean Observation System Act of 2009 (33
5 U.S.C. 3603(c)(2)) on—

6 (A) administration, operation, manage-
7 ment, and maintenance of the National Inte-
8 grated Coastal and Ocean Observation System
9 established under section 12304 of such Act
10 (33 U.S.C. 3603) (in this section referred to as
11 the “System”), including integration of Federal
12 and non-Federal assets and data management,
13 data sharing, and communication aspects of the
14 System, and fulfillment of the purposes set
15 forth in section 12302 of such Act (33 U.S.C.
16 3601);

17 (B) identification of end-user communities,
18 their needs for information provided by the Sys-
19 tem, and the System’s effectiveness in dissemi-
20 nating information to end-user communities
21 and the general public; and

22 (C) expansion and periodic modernization
23 and upgrade of technology components of the
24 System;

1 (2) to provide additional recommendations re-
2 garding environmental intelligence priorities, includ-
3 ing with respect to—

4 (A) a national surface current mapping
5 network—

6 (i) designed to improve fine scale sea
7 surface mapping using high-frequency
8 radar technology and other emerging tech-
9 nologies to address national priorities, in-
10 cluding Coast Guard search and rescue op-
11 eration planning and harmful algal bloom
12 forecasting;

13 (ii) comprised of existing high fre-
14 quency radar and other sea surface current
15 mapping infrastructure operated by na-
16 tional programs and regional coastal ob-
17 serving systems within the Administration,
18 other Federal agencies, and other partners,
19 as appropriate;

20 (iii) designed to periodically incor-
21 porate new high frequency radar assets or
22 other fine scale sea surface mapping tech-
23 nology assets and other assets needed to
24 fill gaps in coverage on United States
25 coastlines or waterways; and

1 (iv) that follows a deployment plan
2 that prioritizes closing gaps in high fre-
3 quency radar infrastructure in the United
4 States, starting with areas demonstrating
5 significant sea surface current data needs,
6 especially in areas where additional data
7 will improve Coast Guard search and res-
8 cue models;

9 (B) fleet design and acquisition for un-
10 manned maritime systems for deployment and
11 data integration to fulfill the purposes of the
12 Integrated Coastal and Ocean Observation Sys-
13 tem Act of 2009 (33 U.S.C. 3601 et seq.);

14 (C) an integrative survey program for ap-
15 plication of unmanned maritime systems to the
16 real-time or near real-time collection and trans-
17 mission of sea floor, water column, and sea sur-
18 face data on biology, chemistry, geology, phys-
19 ics, and hydrography;

20 (D) remote sensing and data assimilation
21 tools or practices needed to develop new analyt-
22 ical methodologies to assimilate data from the
23 System into hydrodynamic models;

1 (E) integrated, multi-State monitoring to
2 assess sources, movement, and fate of sedi-
3 ments in coastal regions; and

4 (F) a multi-region marine sound moni-
5 toring system to be—

6 (i) planned in consultation with the
7 Interagency Ocean Observation Committee,
8 the Administration, the Department of the
9 Navy, and academic research institutions;
10 and

11 (ii) developed, installed, and operated
12 in coordination with the Administration,
13 the Department of the Navy, and academic
14 research institutions; and

15 (3) any other purposes identified by the Admin-
16 istrator or the Interagency Ocean Observing Com-
17 mittee.

18 (c) MEMBERS.—

19 (1) IN GENERAL.—The Committee shall be
20 composed of members appointed by the Secretary.
21 Members shall be qualified by education, training,
22 and experience to evaluate scientific and technical
23 information related to the design, operation, mainte-
24 nance, or use of the System, or use of data products
25 provided through the System.

1 (2) TERMS OF SERVICE.—The Secretary may
2 stagger the terms of the Committee members. Mem-
3 bers shall be appointed for 3-year terms, renewable
4 once. A vacancy appointment shall be for the re-
5 mainder of the unexpired term of the vacancy, and
6 an individual so appointed may subsequently be ap-
7 pointed for 2 full 3-year terms if the remainder of
8 the unexpired term is less than 1 year.

9 (3) CHAIRPERSON.—The Secretary shall des-
10 ignate a chairperson from among the members of
11 the Committee.

12 (4) APPOINTMENT.—Members of the Com-
13 mittee shall be appointed as special Government em-
14 ployees for purposes of section 202(a) of title 18,
15 United States Code.

16 (d) ADMINISTRATIVE PROVISIONS.—

17 (1) REPORTING.—The Committee shall report
18 to the Secretary and the Administrator, as appro-
19 priate.

20 (2) ADMINISTRATIVE SUPPORT.—The Adminis-
21 trator shall provide administrative support to the
22 Committee.

23 (3) MEETINGS.—The Committee shall meet at
24 least once each year, and at other times at the call

1 of the Administrator, the Interagency Ocean Obser-
2 vation Committee, or the Chairperson.

3 (4) COMPENSATION AND EXPENSES.—Members
4 of the Committee shall not be compensated for serv-
5 ice on the Committee, but may be allowed travel ex-
6 penses, including per diem in lieu of subsistence, in
7 accordance with subchapter I of chapter 57 of title
8 5, United States Code.

9 (5) TERMINATION.—Section 1013 of title 5,
10 United States Code, shall not apply to the Com-
11 mittee.

12 (e) AUTHORIZATION OF APPROPRIATIONS.—There is
13 authorized to be appropriated to carry out this section
14 \$5,000,000 for each of fiscal years 2024 through 2028.

15 (f) CONFORMING AMENDMENTS.—Section 12304 of
16 the Integrated Coastal and Ocean Observation System Act
17 of 2009 (33 U.S.C. 3603) is amended—

18 (1) by striking subsection (d); and

19 (2) by redesignating subsections (e) and (f) as
20 subsections (d) and (e), respectively.

21 **SEC. 315. CONTINUATION OF EXISTING MEMBERS.**

22 An individual serving, on the day before the date of
23 the enactment of this Act, a term as a member of a board,
24 advisory committee, panel, or other group established
25 under this title, may—

- 1 (1) serve for the remainder of that term; and
2 (2) be reappointed in accordance with the provi-
3 sions of this title.

4 **TITLE IV—WEATHER AND**
5 **ATMOSPHERE MATTERS**
6 **Subtitle A—National Weather**
7 **Service**

8 **PART I—ESTABLISHMENT AND BASIC**
9 **AUTHORITIES**

10 **SEC. 401. ESTABLISHMENT OF THE NATIONAL WEATHER**
11 **SERVICE.**

12 (a) **IN GENERAL.**—The Administrator shall maintain
13 within the Administration the National Weather Service.

14 (b) **MISSION.**—

15 (1) **IN GENERAL.**—The mission of the National
16 Weather Service is to provide weather, water, and
17 climate data, and forecasts, warnings, and impact-
18 based decision support services, for the protection of
19 life and property and the enhancement of the na-
20 tional economy, including agriculture, commerce,
21 and navigation.

22 (2) **ADMINISTRATOR.**—In carrying out the mis-
23 sion of the National Weather Service, the Adminis-
24 trator shall ensure that the National Weather Serv-
25 ice—

1 (A) provides timely and accurate informa-
2 tion regarding weather, water, climate, tsunami,
3 and space weather; and

4 (B) provides timely and accurate warnings
5 of natural hazards related to weather, extreme
6 weather, water, climate, volcanic ash, tsunamis,
7 and space weather.

8 (c) FUNCTIONS.—The National Weather Service
9 shall—

10 (1) maintain a network of local weather fore-
11 cast offices, including all such offices in existence as
12 of the date of the enactment of this Act;

13 (2) maintain a network of observation systems
14 to collect weather and climate data;

15 (3) operate national centers to deliver guidance,
16 forecasts, warnings, impact-based decision support
17 services, and analysis about weather, water, climate,
18 tsunami, and space weather phenomena for the Ad-
19 ministration and the public;

20 (4) enter into cooperative agreements with part-
21 ners that are not part of the Federal Government to
22 gain access to data and maintain equipment that
23 supports the mission of the National Weather Serv-
24 ice described in subsection (b);

1 (5) provide information to Federal agencies and
2 other organizations responsible for emergency pre-
3 paredness and response as required by law;

4 (6) provide forecasts, weather warnings, and
5 other weather services to the United States aviation
6 community;

7 (7) conduct and support applied research for
8 operations and development to facilitate the rapid
9 incorporation of weather and climate science ad-
10 vances into operational tools;

11 (8) coordinate with the Assistant Administrator
12 of the National Environmental Satellite, Data, and
13 Information Service of the Department of Commerce
14 to incorporate space-based observations of the Ad-
15 ministration and commercially obtained, inter-
16 national, or domestic research satellites to improve
17 utilization of data from remote sensors and sat-
18 ellites; and

19 (9) carry out other functions to serve the mis-
20 sion of the National Weather Service described in
21 subsection (b).

22 (d) FORECASTING OF WEATHER CONDITIONS AND
23 EXTREME WEATHER EVENTS.—The National Weather
24 Service shall, in coordination with other line offices of the

1 Administration as the Administrator considers appro-
2 priate—

3 (1) continually advance the capability to accu-
4 rately forecast weather conditions and extreme
5 weather events, such as inland and coastal flooding
6 (including inland flooding influenced by coastal and
7 ocean storms), through research and modeling;

8 (2) develop, test, and deploy a weather condi-
9 tions and extreme weather warning index that will
10 give the public and emergency management officials
11 (including public and emergency management offi-
12 cials located in rural and remote areas with limited
13 or no access to broadband) fuller, clearer, and more
14 accurate information about the risks and dangers
15 posed by weather conditions and extreme weather
16 events;

17 (3) train emergency management officials, Na-
18 tional Weather Service personnel, meteorologists,
19 and others as appropriate regarding—

20 (A) improved forecasting techniques for in-
21 land and coastal flooding and fire weather and
22 other extreme weather events;

23 (B) risk management techniques; and

1 (C) use of the weather conditions and ex-
2 treme weather warning index developed under
3 paragraph (2);

4 (4) conduct outreach and education activities
5 for local meteorologists and the public regarding—

6 (A) the dangers and risks associated with
7 weather conditions and extreme weather events,
8 such as inland and coastal flooding; and

9 (B) the use and understanding of the
10 weather conditions and extreme weather warn-
11 ing index developed under paragraph (2); and

12 (5) assess, through research and analysis of
13 previous trends, among other activities—

14 (A) the long-term trends in frequency and
15 severity of weather conditions and extreme
16 weather events such as inland and coastal flood-
17 ing; and

18 (B) how shifts in climate, development,
19 and erosion patterns might make certain re-
20 gions vulnerable to the risks and dangers posed
21 by more continual or escalating extreme weath-
22 er, such as flood damage, in the future.

1 **SEC. 402. AUTHORITY FOR CERTAIN FUNCTIONS AND AC-**
2 **TIVITIES.**

3 Amounts appropriated for the National Weather
4 Service and the National Environmental Satellite, Data,
5 and Information Service of the Department of Commerce
6 shall be available for—

7 (1) furnishing food and shelter, without repay-
8 ment therefor, to employees of the Federal Govern-
9 ment assigned to Arctic stations;

10 (2) equipment and maintenance of meteorolog-
11 ical offices and stations, and maintenance and oper-
12 ation of meteorological facilities outside the United
13 States by contract or otherwise; and

14 (3) repairing, altering, and improving buildings
15 occupied by the National Weather Service or the Na-
16 tional Environmental Satellite, Data, and Informa-
17 tion Service, and care and preservation of grounds,
18 including the construction of necessary outbuildings
19 and sidewalks on public streets abutting grounds of
20 the National Weather Service or the National Envi-
21 ronmental Satellite, Data, and Information Service.

22 **SEC. 403. EMPLOYEES OF THE NATIONAL WEATHER SERV-**
23 **ICE.**

24 (a) IN GENERAL.—The National Weather Service
25 shall consist of such civilian employees as Congress may
26 annually provide for and as may be necessary to properly

1 perform the duties devolving on the National Weather
2 Service by law.

3 (b) CHANGES OR ASSIGNMENT TO DUTY.—The Ad-
4 ministrator may make such changes or assignment to duty
5 in the personnel or detailed force of the National Weather
6 Service for limiting or reducing expenses as the Adminis-
7 trator may determine necessary.

8 **PART II—PROGRAMS**

9 **SEC. 411. NATIONAL INTEGRATED DROUGHT INFORMATION** 10 **SYSTEM PROGRAM.**

11 (a) IN GENERAL.—The Administrator, through the
12 National Weather Service and other appropriate weather
13 and climate programs in the Administration, shall estab-
14 lish a National Integrated Drought Information System
15 to better inform and provide for more timely decision mak-
16 ing to reduce drought related impacts and costs.

17 (b) SYSTEM FUNCTIONS.—The National Integrated
18 Drought Information System shall—

19 (1) provide an effective drought early warning
20 system that—

21 (A) collects and integrates information on
22 the key indicators of drought and drought im-
23 pacts, including precipitation, soil moisture, and
24 evaporative demand, in order to make usable,
25 reliable, and timely forecasts of drought and as-

1 assessments of the severity of drought conditions
2 and impacts; and

3 (B) provides such information, forecasts,
4 and assessments on both national and regional
5 levels;

6 (2) communicate drought forecasts, drought
7 conditions, and drought impacts on an ongoing basis
8 to public and private entities engaged in drought
9 planning and preparedness, including—

10 (A) decision makers at the Federal, re-
11 gional, State, Tribal, and local levels of govern-
12 ment;

13 (B) the private sector; and

14 (C) the public;

15 (3) provide timely data, information, and prod-
16 ucts that reflect local, regional, watershed, and State
17 differences in drought conditions;

18 (4) coordinate, and integrate, through inter-
19 agency agreements as practicable, Federal research
20 and monitoring in support of a drought early warn-
21 ing information system;

22 (5) utilize existing forecasting and assessment
23 programs and partnerships, including forecast com-
24 munication coordinators and cooperative institutes,
25 and improvements in seasonal precipitation and tem-

1 perature, subseasonal precipitation and temperature,
2 and low-flow water prediction; and

3 (6) continue ongoing research and monitoring
4 activities related to drought, including research ac-
5 tivities relating to the prediction, length, severity,
6 and impacts of drought and the role of extreme
7 weather events and climate variability in drought.

8 (c) PARTNERSHIPS.—The National Integrated
9 Drought Information System may—

10 (1) engage with the private sector to improve
11 drought monitoring, forecast, and communication if
12 the Administrator determines the partnership is ap-
13 propriate, cost-effective, and beneficial to the public
14 and decision makers described in subsection
15 (b)(2)(A);

16 (2) facilitate the development of 1 or more aca-
17 demic cooperative partnerships to assist with Na-
18 tional Integrated Drought Information System func-
19 tions; and

20 (3) utilize and support, as appropriate, moni-
21 toring by citizen scientists, including by developing
22 best practices to facilitate maximum data integra-
23 tion.

24 (d) CONSULTATION.—The Administrator shall con-
25 sult with relevant Federal, regional, State, Tribal, and

1 local government agencies, Indian Tribes, research institu-
2 tions, and the private sector in the development and
3 sustainment of the National Integrated Drought Informa-
4 tion System.

5 (e) COORDINATION WITH LINE OFFICES.—The Ad-
6 ministrator and the Assistant Administrator for Weather
7 Services of the Administration shall coordinate research
8 activities under this section with the Assistant Adminis-
9 trator of the Office of Oceanic and Atmospheric Research
10 and other personnel of the Administration as the Adminis-
11 trator considers appropriate.

12 (f) COOPERATION FROM OTHER FEDERAL AGEN-
13 CIES.—Each Federal agency shall cooperate as appro-
14 priate with the Administrator in carrying out this section.

15 (g) SOIL MOISTURE.—The Administrator, acting
16 through the National Integrated Drought Information
17 System, shall maintain and periodically update a strategy
18 for a national coordinated soil moisture monitoring net-
19 work.

20 (h) DROUGHT DEFINED.—In this section, the term
21 “drought” means a deficiency in precipitation—

22 (1) that leads to a deficiency in surface or sub-
23 surface water supplies (including rivers, streams,
24 wetlands, ground water, soil moisture, reservoir sup-
25 plies, lake levels, and snow pack); and

1 (2) that causes or may cause—

2 (A) substantial economic or social impacts;

3 or

4 (B) substantial physical damage or injury
5 to individuals, property, or the environment.

6 **SEC. 412. METEOROLOGICAL OBSERVATION IN THE ARCTIC**
7 **REGION.**

8 (a) ESTABLISHMENT OF METEOROLOGICAL OBSER-
9 VATION STATIONS IN THE ARCTIC REGION.—In order to
10 improve the weather forecasting service of the United
11 States and to promote safety and efficiency in air and ma-
12 rine navigation to the highest possible degree, the Admin-
13 istrator shall, in addition to the other functions and duties
14 of the Administrator, take such action as may be nec-
15 essary, including atmospheric and ocean research, in the
16 development of an international basic meteorological re-
17 porting network in the Arctic region of the Western Hemi-
18 sphere, including the establishment, operation, and main-
19 tenance of reporting stations in cooperation with the De-
20 partment of State and other Federal agencies, the mete-
21 orological services of foreign countries, and persons en-
22 gaged in air and marine commerce.

23 (b) APPOINTMENT AND COMPENSATION OF EMPLOY-
24 EES FOR CONDUCT OF METEOROLOGICAL INVESTIGA-
25 TIONS IN ARCTIC REGION.—The Secretary may—

1 (1) appoint employees for the conduct of mete-
2 orological investigations in the Arctic region without
3 regard to the civil service laws and fix their com-
4 pensation without regard to chapter 51 and sub-
5 chapter III of chapter 53 of title 5, United States
6 Code, and sections 5542, 5543, 5545, and 5546 of
7 that title, at base rates not to exceed the maximum
8 scheduled rate for GS-12 of the General Schedule
9 under section 5332 of that title; and

10 (2) grant extra compensation to employees of
11 other Federal agencies for taking and transmitting
12 meteorological observations without regard to section
13 5533 of title 5, United States Code.

14 (c) TRANSFER FROM OTHER GOVERNMENT DEPART-
15 MENTS OF SURPLUS EQUIPMENT AND SUPPLIES FOR
16 ARCTIC STATIONS.—Subject to approval of the President,
17 and without charge to the National Weather Service, the
18 Secretary of the Army, the Secretary of the Air Force,
19 and the Secretary of the Navy may transfer to the Na-
20 tional Weather Service equipment and supplies which are
21 surplus to the needs of their respective Departments and
22 necessary for the establishment, maintenance, and oper-
23 ation of Arctic weather stations in the United States.

1 **PART III—ADMINISTRATION**

2 **SEC. 421. ESTIMATES OF FUTURE APPROPRIATIONS NEEDS.**

3 The Administrator shall prepare future estimates for
4 appropriations needed for the National Weather Service,
5 which shall be specially developed and extended in the in-
6 terests of supporting accurate and timely weather fore-
7 casts for the general public, agriculture, transportation,
8 commerce, navigation and aviation, and other relevant
9 stakeholders.

10 **PART IV—TECHNICAL AMENDMENTS**

11 **SEC. 431. CONFORMING REPEALS.**

12 (a) IN GENERAL.—The following provisions of law
13 are repealed:

14 (1) Section 4 of the Act of October 1, 1890 (26
15 Stat. 653, chapter 1266; 15 U.S.C. 312).

16 (2) Section 3 of the Act of October 1, 1890 (26
17 Stat. 653, chapter 1266; 15 U.S.C. 313).

18 (3) The first section of the Act of February 12,
19 1946 (60 Stat. 4, chapter 4; 15 U.S.C. 313a).

20 (4) Section 222 of the National Aeronautics
21 and Space Administration Authorization Act, Fiscal
22 Year 1993 (15 U.S.C. 313b).

23 (5) Section 2 of the Inland Flood Forecasting
24 and Warning System Act of 2002 (15 U.S.C. 313c).

1 (6) The National Integrated Drought Informa-
2 tion System Act of 2006 (Public Law 109–430; 120
3 Stat. 2918; 15 U.S.C. 313d and 313d note).

4 (7) The Act of March 2, 1895 (28 Stat. 737,
5 chapter 169; 15 U.S.C. 315).

6 (8) Section 9 of the Act of October 1, 1890 (26
7 Stat. 654, chapter 1266; 15 U.S.C. 317).

8 (9) The last undesignated section of the Act en-
9 titled “An Act making appropriations for the De-
10 partment of Agriculture for the fiscal year ending
11 June thirtieth, eighteen hundred and ninety-seven”,
12 approved April 25, 1886 (29 Stat. 108, chapter 140;
13 15 U.S.C. 318).

14 (10) The second undesignated section under the
15 heading “Weather Bureau” in title III of the De-
16 partment of Commerce Appropriations Act, 1944
17 (57 Stat. 300, chapter 182; 15 U.S.C. 322).

18 (11) The Act entitled “An Act to provide basic
19 authority for certain functions and activities of the
20 Weather Bureau, and for other purposes”, approved
21 June 2, 1948 (62 Stat. 286, chapter 373; 15 U.S.C.
22 325, 326, 327, and 328).

23 (b) EFFECT OF REPEALS ON REORGANIZATION
24 PLANS.—The repeals made by subsection (a) shall super-

1 sede any reorganization plans to the extent of any incon-
2 sistency.

3 **Subtitle B—Weather Research and**
4 **Forecasting**

5 **SEC. 441. COMPOSITION OF THE ATMOSPHERE; ATMOS-**
6 **PHERIC OBSERVATIONS; PRECIPITATION**
7 **PREDICTION PROGRAM.**

8 (a) IN GENERAL.—The Weather Research and Fore-
9 casting Innovation Act of 2017 (15 U.S.C. 8501 et seq.)
10 is amended—

11 (1) in section 2—

12 (A) by amending paragraph (4) to read as
13 follows:

14 “(4) UNDER SECRETARY; ADMINISTRATOR.—

15 “(A) UNDER SECRETARY.—The term
16 ‘Under Secretary’ means the Under Secretary
17 of Commerce for Oceans and Atmosphere.

18 “(B) ADMINISTRATOR.—The term ‘Admin-
19 istrator’ means the Administrator of the Na-
20 tional Oceanic and Atmospheric Administration,
21 also known as the Under Secretary of Com-
22 merce for Oceans and Atmosphere.”; and

23 (B) by adding at the end the following:

24 “(6) EARTH SYSTEMS.—The term ‘Earth sys-
25 tems’ means the interacting physical, chemical, and

1 biological processes of the Earth, including anthro-
2 pogenic processes. Earth systems—

3 “(A) consist of the land, oceans, atmos-
4 phere, and polar regions; and

5 “(B) include the natural cycles of the
6 Earth, namely the carbon, water, nitrogen,
7 phosphorous, sulfur, and other cycles.”;

8 (2) by redesignating section 110 as section 113;

9 and

10 (3) by inserting after section 109 the following:

11 **“SEC. 110. COMPOSITION OF THE ATMOSPHERE.**

12 “(a) PROGRAM REQUIRED.—

13 “(1) IN GENERAL.—The Administrator, acting
14 through the Assistant Administrator for the Office
15 of Oceanic and Atmospheric Research, shall main-
16 tain a program to monitor and track the composition
17 of the global atmosphere.

18 “(2) FUNCTIONS.—The program required by
19 paragraph (1) shall—

20 “(A) identify and address observational
21 and data gaps in the understanding of the com-
22 position of Earth’s atmosphere, including the
23 troposphere and stratosphere;

24 “(B) develop, research, collect, and provide
25 observation, data, and analyses that support—

1 “(i) assessments of climate risks and
2 threats to the public and economic sectors;

3 “(ii) efforts that advance scientific un-
4 derstanding of the effects on the Earth’s
5 radiation budget of direct or indirect ac-
6 tions that may change the composition of
7 Earth’s atmosphere, including anthropo-
8 genic and natural emissions, chemical and
9 physical processes, atmospheric chemistry
10 and composition of air quality, clouds, con-
11 vective weather events, climate, and the en-
12 vironment; and

13 “(iii) current and projected near-term
14 (30 to 40 years) predictions of the com-
15 position of Earth’s atmosphere;

16 “(iv) estimates of the direct and indi-
17 rect effects of the ocean process on atmos-
18 pheric composition; and

19 “(v) related purposes;

20 “(C) promote international scientific co-
21 operation and provide open access to research
22 tools, data, and scientific findings;

23 “(D) support public education and public
24 engagement on science related to the Earth’s
25 atmosphere and the Earth’s radiation budget;

1 “(E) expand the use of ground-based and
2 maritime-based remote and in-situ sensing ca-
3 pabilities, autonomous and manned aerial plat-
4 forms, and other commercially available tech-
5 nologies and platforms of opportunity to accel-
6 erate research and increase the scale and sus-
7 tainability of observations and monitoring; and

8 “(F) support the decision support and
9 warning services of the National Oceanic and
10 Atmospheric Administration.

11 “(3) DEFINITION OF RADIATION BUDGET.—In
12 this subsection, the term ‘radiation budget’ means
13 the accounting of the balance between incoming ra-
14 diation, which is almost entirely solar radiation, and
15 outgoing radiation, which is partly reflected solar ra-
16 diation and partly radiation emitted from the Earth
17 systems, including the atmosphere.

18 “(b) CONSULTATION.—In carrying out the program
19 required by subsection (a), the Administrator shall consult
20 with—

21 “(1) the National Aeronautics and Space Ad-
22 ministration, the Department of Energy, the Envi-
23 ronmental Protection Agency, and other Federal
24 agencies;

1 “(2) institutions of higher education (as defined
2 in section 101(a) of the Higher Education Act of
3 1965 (20 U.S.C. 1001(a))); and

4 “(3) international bodies, such as the World
5 Meteorological Organization and the related climate
6 and meteorological bodies and panels of the United
7 Nations.

8 “(c) ACTIVITIES.—

9 “(1) IN GENERAL.—The Administrator shall
10 maintain processes and procedures to assess and es-
11 tablish current and projected concentrations,
12 sources, sinks, fluxes, and rates of change of the
13 substances on the list described in paragraph (2) at
14 a frequency, scale, and specificity appropriate for the
15 following purposes:

16 “(A) To detect and attribute sources and
17 sinks of gases that absorb radiation at regional
18 or localized scales.

19 “(B) To quantify—

20 “(i) uptake of carbon fluxes from nat-
21 ural systems, including the ocean; and

22 “(ii) efforts intended to remove car-
23 bon from the atmosphere and ocean.

24 “(C) To estimate direct and indirect ef-
25 fects of aerosols on radiative forces.

1 “(D) To assess and monitor efforts in-
2 tended to reduce warming in the climate.

3 “(E) To provide early warning of accel-
4 erating changes in the release of gases that ab-
5 sorb infrared radiation.

6 “(2) LIST DESCRIBED.—The list described in
7 this paragraph is a list of substances that includes—

8 “(A) carbon dioxide;

9 “(B) methane;

10 “(C) nitrous oxide;

11 “(D) gases that absorb infrared radiation;

12 “(E) aerosol and aerosol precursor species;

13 “(F) substances necessary to fulfill inter-
14 national monitoring obligations and other legal
15 mandates; and

16 “(G) any other substance that the Admin-
17 istrator finds—

18 “(i) contributes significantly to the
19 energy entering, reflected, absorbed, and
20 emitted by the Earth systems; or

21 “(ii) to otherwise be appropriate for
22 inclusion to carry out a purpose described
23 in paragraph (1), including substances that
24 serve analytical purposes, such as proxies,
25 tracers, or indirect influences on the com-

1 position of the atmosphere (such as water
2 vapor).

3 “(d) EMERGENCY DETERMINATION.—If the Admin-
4 istrator determines, in consultation with the entities de-
5 scribed in subsection (b), that the rate of change in global
6 atmospheric composition indicates the potential for rapid
7 warming significantly above a commonly understood
8 trendline and accounting for the experienced range of an-
9 nual climate variability, the Administrator shall notify
10 Congress of such determination as soon as practicable.

11 “(e) REPORTS AND ASSESSMENTS.—

12 “(1) REPORT.—Not later than 2 years after the
13 date of the enactment of the National Oceanic and
14 Atmospheric Administration Act of 2023, the Ad-
15 ministrator shall submit to Congress a report that
16 includes the following:

17 “(A) An identification of Federal observa-
18 tion capabilities and programs used, as of the
19 date on which the report is submitted, for—

20 “(i) the activities carried out under
21 subsection (c); and

22 “(ii) other applications that could con-
23 tribute to advancing the program required
24 by subsection (a) and the activities carried
25 out under subsection (c).

1 “(B) Recommendations for the adaptation
2 or expansion of the capabilities and programs
3 identified under subparagraph (A).

4 “(C) An identification and prioritization of
5 additional observation and analysis capabilities
6 needed to ensure monitoring that detects
7 changes in atmospheric composition for the ac-
8 tivities carried out under subsection (c).

9 “(D) A quantification of the contributions
10 of the substances on the list described in sub-
11 section (c)(2).

12 “(2) QUADRENNIAL REPORT.—Not less fre-
13 quently than once every 4 years, and in alignment
14 with the development of the scientific assessment re-
15 quired by section 106 of the Global Change Re-
16 search Act of 1990 (15 U.S.C. 2936), the Adminis-
17 trator shall assess and submit to Congress a report
18 on the status and progress of the actions taken by
19 the National Oceanic and Atmospheric Administra-
20 tion to administer the program required by sub-
21 section (a) and the activities carried out under sub-
22 section (c).

23 “(3) ASSESSMENTS.—

24 “(A) IN GENERAL.—Not less frequently
25 than once every 4 years, the Administrator shall

1 assess the ground-based, air-based, marine-
2 based, and space-based observational activities
3 carried out under the program required by sub-
4 section (a) using best available scientific, envi-
5 ronmental, technical, and economic information.

6 “(B) REPORTS.—Not later than 1 year
7 after the date on which an assessment required
8 by subparagraph (A) is completed, the Adminis-
9 trator, in consultation with the Science Advi-
10 sory Board, shall post on a public website and
11 submit to Congress a report that includes the
12 following elements:

13 “(i) An evaluation of the list described
14 in subsection (c)(2) and the ability of Fed-
15 eral observation capabilities to accurately
16 detect and monitor the composition of the
17 atmosphere.

18 “(ii) An evaluation of the ability of
19 Federal observation capabilities to accu-
20 rately detect, monitor, and quantify nat-
21 ural and anthropogenic sources and sinks
22 of the substances on the list described in
23 subsection (c)(2).

24 “(iii) A review of the results of any
25 pilot projects required by section 111 and

1 observation programs under that section
2 related to the activities carried out under
3 subsection (c).

4 “(iv) Recommendations for the coordi-
5 nation of the atmospheric composition ob-
6 serving activities of the United States with
7 such activities of other countries and inter-
8 national organizations.

9 “(v) Recommendations for the adop-
10 tion of new instruments, platforms, data
11 sources, or other capabilities to support the
12 reporting requirements of this section
13 based on the significance of such capabili-
14 ties to the purposes described in subsection
15 (c)(1), such as with respect to the ability
16 of the capability to address gaps in data,
17 the applicability to research needs, and the
18 pace of deployment.

19 “(C) CONSIDERATIONS.—In preparing a
20 report required by subparagraph (B), the Ad-
21 ministrators shall consider and use, as appro-
22 priate, reports and studies conducted by Fed-
23 eral agencies, the National Research Council, or
24 other entities.

1 **“SEC. 111. OBSERVATIONAL PROGRAMS TO SUPPORT AT-**
2 **MOSPHERIC COMPOSITION, EARTH’S RADI-**
3 **ATION BUDGET, AND OTHER EFFORTS.**

4 “(a) IN GENERAL.—The Administrator shall main-
5 tain, operate, and sustain observational systems and plat-
6 forms to support the atmospheric composition program re-
7 quired by subsection (a) of section 110 and activities car-
8 ried out under subsection (c) of that section.

9 “(b) OBSERVATIONAL SYSTEMS AND PLATFORMS.—
10 The observational systems and platforms described in sub-
11 section (a) include—

12 “(1) direct (in-situ) and remote measurements
13 of magnitudes and vertical and horizontal gradients
14 of principal components of Earth systems in the at-
15 mosphere;

16 “(2) observational systems and platforms sup-
17 ported by other Federal agencies, academic institu-
18 tions, and noncommercial and commercial entities;

19 “(3) existing air and marine transportation
20 platforms, such as commercial aircraft and maritime
21 vessels;

22 “(4) fixed and floating platforms for observing
23 atmospheric, oceanic, and sea-air conditions;

24 “(5) platforms with sufficient range and pay-
25 load to observe the stratosphere and other remote
26 regions of the atmosphere; and

1 “(6) remote sensing capabilities utilizing sat-
2 ellites and associated ground systems for observing
3 earth and non-terrestrial conditions, including space
4 weather.

5 “(c) PILOT PROJECTS.—

6 “(1) IN GENERAL.—Not later than 18 months
7 after the date of the enactment of the National Oce-
8 anic and Atmospheric Administration Act of 2023,
9 the Administrator shall conduct pilot projects of ob-
10 servational systems and platforms described in sub-
11 section (a) to collect observations for substances on
12 the list described in section 110(c)(2), including—

13 “(A) the use of atmospheric observing in-
14 struments on commercial and uncrewed air-
15 craft;

16 “(B) the use of atmospheric and oceanic
17 observing instruments on uncrewed ocean sur-
18 face platforms or deployed on commercial or
19 other nondedicated ocean vessels;

20 “(C) in-situ observation capability to con-
21 duct regular atmospheric observations of the
22 troposphere and stratosphere; and

23 “(D) the use of controlled studies to test
24 the response of atmospheric conditions through
25 the removal or addition of anthropogenic re-

1 leases and improve prediction of the composi-
2 tion of the atmosphere.

3 “(2) CONSULTATION AND COORDINATION.—The
4 Administrator shall consult and coordinate with rel-
5 evant Federal agencies to develop processes for the
6 appropriate deployment of systems and platforms
7 pursuant to pilot projects required by paragraph (1).

8 “(3) ADDITIONAL PILOT PROJECTS.—In addi-
9 tion to the pilot projects required by paragraph (1),
10 the Administrator shall establish other pilot projects
11 that may investigate the need for expanding the ob-
12 servation systems and platforms described in sub-
13 section (a).

14 “(d) AUTHORITY TO ENTER INTO AGREEMENTS.—
15 Notwithstanding any other provision of law, the Adminis-
16 trator may enter into agreements, to the extent necessary
17 to carry out this section, with governmental and non-
18 governmental entities—

19 “(1) for the purchase of atmospheric composi-
20 tion data from commercial providers;

21 “(2) for the hosting of observational instru-
22 ments on government or private platforms; and

23 “(3) to leverage data from international plat-
24 forms as appropriate.

25 “(e) AUTHORIZATION OF APPROPRIATIONS.—

1 “(1) IN GENERAL.—There are authorized to be
2 appropriated to the Administrator to carry out this
3 section \$200,000,000 for each of fiscal years 2024
4 through 2028.

5 “(2) AVAILABILITY OF AMOUNTS.—Amounts
6 appropriated pursuant to the authorization of appro-
7 priations under paragraph (1) shall remain available
8 until expended.

9 **“SEC. 112. PRECIPITATION PREDICTION PROGRAM.**

10 “(a) DEFINITIONS.—In this section:

11 “(1) ATMOSPHERIC RIVER.—The term ‘atmos-
12 pheric river’ means a transient corridor of strong
13 water vapor in the atmosphere that produces signifi-
14 cant amounts of rain or snow, especially in the west-
15 ern United States and similar regions globally, and
16 can be primarily beneficial to the water supply or
17 hazardous due to flooding.

18 “(2) ATMOSPHERIC RIVER EVENT.—The term
19 ‘atmospheric river event’ means an atmospheric river
20 that produces a 24-hour or greater period of contin-
21 uous or near-continuous rainfall or snow-water
22 equivalent that totals at least 3 inches and results
23 in flooding of rivers and streams or other societal
24 impacts.

1 “(3) EXTREME PRECIPITATION.—The term ‘ex-
2 treme precipitation’ means precipitation amounts ex-
3 ceeding the 5-year annual recurrence interval for a
4 given location.

5 “(4) INDIAN TRIBE.—The term ‘Indian Tribe’
6 has the meaning given that term in section 4 of the
7 Indian Self-Determination and Education Assistance
8 Act (25 U.S.C. 5304).

9 “(5) WATER MANAGER.—The term ‘water man-
10 ager’ means a State or local government, Indian
11 Tribe, or entity with authority to manage, operate,
12 and control the movement of water resources to min-
13 imize damage to life and property and to maximize
14 efficient beneficial use.

15 “(b) ESTABLISHMENT OF PROGRAM.—The Adminis-
16 trator, acting through the Assistant Administrator for
17 Weather Services and in coordination with the Assistant
18 Administrator for the Office of Oceanic and Atmospheric
19 Research and the Assistant Administrator for the Na-
20 tional Environmental Satellite, Data, and Information
21 Service, shall establish and maintain a program for pre-
22 cipitation prediction.

23 “(c) PROGRAM PURPOSE.—The purpose of the pro-
24 gram established under subsection (b), consistent with the
25 priorities described in section 101, is—

1 “(1) to improve understanding of the weather
2 systems of the Earth that produce precipitation and
3 extreme precipitation events such as atmospheric riv-
4 ers;

5 “(2) to improve simulation and prediction of
6 precipitation in forecast models;

7 “(3) to produce accurate forecasts for timing,
8 locations, and characteristics of atmospheric rivers
9 and other major storms that create extreme precipi-
10 tation and precipitation amounts associated with
11 rainfall and snowfall, including with respect to rain-
12 fall and snowfall triggered by atmospheric river
13 events and other extreme weather phenomena;

14 “(4) to provide accessible and actionable infor-
15 mation to the public, emergency managers, water
16 managers, and agricultural industries and other eco-
17 nomic sectors that are impacted by and benefit from
18 precipitation and extreme precipitation events;

19 “(5) to reduce the loss of life and economic
20 losses from precipitation and extreme precipitation
21 events and associated conditions such as flooding,
22 landslides, and snowfall;

23 “(6) to research, develop, and deliver, as in-
24 formed by social, behavioral, and economic sciences
25 research, timely and consistent state-of-the-science

1 national hydrometeorological analyses, forecast infor-
2 mation, data, guidance, and equitable decision-sup-
3 port services related to precipitation to inform essen-
4 tial emergency management and water resources de-
5 cisions across all time scales;

6 “(7) to ensure that real-time, archived, and ret-
7 rospective data, metadata, products, and services as-
8 sociated with precipitation are findable, accessible,
9 interoperable, usable, analysis- and decision-ready,
10 and reusable to facilitate activities of Federal, State,
11 and local governments, Indian Tribes, and local and
12 private users that rely on access to such data, prod-
13 ucts, and services to implement programs to save
14 lives, property, and critical infrastructure;

15 “(8) to evaluate emerging techniques such as
16 artificial intelligence, machine learning, high-per-
17 formance computing, exascale (or later) capabilities,
18 and cloud technologies to enhance data management,
19 data archiving, research, and operations that will
20 lead to enhanced prediction, rapid detection, and
21 monitoring of precipitation, including atmospheric
22 rivers; and

23 “(9) to establish prediction performance metrics
24 for atmospheric river forecasts, including position,

1 intensity, duration, ranking, and associated extreme
2 precipitation forecasts.

3 “(d) FUNCTIONS.—

4 “(1) IN GENERAL.—The program established
5 under subsection (b) shall—

6 “(A) maintain a coordinated program of
7 satellite-, air-, ocean-, and land-based observa-
8 tions to support detection, modeling, fore-
9 casting, and monitoring of precipitation;

10 “(B) maintain a coordinated research pro-
11 gram focused on—

12 “(i) improving process-level under-
13 standing of precipitation and the structure
14 and behavior of storms that produce ex-
15 treme precipitation, including the roles of
16 climate variability and change in modu-
17 lating the frequency and intensity of pre-
18 cipitation, including heavy precipitation
19 caused by atmospheric rivers; and

20 “(ii) uncovering sources of predict-
21 ability needed to improve forecasting, in-
22 cluding the use and improvement of global-
23 scale coupled Earth systems models, espe-
24 cially at high-spatial resolution, to assess
25 the ability of such models to represent and

1 predict precipitation, from short-term
2 weather predictions to subseasonal to
3 decadal timescales;

4 “(C) ensure that space-based observations
5 of the Earth support operational monitoring of
6 environmental conditions associated with pre-
7 cipitation;

8 “(D) continually expand and innovate data
9 assimilation capabilities to access underutilized
10 and new data and integrate model enhance-
11 ments that increase accuracy of model pre-
12 dictions of precipitation and the characteristics
13 of storms that produce precipitation;

14 “(E) establish forecast skill metrics for ex-
15 treme precipitation prediction;

16 “(F) research and develop, informed by so-
17 cial, behavioral, and economic sciences, new and
18 innovative technologies, techniques, systems
19 (which may include crewed or uncrewed sys-
20 tems, artificial intelligence, high-performance
21 computing, exascale (or later) capabilities, and
22 cloud technologies), processes, and procedures
23 that—

24 “(i) increase accurate forecasts of the
25 storms that produce extreme precipitation

1 and of precipitation and associated condi-
2 tions, including regionally specific skill
3 scores and performance tracking;

4 “(ii) facilitate research and operations
5 partnerships and the rapid transition of re-
6 search into operations;

7 “(iii) support management decisions
8 related to—

9 “(I) flood control;

10 “(II) water supply and storage
11 operations;

12 “(III) agriculture; and

13 “(IV) emergencies and hazards,
14 such as flooding, drought, landslides,
15 tsunami inundation, and snowfall; and

16 “(iv) expand the annual data collec-
17 tion and associated research capacities of
18 the Atmospheric River Airborne Reconnaissance
19 Program of the National Oceanic
20 and Atmospheric Administration through a
21 robust research and operations partnership
22 between the Administration, the Air Force,
23 and academic institutions.

24 “(G) support related missions of the Na-
25 tional Oceanic and Atmospheric Administration;

1 “(H) enhance testbeds of the National
2 Oceanic and Atmospheric Administration in ex-
3 istence as of the date of the enactment of the
4 National Oceanic and Atmospheric Administra-
5 tion Act of 2023, with an expanded focus on
6 precipitation, including the evaluation of phys-
7 ical and social science, technology, and other re-
8 search to develop products and services for im-
9 plementation and use by relevant stakeholders,
10 including Federal, State, and local water and
11 emergency managers and Indian Tribes;

12 “(I) strengthen forecasts, research, oper-
13 ations, collaboration, research and operations
14 partnerships, and service reliability across the
15 National Oceanic and Atmospheric Administra-
16 tion, appropriate Federal, State, and Tribal
17 agencies, and private and academic sectors for
18 precipitation prediction;

19 “(J) coordinate with the Administrator of
20 the National Aeronautics and Space Adminis-
21 tration to leverage its research work in observa-
22 tions of precipitation in support of the oper-
23 ational mission of the National Oceanic and At-
24 mospheric Administration; and

1 “(K) foster international relationships to
2 leverage space-based data for input to numer-
3 ical weather prediction activities of the United
4 States focused on detection and monitoring of
5 precipitation and extreme precipitation events
6 such as atmospheric rivers.

7 “(2) SOCIAL SCIENCE RESEARCH ACTIVITIES.—
8 In carrying out paragraph (1), the Administrator
9 shall engage in and conduct social science research
10 activities for the improvement of public communica-
11 tion to facilitate understanding of the impacts and
12 potential benefits of precipitation.

13 “(e) COORDINATION AND COLLABORATION.—

14 “(1) IN GENERAL.—The Administrator, acting
15 through the Assistant Administrator for Weather
16 Services and in coordination with the Assistant Ad-
17 ministrator for the National Environmental Satellite,
18 Data, and Information Service and the Assistant
19 Administrator for the Office of Oceanic and Atmos-
20 pheric Research, shall coordinate and collaborate
21 with other Federal agencies, State and local govern-
22 ments, academic institutions, National Weather
23 Service core partners (as defined in section 1762(i)
24 of the Food Security Act of 1985 (15 U.S.C.
25 8521(i))), the weather enterprise, emergency and

1 water managers, and Indian Tribes to ensure that
2 extreme precipitation forecasts innovate and keep
3 pace with user needs.

4 “(2) INCLUSIONS.—The coordination described
5 in paragraph (1) may include coordination with—

6 “(A) water managers to support—

7 “(i) water supply prediction and reli-
8 ability during drought years for agricul-
9 tural and municipal needs;

10 “(ii) management and operations of
11 water storage and supply for floods, irri-
12 gated agriculture, municipal and domestic
13 uses, and power generation; and

14 “(iii) the ability of water managers to
15 respond and adapt to potential effects of
16 climate change;

17 “(B) emergency managers to support—

18 “(i) early warning and impact forecast
19 needs;

20 “(ii) accuracy improvements for local
21 forecasts; and

22 “(iii) advancement in warning and
23 communication measures; and

1 “(C) the research community to establish
2 collaboration on research opportunities and pri-
3 orities.

4 “(f) SUPPORT TO NON-FEDERAL ENTITIES.—

5 “(1) IN GENERAL.—In carrying out the pro-
6 gram established under subsection (b), the Adminis-
7 trator may provide support to non-Federal Govern-
8 ment entities by making funds and resources avail-
9 able through—

10 “(A) competitive grants;

11 “(B) the mobility program under sub-
12 chapter VI of chapter 33 of title 5, United
13 States Code (commonly referred to as the
14 ‘Intergovernmental Personnel Act Mobility Pro-
15 gram’);

16 “(C) contracts; and

17 “(D) cooperative agreements, including co-
18 operative research and development agreements.

19 “(g) DATA MANAGEMENT.—

20 “(1) IN GENERAL.—The Administrator shall
21 develop and maintain services that provide precipita-
22 tion data and information that is accessible to the
23 public—

24 “(A) to improve understanding and histor-
25 ical analysis of precipitation;

1 “(B) to support the management,
2 archiving, stewardship, utility, and preservation
3 of and public accessibility to precipitation pre-
4 diction data including satellite-, land-, ocean-,
5 airborne-, and air-based observations; and

6 “(C) to promote findability, interoper-
7 ability, analysis- and decision-readiness, and
8 reusability of historical and near real time data
9 across Federal, State, Tribal, and local users,
10 including ensuring digital access and machine-
11 readability of historical weather records that in-
12 clude precipitation and extreme precipitation
13 events such as atmospheric rivers phenomena.

14 “(2) COLLABORATION.—In carrying out para-
15 graph (1), the Administrator shall collaborate with
16 such Federal partners and stakeholders as the Ad-
17 ministrator considers relevant—

18 “(A) to develop standards to enhance
19 interoperability of data and metadata, convert
20 historical records into common digital formats,
21 and improve access and usability of data by
22 partners and stakeholders; and

23 “(B) to identify and solicit relevant data
24 from Federal, academic, commercial, and inter-
25 national partners and other relevant stake-

1 holders, as the Administrator considers appro-
2 priate.

3 “(h) ASSESSMENTS.—

4 “(1) ANNUAL ASSESSMENT.—

5 “(A) IN GENERAL.—Each year, the Ad-
6 ministrator shall conduct an assessment of ex-
7 treme precipitation that occurred during the
8 previous calendar year, including the type of
9 storm that produced each event.

10 “(B) REQUIREMENTS.—In conducting an
11 assessment under paragraph (1), the Adminis-
12 trator shall—

13 “(i) investigate any gaps in data col-
14 lected during extreme precipitation that
15 could reasonably improve forecasting of
16 such precipitation and the storms that
17 produce such precipitation in the future;

18 “(ii) identify and implement strategies
19 and procedures to improve program serv-
20 ices and information dissemination; and

21 “(iii) provide recommendations re-
22 garding updates necessary for systems,
23 processes, strategies, and procedures to en-
24 hance the efficiency and reliability of data

1 obtained during extreme precipitation and
2 assessments.

3 “(2) ASSESSMENTS FOLLOWING INDIVIDUAL
4 EVENTS.—The Administrator shall conduct an as-
5 sessment following each individual extreme precipita-
6 tion event.

7 “(3) COMMUNITY IMPACT STUDIES.—In car-
8 rying out activities under this subsection, the Ad-
9 ministrator shall increase the number of post-ex-
10 treme precipitation event community impact studies,
11 including by collecting data through surveying indi-
12 vidual and collective responses and incorporating
13 other applicable topics of social science research.

14 “(4) COORDINATION.—In conducting any as-
15 sessment under this subsection, the Administrator
16 shall coordinate with Federal, State, and local gov-
17 ernments, Indian Tribes, academia, the weather en-
18 terprise, and emergency and water managers in
19 order to—

20 “(A) improve operations, partnerships, and
21 collaboration; and

22 “(B) optimize data collection, sharing, in-
23 tegration, assimilation, and dissemination.

24 “(5) INTERNATIONAL COLLABORATION.—The
25 Administrator may develop collaborative relation-

1 ships and agreements with foreign partners and
2 counterparts to address transboundary issues per-
3 taining to extreme precipitation and associated con-
4 ditions and hazards or other relevant meteorological
5 phenomena as appropriate, to facilitate full and open
6 exchange of data and information.

7 “(6) DATA AVAILABILITY.—The Administrator
8 shall publish the data and findings obtained from
9 each assessment conducted under this subsection in
10 an accessible digital format on a publicly available
11 website as soon as practicable after conducting the
12 assessment.

13 “(i) SERVICE IMPROVEMENTS.—The Administrator
14 shall make best efforts to incorporate the results and rec-
15 ommendations of each assessment conducted under sub-
16 section (h) into the research and development plan and
17 the operations of the National Oceanic and Atmospheric
18 Administration, including through methods as follows:

19 “(1) COMPUTING RESOURCES.—The Adminis-
20 trator shall seek to acquire sufficient high-perform-
21 ance computing, cloud computing, exascale (or later)
22 capabilities, cloud technologies, and supercomputing
23 resources and capacity in support of the generation
24 of forecasts and warnings relating to the prediction

1 of precipitation and storms that produce precipita-
2 tion.

3 “(2) DIGITAL PRESENCE.—The Administrator
4 shall develop and maintain a comprehensive, central-
5 ized, and publicly accessible digital presence de-
6 signed to promote accessibility and utility of the
7 services, tools, data, and information produced by
8 the National Weather Service and the Assistant Ad-
9 ministrator for the Office of Oceanic and Atmos-
10 pheric Research.

11 “(3) PUBLIC ACCESSIBILITY.—The Adminis-
12 trator shall make all relevant research, reports, find-
13 ings, recommendations, and assessments with re-
14 spect to precipitation prediction conducted under
15 this section available on the internet in a publicly ac-
16 cessible digital format.

17 “(j) PRECIPITATION PREDICTION GRAND CHAL-
18 LENGE PROJECT.—

19 “(1) IN GENERAL.—The Administrator shall es-
20 tablish and maintain a precipitation prediction grand
21 challenge project to accelerate improvements in pre-
22 cipitation forecasts.

23 “(2) PLAN.—

24 “(A) IN GENERAL.—Not later than 1 year
25 after the date of the enactment of the National

1 Oceanic and Atmospheric Administration Act of
2 2023, the Administrator and the Assistant Ad-
3 ministrator for the National Weather Service,
4 in coordination with the Assistant Adminis-
5 trator for the Office of Oceanic and Atmos-
6 pheric Research, shall jointly develop and imple-
7 ment a plan for the project required by para-
8 graph (1) necessary to achieve the purpose de-
9 scribed in subsection (c) that details specific ac-
10 tions, outcomes, and the timeline for implemen-
11 tation of the plan.

12 “(B) PUBLIC AVAILABILITY; UPDATES.—
13 The plan required by subparagraph (A) shall
14 be—

15 “(i) posted on a publicly accessible
16 website; and

17 “(ii) updated every 4 years or sooner
18 as necessary.

19 “(C) COLLABORATION AND COORDINA-
20 TION.—The Administrator shall develop and
21 implement the plan required by subparagraph
22 (A) in accordance with subsection (e).

23 “(3) ANNUAL BRIEFING.—Not less frequently
24 than once each year until the Administrator has
25 completed and operationalized the project required

1 by paragraph (1), the Administrator shall brief Con-
2 gress on the status of and efforts to carry out the
3 project.

4 “(k) ADVISORY WORKING GROUP.—

5 “(1) DESIGNATION.—The Administrator shall
6 task the Science Advisory Board of the National
7 Oceanic and Atmospheric Administration to work
8 with an existing working group under the Science
9 Advisory Board (in this subsection referred to as the
10 ‘Working Group’) to provide advice to the Adminis-
11 trator on matters regarding precipitation science, re-
12 search, technology, observations, and forecast obser-
13 vation, forecast products and services, and United
14 States preparedness.

15 “(2) MEMBERSHIP.—

16 “(A) COMPOSITION.—The Working Group
17 shall be composed of not fewer than 7 members
18 selected by the Administrator from among indi-
19 viduals from State and local governments, In-
20 dian Tribes, and other non-Federal organiza-
21 tions who have academic or practical expertise
22 in physical sciences, social sciences, information
23 technology, coastal resilience, emergency man-
24 agement, or such other disciplines as the Ad-
25 ministrator considers appropriate.

1 “(B) FEDERAL EMPLOYMENT.—No mem-
2 ber of the Working Group may be a Federal
3 employee.

4 “(3) RESPONSIBILITIES.—Not less frequently
5 than once every 4 years, the Working Group shall—

6 “(A) review the activities of the National
7 Oceanic and Atmospheric Administration, and
8 other Federal, State, local, and tribal partner
9 activities, as appropriate, relating to precipita-
10 tion research, detection, forecasting, warning,
11 resiliency, and preparation; and

12 “(B) submit to the Administrator and such
13 other persons as the Administrator considers
14 appropriate—

15 “(i) the findings of the Working
16 Group with respect to the most recent re-
17 view conducted under subparagraph (A);
18 and

19 “(ii) such recommendations for ad-
20 ministrative action as the Working Group
21 considers appropriate to improve Federal
22 precipitation research, forecasting, warn-
23 ing, resiliency, and preparation.

24 “(4) REPORTS TO CONGRESS.—

1 “(A) IN GENERAL.—Not less frequently
2 than once every 4 years, the Administrator shall
3 submit to the appropriate committees of Con-
4 gress a report on the findings and recommenda-
5 tions received by the Administrator under para-
6 graph (3)(B).

7 “(B) DEFINITION OF APPROPRIATE COM-
8 MITTEES OF CONGRESS.—In this paragraph,
9 the term ‘appropriate committees of Congress’
10 means—

11 “(i) the Committee on Commerce,
12 Science, and Transportation of the Senate;

13 “(ii) the Committee on Natural Re-
14 sources of the House of Representatives;
15 and

16 “(iii) the Committee on Science,
17 Space, and Technology of the House of
18 Representatives.

19 “(1) COOPERATION AND AVOIDANCE OF DUPLICA-
20 TION.—

21 “(1) COOPERATION FROM OTHER FEDERAL
22 AGENCIES.—Each Federal agency shall cooperate as
23 appropriate with the Administrator in carrying out
24 this section.

25 “(2) AVOIDANCE OF DUPLICATION.—

1 “(A) IN GENERAL.—In meeting the re-
2 quirements under this section, the Adminis-
3 trator shall avoid unnecessary duplication be-
4 tween government sources of data and private
5 sources of data and any corresponding expendi-
6 ture of funds and employment of personnel.

7 “(B) CONSULTATION.—In carrying out
8 subparagraph (A), the Administrator shall con-
9 sult with Federal partners, including—

10 “(i) the National Aeronautics and
11 Space Administration;

12 “(ii) the Department of the Interior;

13 “(iii) the Federal Emergency Manage-
14 ment Agency;

15 “(iv) the National Science Founda-
16 tion;

17 “(v) the National Institute of Stand-
18 ards and Technology;

19 “(vi) the Department of Defense;

20 “(vii) the Department of Energy; and

21 “(viii) such other departments and
22 agencies as the Administrator considers
23 relevant.

24 “(m) AUTHORIZATION OF APPROPRIATIONS.—There
25 are authorized to be appropriated to the National Oceanic

1 and Atmospheric Administration to carry out this sec-
2 tion—

3 “(1) \$235,000,000 for fiscal year 2024;

4 “(2) \$335,000,000 for fiscal year 2025;

5 “(3) \$400,000,000 for fiscal year 2026;

6 “(4) \$450,000,000 for fiscal year 2027; and

7 “(5) \$500,000,000 for fiscal year 2028.”.

8 (b) CLERICAL AMENDMENTS.—The table of contents
9 in section 1(b) of the Weather Research and Forecasting
10 Innovation Act of 2017 (Public Law 115–25) is amended
11 by inserting after the item relating to section 109 the fol-
12 lowing:

“Sec. 110. Composition of the atmosphere.

“Sec. 111. Observational programs to support atmospheric composition, Earth’s
radiation budget, and other efforts.

“Sec. 112. Precipitation prediction program.

“Sec. 113. Authorization of appropriations.”.

13 **SEC. 442. AIRCRAFT RECONNAISSANCE FOR PRECIPITA-**
14 **TION PREDICTION, ATMOSPHERIC RESEARCH**
15 **AND OPERATIONS, AND OTHER PURPOSES.**

16 (a) FLEET CAPACITY.—The Administrator shall ac-
17 quire adequate aircraft platforms with the necessary ob-
18 servation and modification requirements—

19 (1) to ensure atmospheric river air reconnais-
20 sance observations are available throughout the ex-
21 pected seasons of atmospheric rivers;

22 (2) to meet agency-wide air reconnaissance and
23 research mission requirements, including with re-

1 spect to tropical cyclones, high-impact weather, sea
2 ice, atmospheric chemistry, climate, air quality for
3 public health, fire weather research and operations,
4 and other missions, including marine animal surveys,
5 post-damage surveys, and coastal erosion reconnais-
6 sance; and

7 (3) to ensure data and information collected by
8 the aircraft are made available to all users for re-
9 search and operations purposes.

10 (b) AGREEMENTS AND CONTRACTS.—In carrying out
11 subsection (a), the Administrator shall negotiate and enter
12 into 1 or more agreements or contracts, to the extent prac-
13 ticable and necessary, with 1 or more governmental or
14 nongovernmental entities.

15 (c) DERIVATION OF FUNDS.—For each of fiscal years
16 2024 through 2027, amounts to support the implementa-
17 tion of subsections (a) and (b) shall be derived from
18 amounts appropriated to the Office of Marine and Avia-
19 tion Operations of the Administration and available for
20 the purpose of meeting the reconnaissance and mission re-
21 quirements described in subsection (a)(2).

1 **TITLE V—HIGH-PERFORMANCE**
2 **COMPUTING AND RELATED**
3 **MATTERS**

4 **SEC. 501. GENERAL RESPONSIBILITIES OF THE ADMINIS-**
5 **TRATOR.**

6 The Administrator shall—

7 (1) provide adequate high-performance com-
8 puting, storage, and networking infrastructure sup-
9 port for all weather, space weather, climate, and en-
10 vironmental disciplines of the Administration, in-
11 cluding fisheries management, oceanographic fore-
12 casting, and ecological forecasting;

13 (2) support research and human resource devel-
14 opment in all aspects of networking and information
15 technology for the Administration, such as com-
16 puting, networking and storage, infrastructure and
17 software engineering, data management, and end-
18 user tools and access; and

19 (3) to the maximum extent practicable, main-
20 tain open access to all weather, space weather, cli-
21 mate, and Earth systems data collected and pur-
22 chased by the Administration.

1 **SEC. 502. STRATEGIC PLAN ON HIGH-PERFORMANCE COM-**
2 **PUTING AND DATA MANAGEMENT NEEDS.**

3 (a) IN GENERAL.—The Administrator shall make
4 publicly available, not later than 1 year after the date of
5 the enactment of this Act, and update every 2 years there-
6 after, a 10-year strategic plan that outlines the high-per-
7 formance computing and data management needs of the
8 Administration and actions and strategies to address those
9 needs.

10 (b) PLAN ELEMENTS.—At a minimum, the strategic
11 plan required by subsection (a) shall include the following:

12 (1) A 10-year prospective outlook of computing
13 resources and upgrades needed to pursue the fastest,
14 most powerful, and most cost-effective high-perform-
15 ance computing technologies in support of the
16 weather, space weather, climate, and ocean pre-
17 diction missions of the Administration, including a
18 discussion of—

19 (A) computing and processing resources of
20 the Administration as of the date on which the
21 plan is made publicly available, and a 10-year
22 projected need for such resources,
23 disaggregated by line office of the Administra-
24 tion;

25 (B) facilities, commercial contracts, and
26 partnerships (with other Federal agencies or

1 other institutions and entities) of the Adminis-
2 tration that are providing computing and data
3 management support or capacity as of such
4 date;

5 (C) use by the Administration of cloud
6 computing and other emerging technologies, in-
7 cluding artificial intelligence and machine learn-
8 ing, that have the potential to increase effec-
9 tiveness and efficiency for data storage and
10 processing power, including challenges to access
11 and use of such technologies;

12 (D) the distribution of computing re-
13 sources among the operations and research
14 functions of the Administration;

15 (E) products and services of the Adminis-
16 tration that are ready to transition to public
17 service and are awaiting computing resources;

18 (F) workforce development needs of the
19 Administration as of the date on which the plan
20 is made publicly available, and future workforce
21 development needs; and

22 (G) the high-performance computing re-
23 quirements of the Administration, with a special
24 focus on data requirements that are common
25 across line offices of the Administration.

1 (2) Goals, objectives, milestones, actions,
2 timelines, and performance measures for assessing
3 progress toward attaining goals for—

4 (A) computing infrastructure and architec-
5 ture of the Administration (including facilities,
6 hardware, and software);

7 (B) use by the Administration of the latest
8 technologies, including exascale (or later) capa-
9 bilities, emerging non-classical computing tech-
10 nologies (such as analog, optical, and quantum
11 computing), cloud technologies, and modern
12 software approaches, that will increase effective-
13 ness and efficiency for data storage and proc-
14 essing power, including challenges to access and
15 use of such technologies;

16 (C) workforce development for the Admin-
17 istration, including working with industry and
18 academia (including establishing centers of ex-
19 cellence) with respect to capacity and skills
20 (such as software engineering); and

21 (D) expanding the use of high-performance
22 computing to support additional scientific work-
23 loads.

1 (3) A 10-year life cycle analysis of the manage-
2 ment of facilities, hardware, and engineering in-
3 volved in the strategic plan that includes—

4 (A) program formulation for project con-
5 ception, implementation, and closure; and

6 (B) technical infrastructure, products,
7 processes, data, and personnel resources re-
8 quired to achieve defined cost, schedule, and
9 performance objectives.

10 (4) A description of actions taken and mile-
11 stones achieved to advance development concepts to,
12 as appropriate, make next generation weather and
13 climate prediction models available in beta-test mode
14 to operational forecasters, the United States weather
15 industry, and partners in academic and government
16 research, including a description of actions taken to
17 make available to the public, industry, and partners
18 in academic and government research next genera-
19 tion open source weather and climate models.

20 (5) An assessment of progress made in
21 transitioning the model code of the Administration
22 toward accessibility, maintainability, and scalability
23 to address currency and future modeling challenges.

24 (6) Recommendations to ensure the competi-
25 tiveness of the Administration with respect to ad-

1 vanced computational capabilities and research on
2 high-performance computing.

3 (7) Any other information that the Adminis-
4 trator determines appropriate.

5 (c) PUBLIC INVOLVEMENT.—In developing the stra-
6 tegic plan required by subsection (a), the Administrator
7 shall invite comments and other feedback from the public
8 to inform the strategic plan.

9 (d) ANNUAL BRIEFINGS.—

10 (1) IN GENERAL.—Not later than 1 year after
11 the date of the enactment of this Act, and annually
12 thereafter, the Administrator shall brief Congress on
13 the progress made toward the objectives of the stra-
14 tegic plan required by subsection (a).

15 (2) ELEMENTS.—Each briefing required by
16 paragraph (1) shall include the following:

17 (A) An evaluation of the progress made in
18 implementing the strategic plan.

19 (B) Such updates to the strategic plan as
20 the Administrator considers appropriate.

21 (e) ELIMINATION OF REPORT REQUIREMENT.—Sec-
22 tion 108 of the Weather Research and Forecasting Inno-
23 vation Act of 2017 (15 U.S.C. 8518) is amended—

24 (1) in the section heading, by striking “and an-
25 nual report”; and

1 (2) by striking subsection (b).

2 **SEC. 503. AUTHORIZATION OF APPROPRIATIONS.**

3 There are authorized to be appropriated to carry out
4 this title for each of fiscal years 2024 through 2028, to
5 remain available until expended—

6 (1) for the procurement of high-performance
7 computing, storage, networking, and cloud com-
8 puting infrastructure, \$200,000;

9 (2) for research and development purposes,
10 \$50,000; and

11 (3) for operational forecasting purposes,
12 \$50,000.

13 **TITLE VI—INFRASTRUCTURE**

14 **SEC. 601. ACQUISITION AND CONSTRUCTION POLICY.**

15 (a) POLICY AND REPORT REQUIRED.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date of the enactment of this Act, the Adminis-
18 trator, in consultation with the Deputy Adminis-
19 trator for Operations, the Comptroller General of
20 the United States, and the Administrator of the
21 General Services Administration, shall establish and
22 submit to the appropriate committees of Congress a
23 report setting forth a policy to provide consistent
24 procedures for covered acquisition or construction
25 actions across the Administration.

1 (2) DEVELOPMENT.—In developing the policy
2 required by paragraph (1), the Administrator
3 shall—

4 (A) include best practices, improved over-
5 sight, and clear guidance to effectively manage
6 processes for covered acquisition or construction
7 actions to reduce cost and improve mission per-
8 formance of the Administration; and

9 (B) consider—

10 (i) timeliness for delivery of assets
11 and infrastructure pursuant to such ac-
12 tions; and

13 (ii) improved methods to identify and
14 execute acquisition and construction
15 projects in a manner that meets oper-
16 ational needs and ensures mission perform-
17 ance of the Administration.

18 (3) ELEMENTS.—The policy required by para-
19 graph (1) shall—

20 (A) establish Administration-wide policies
21 that apply to all covered acquisition or con-
22 struction actions, consistent with the most re-
23 cent Cost Estimating and Assessment Guide of
24 the Government Accountability Office;

1 (B) establish procedures and best practices
2 for cost estimates for covered acquisition or
3 construction actions that are consistent across
4 the Administration, including in all line offices;

5 (C) meet the needs of the major acquisi-
6 tion programs required by each line office in
7 the most cost-effective manner practicable;

8 (D) improve metrics, appropriations plan-
9 ning, and associated costs consistent with the
10 infrastructure action plan required by section
11 602, the capital investment plan required by
12 section 606, and the unfunded priorities list re-
13 quired by section 801; and

14 (E) with respect to the acquisition of ves-
15 sels and aircraft, be consistent with acquisitions
16 procedures of the Department of the Navy, to
17 the maximum extent practicable.

18 (b) MASTER PLANS FOR COVERED ACQUISITION OR
19 CONSTRUCTION ACTIONS.—

20 (1) IN GENERAL.—An Assistant Administrator
21 or other official of the Administration intending to
22 carry out a covered acquisition or construction ac-
23 tion shall submit to the Deputy Administrator for
24 Operations a master plan for the action that in-
25 cludes, at minimum, the following:

1 (A) The key performance parameters and
2 system attributes, and the operational perform-
3 ance attributes, of the capability, asset, facility,
4 or infrastructure that is the subject of the ac-
5 tion.

6 (B) A detailed list of the systems or other
7 capabilities with which the capability, asset, fa-
8 cility, or infrastructure is intended to be inter-
9 operable, including an explanation of the at-
10 tributes of interoperability.

11 (C) The anticipated baseline and acquisi-
12 tion unit cost for the capability, asset, facility,
13 or infrastructure.

14 (D) A detailed schedule for the covered ac-
15 quisition or construction action, showing when
16 the capability, asset, facility, or infrastructure
17 is to be completed and is to be initially and
18 fully operational.

19 (E) An analysis of alternatives for the cov-
20 ered acquisition or construction action, which
21 shall—

22 (i) be prepared by—

23 (I) a Federally funded research
24 and development center;

1 (II) a qualified entity of the De-
2 partment of Commerce; or

3 (III) a similar independent third-
4 party entity that has appropriate ac-
5 quisition expertise and has no finan-
6 cial interest in any part of the covered
7 acquisition or construction action; and
8 (ii) include—

9 (I) an assessment of the technical
10 maturity of the capability, asset, facil-
11 ity, or infrastructure and technical
12 and other risks;

13 (II) an examination of capability,
14 interoperability, and other advantages
15 and disadvantages;

16 (III) an evaluation of whether
17 different combinations or quantities of
18 capabilities, assets, facilities, and in-
19 frastructure could meet the overall
20 performance needs of the Administra-
21 tion;

22 (IV) a discussion of key assump-
23 tions and variables and the sensitivity
24 to change in such assumptions and
25 variables;

1 (V) if an alternative is an exist-
2 ing capability, asset, or facility, or ex-
3 isting infrastructure, an evaluation of
4 relevant safety and performance
5 records and costs;

6 (VI) a calculation of life-cycle
7 costs, including—

8 (aa) an estimate of likely re-
9 search and development costs
10 and the levels of uncertainty as-
11 sociated with such costs;

12 (bb) an estimate of likely
13 production and deployment costs
14 and the levels of uncertainty as-
15 sociated with such costs;

16 (cc) an estimate of likely op-
17 erating and support costs and the
18 levels of uncertainty associated
19 with such costs, including per-
20 sonnel costs;

21 (dd) such additional meas-
22 ures as the Administrator deter-
23 mines to be necessary for appro-
24 priate evaluation of the capa-

1 bility, asset, facility, or infra-
2 structure; and

3 (VII) the business case for each
4 viable alternative.

5 (2) LIMITATION.—No officer or employee of the
6 Administration may—

7 (A) proceed beyond the phase of the acqui-
8 sition process that entails approving the sup-
9 porting acquisition of a capability, asset, or fa-
10 cility, or infrastructure, before the master plan
11 required under paragraph (1) with respect to
12 the capability, asset, facility, or infrastructure
13 is approved in writing by the Administrator,
14 acting through the Deputy Administrator for
15 Operations; or

16 (B) award any production contract for a
17 capability, asset, facility, or infrastructure be-
18 fore the master plan required under paragraph
19 (1) with respect to the capability, asset, facility,
20 or infrastructure is approved by the chief acqui-
21 sition officer of the Administration.

22 (3) APPLICABILITY.—This subsection shall
23 apply to any covered acquisition or construction ac-
24 tion that commences on or after the date that is 1

1 year after the submission of the report required by
2 subsection (a).

3 (c) SUPPLEMENT NOT SUPPLANT.—The require-
4 ments of this section shall supplement and not supplant
5 any requirements under the Federal Acquisition Regula-
6 tion.

7 (d) DEFINITIONS.—In this section:

8 (1) APPROPRIATE COMMITTEES OF CON-
9 GRESS.—The term “appropriate committees of Con-
10 gress” means—

11 (A) the Committee on Commerce, Science,
12 and Transportation of the Senate;

13 (B) the Committee on Appropriations of
14 the Senate;

15 (C) the Committee on Natural Resources
16 of the House of Representatives;

17 (D) the Committee on Science, Space, and
18 Technology of the House of Representatives;

19 and

20 (E) the Committee on Appropriations of
21 the House of Representatives.

22 (2) COVERED ACQUISITION OR CONSTRUCTION
23 ACTION.—The term “covered *acquisition* or con-
24 struction action” means any acquisition or construc-

1 tion action of the Administration valued at
2 \$3,000,000 or more, including actions relating to—

3 (A) acquisition or construction of vessels,
4 aircraft, computing infrastructure, technology,
5 satellites, or radar systems; and

6 (B) any construction, including new con-
7 struction or repair and modification of an exist-
8 ing Administration building, laboratory, pier, or
9 any other structure of the Administration lo-
10 cated on property owned or leased by the Ad-
11 ministration.

12 **SEC. 602. INFRASTRUCTURE ACTION PLAN.**

13 (a) IN GENERAL.—Not later than 180 days after the
14 date of the enactment of this Act, and every 2 years there-
15 after, the Administrator shall make available to the public
16 an infrastructure action plan for the Administration that
17 describes in detail the infrastructure and capital invest-
18 ment needs of the Administration to meet the require-
19 ments of the mission described in section 102 and to carry
20 out the functions described in section 103.

21 (b) PLAN ELEMENTS.—The plan required by para-
22 graph (1) shall, at a minimum, include the following:

23 (1) A comprehensive list of projects for the re-
24 pair and construction of facilities, shoresides, piers,
25 and related infrastructure underway, planned for, or

1 needed for each line office of the Administration, as
2 of the date of the issuance of the plan, including re-
3 quired construction, other improvements, estimated
4 costs, and timelines for each such project.

5 (2) A description of the priorities of the Admin-
6 istration and detailed plans to secure the infrastruc-
7 ture of the Administration during the 10-year period
8 following issuance of the plan.

9 (3) A description of the infrastructure nec-
10 essary to synchronize and integrate data, informa-
11 tion, and services for the Administration as a whole,
12 including infrastructure necessary—

13 (A) to implement the strategic plan on
14 high-performance computing and data manage-
15 ment needs required by section 502;

16 (B) for the migration of data to the public
17 cloud; and

18 (C) for dissemination of data to the public.

19 (4) An analysis of the assets, including vessels,
20 aircraft, satellites, buoys, and weather radar, remote
21 sensing, and other assets, needed to meet the mis-
22 sion requirements of the Administration and to ad-
23 dress the long-term observation and research needs
24 of the Administration, as determined by the Admin-

1 istrator in consultation with the Assistant Adminis-
2 trators of each line office.

3 (c) BRIEFING REQUIRED.—

4 (1) IN GENERAL.—Not later than 180 days
5 after the date of the enactment of this Act, the Ad-
6 ministrators shall brief the appropriate committees of
7 Congress on the progress made in developing the in-
8 frastructure action plan required by subsection (a).

9 (2) APPROPRIATE COMMITTEES OF CONGRESS
10 DEFINED.—In this subsection, the term “appro-
11 priate committees of Congress” means—

12 (A) the Committee on Commerce, Science,
13 and Transportation of the Senate; and

14 (B) the Committee on Natural Resources
15 and the Committee on Science, Space, and
16 Technology of the House of Representatives.

17 **SEC. 603. ADMINISTRATION VESSEL FLEET.**

18 (a) IN GENERAL.—The NOAA Fleet Modernization
19 Act (33 U.S.C. 891 et seq.) is amended—

20 (1) in section 602 (33 U.S.C. 891)—

21 (A) in paragraph (1), by striking “NOAA”
22 and inserting “Administration”;

23 (B) by redesignating paragraphs (2)
24 through (5) as paragraphs (3) through (6), re-
25 spectively;

1 (C) by inserting after paragraph (1) the
2 following:

3 “(2) ‘Administrator’ means the Administrator
4 of the National Oceanic and Atmospheric Adminis-
5 tration.”;

6 (D) in paragraph (3), as redesignated by
7 subparagraph (A), by striking “NOAA” and in-
8 serting “the Administration”; and

9 (E) in paragraph (4), as so redesignated,
10 by striking “NOAA” and inserting “Adminis-
11 tration”;

12 (2) by amending section 603 (33 U.S.C. 891a)
13 to read as follows:

14 **“SEC. 603. OPERATION AND MAINTENANCE OF ADMINIS-**
15 **TRATION FLEET.**

16 “The Administrator, acting through the Assistant
17 Administrator for the Office of Marine and Aviation Oper-
18 ations, shall operate and maintain a fleet of vessels to
19 meet the requirements of the Administration in carrying
20 out the mission described in section 102 of the National
21 Oceanic and Atmospheric Administration Act of 2023 and
22 the functions described in section 103 of that Act, subject
23 to the requirements of this title.”; and

24 (3) in section 604 (33 U.S.C. 891b)—

1 (A) in subsection (a), by striking “the Sec-
2 retary shall” and all that follows and inserting
3 “the Administrator shall develop and submit to
4 the Committee on Commerce, Science, and
5 Transportation of the Senate and the Com-
6 mittee on Natural Resources of the House of
7 Representatives a replacement and moderniza-
8 tion plan for the Administration fleet not later
9 than 180 days after the date of the enactment
10 of the National Oceanic and Atmospheric Ad-
11 ministration Act of 2023, and every 5 years
12 thereafter.”; and

13 (B) by striking subsections (b), (c), and
14 (d) and inserting the following:

15 “(b) PLAN ELEMENTS.—The plan required by sub-
16 section (a) shall include the following:

17 “(1) The number of vessels in operation in the
18 Administration fleet as of the date of submission of
19 the plan, a description of the status of those vessels,
20 and a statement of the planned and anticipated serv-
21 ice life of those vessels.

22 “(2) A plan with respect to operation, mainte-
23 nance, and replacement of those vessels, including
24 the schedule for maintenance or replacement and an-
25 ticipated funding requirements.

1 “(3) The number of vessels proposed to be con-
2 structed by the Administration.

3 “(4) The number of vessels, or days at sea, that
4 can be obtained by using the vessels of the UNOLS.

5 “(5) The number of vessels that will be made
6 available to the Administration by the Secretary of
7 the Navy, or any other Federal official, and the
8 terms and conditions for the availability of those
9 vessels.

10 “(6) The proposed acquisition of modern sci-
11 entific instrumentation for the Administration fleet,
12 including—

13 “(A) acoustic systems;

14 “(B) data transmission positioning and
15 communication systems;

16 “(C) physical, chemical, and meteorological
17 oceanographic systems; and

18 “(D) data acquisition and processing sys-
19 tems.

20 “(7) The number of officers of the commis-
21 sioned officer corps of the Administration and pro-
22 fessional wage mariners needed to operate and main-
23 tain the Administration fleet, and anticipated fund-
24 ing requirements for such officers and mariners.”;

25 (4) in section 605 (33 U.S.C. 891c)—

1 (A) in section heading, by striking
2 “**NOAA**” and inserting “**ADMINISTRATION**”;

3 (B) in subsection (a), in the matter pre-
4 ceeding paragraph (1), by striking “Secretary,
5 working through the Office of the NOAA Corps
6 Operations and the Systems Procurement Of-
7 fice” and inserting “Administrator, working
8 through the Assistant Administrator for the Of-
9 fice of Marine and Aviation Operations”; and

10 (C) by amending subsection (b) to read as
11 follows:

12 “(b) EXCEPTION.—The Administrator shall submit
13 to the Committee on Commerce, Science, and Transpor-
14 tation of the Senate and the Committee on Natural Re-
15 sources of the House of Representatives, as part of the
16 annual update of the Plan required in section 604, any
17 existing vessel design or design proposals that meet the
18 requirements of the Plan.”;

19 (5) in section 606 (33 U.S.C. 891d)—

20 (A) in subsection (c), by striking “a NOAA
21 vessel” and inserting “an Administration ves-
22 sel”;

23 (B) by striking “Secretary” each place it
24 appears and inserting “Administrator”; and

1 (C) by striking “NOAA” each place it ap-
2 pears and inserting “Administration”;
3 (6) by striking section 607 (33 U.S.C. 891e);
4 (7) in section 608 (33 U.S.C. 891f)—
5 (A) by striking subsection (b);
6 (B) by striking “(a) VESSEL AGREE-
7 MENTS.—”;
8 (C) by striking “NOAA” and inserting
9 “Administration”; and
10 (D) by striking “Secretary” and inserting
11 “Administrator”;
12 (8) in section 609 (33 U.S.C. 891g)—
13 (A) by striking “Secretary” and inserting
14 “Administrator”; and
15 (B) by striking “NOAA” and inserting
16 “Administration”; and
17 (9) in section 610 (33 U.S.C. 891h)—
18 (A) in subsection (a), by striking “to the
19 Secretary” and all that follows and inserting
20 the following: “to carry out this title—
21 “(1) \$200,000,000 for fiscal year 2024; and
22 “(2) \$225,000,000 for each of fiscal years 2025
23 through 2028.”; and

1 (B) in subsection (b), by striking “Na-
2 tional Oceanic and Atmospheric Administra-
3 tion” and inserting “Administration”.

4 (b) ACQUISITION OF FISHERY SURVEY VESSELS.—
5 Section 302 of the Fisheries Survey Vessel Authorization
6 Act of 2000 (title III of Public Law 106–450; 114 Stat.
7 1945; 33 U.S.C. 891b note) is amended—

8 (1) in subsection (a)—

9 (A) by striking “Secretary” and inserting
10 “Administrator of the National Oceanic and At-
11 mospheric Administration”;

12 (B) by striking “may in accordance with
13 this section” and inserting “may”; and

14 (C) by striking “up to six fishery survey
15 vessels in accordance with this section” and in-
16 serting “fishery survey vessels in accordance
17 with this section, the NOAA Fleet Moderniza-
18 tion Act (33 U.S.C. 891 et seq.), and the Na-
19 tional Oceanic and Atmospheric Administration
20 Act of 2023”; and

21 (2) in subsection (c), by striking “to the Sec-
22 retary \$60,000,000 for each of fiscal years 2002 and
23 2003” and inserting “\$100,000,000 for each of fis-
24 cal years 2024 through 2028”.

1 (c) NOTIFICATIONS OF PROPOSED DEACTIVATION OF
2 VESSELS.—Section 401(b)(4)(B) of the National Oceanic
3 and Atmospheric Administration Authorization Act of
4 1992 (Public Law 102–567; 106 Stat. 4291; 33 U.S.C.
5 891b note) is amended—

6 (1) by striking “Secretary of Commerce” and
7 inserting “Administrator of the National Oceanic
8 and Atmospheric Administration”;

9 (2) by striking “the Committee on Merchant
10 Marine and Fisheries” and inserting “the Com-
11 mittee on Natural Resources”; and

12 (3) by striking “, if an equivalent” and all that
13 follows through “deactivation”.

14 **SEC. 604. OPERATION AND MAINTENANCE OF ADMINISTRA-**
15 **TION AIRCRAFT FLEET.**

16 (a) IN GENERAL.—The Administrator, acting
17 through the Assistant Administrator for the Office of Ma-
18 rine and Aviation Operations, shall operate and maintain
19 a fleet of aircraft to meet the requirements of the Adminis-
20 tration in carrying out the mission described in section
21 102 and the functions described in section 103.

22 (b) AIR RECONNAISSANCE AND RESEARCH MISSION
23 REQUIREMENTS.—The requirements of the Administra-
24 tion described in subsection (a) include the air reconnais-
25 sance and research mission requirements of the Adminis-

1 tration, including with respect to hurricanes, tropical cy-
2 clones, full-season atmospheric river air reconnaissance
3 observations, full-season fire weather research and oper-
4 ations, and research including atmospheric chemistry, cli-
5 mate, air quality for public health, and other research pur-
6 poses.

7 (c) PLAN REQUIRED.—Not later than 160 days after
8 the date of the enactment of this Act, and every 2 years
9 thereafter, the Administrator, acting through the Assist-
10 ant Administrator for the Office of Marine and Aviation
11 Operations, shall submit to the Committee on Commerce,
12 Science, and Transportation of the Senate and the Com-
13 mittees on Natural Resources and Science and Technology
14 of the House of Representatives a status and operations
15 plan for the aircraft fleet of the Administration that in-
16 cludes the following:

17 (1) A status update on the aircraft fleet, includ-
18 ing a list of all aircraft owned by the Administration
19 and, with respect to each such aircraft, the type of
20 aircraft, operational status, expected service life, and
21 maintenance needs.

22 (2) A description of any acquisition activities or
23 plans for the aircraft fleet ongoing or planned as of
24 the submission of the plan.

1 (3) A description of aircraft assets of other
2 Federal agencies, including the 53rd Weather Re-
3 connaissance Squadron of the Air Force Reserve
4 Command, that the Administration relies upon to
5 meet operational requirements of the Administra-
6 tion, including reconnaissance of hurricanes, atmos-
7 pheric river events, flooding, and other weather sys-
8 tems that pose risks to life and property in the
9 United States.

10 (4) Any operational, geographic, or other gaps
11 in weather reconnaissance coverage that may result
12 in impacts to operational tempo.

13 (5) An analysis, conducted in coordination with
14 the Assistant Administrator for the National Weath-
15 er Service, of the weather reconnaissance needs of
16 the Administration during the periods of 10 and 20
17 years after submission of the plan, to determine the
18 appropriate size, functions, and observation require-
19 ments for the aircraft fleet of the Administration.

20 (6) An Administration-wide assessment of re-
21 search needs dependent on the aircraft fleet of the
22 Administration and an assessment of the priority
23 order of such needs and whether those research
24 needs will be met with the current fleet of aircraft.

1 (7) An assessment of personnel required to op-
2 erate the aircraft fleet of the Administration, includ-
3 ing whether there is a shortage of such personnel
4 and the recruitment and planning by conducted to
5 address any such shortage.

6 **SEC. 605. ACQUISITION OF AIRCRAFT.**

7 (a) INCREASED FLEET CAPACITY.—

8 (1) IN GENERAL.—The Administrator, acting
9 through the Assistant Administrator for the Office
10 of Marine and Aviation Operations, shall acquire
11 adequate aircraft platforms with the necessary ob-
12 servation requirements identified under the most re-
13 cent plan required by section 604(c).

14 (2) CONTRACTS FOR HURRICANE HUNTER AIR-
15 CRAFT.—In carrying out paragraph (1), the Admin-
16 istrator shall negotiate and enter into 1 or more
17 multiyear contracts, or extensions to existing con-
18 tracts, with 1 or more governmental, commercial, or
19 nongovernmental entities to acquire hurricane hun-
20 ter aircraft.

21 (b) ACQUISITION OF AIRCRAFT TO REPLACE THE
22 WP-3D AIRCRAFT.—

23 (1) IN GENERAL.—Not later than 90 days after
24 the date of the enactment of this Act, the Adminis-
25 trator shall enter into a multiyear contract for the

1 acquisition of up to 6 aircraft to replace the WP–
2 3D aircraft that provides for—

3 (A) the first newly acquired aircraft to be
4 fully operational before the retirement of the
5 last WP–3D aircraft operated by the Adminis-
6 tration; and

7 (B) the second newly acquired aircraft to
8 be fully operational not later than 1 year after
9 the first such aircraft is required to be fully
10 operational under subparagraph (A).

11 (2) AUTHORIZATION OF APPROPRIATIONS.—

12 There is authorized to be appropriated
13 \$1,800,000,000, without fiscal year limitation, for
14 the acquisition of aircraft under paragraph (1).

15 (c) ACQUISITION OF AIRCRAFT TO REPLACE END OF

16 LIFE-CYCLE AIRCRAFT.—The Administrator shall main-
17 tain the ability of the Administration to meet agency air
18 reconnaissance and research mission requirements by ac-
19 quiring new aircraft prior to the end of the service life
20 of the aircraft being replaced with sufficient lead time that
21 the replacement aircraft is fully operational prior to the
22 retirement of the aircraft it is replacing.

23 (d) CONFORMING REPEAL.—Section 11708 of the
24 Don Young Coast Guard Authorization Act of 2022 (divi-

1 sion K of Public Law 117–263; 136 Stat. 4158; 33 U.S.C.
2 note prec. 851) is repealed.

3 **SEC. 606. CAPITAL INVESTMENT PLAN.**

4 (a) IN GENERAL.—Not later than 15 days after the
5 date on which the President submits to Congress the
6 budget of the President for a fiscal year pursuant to sec-
7 tion 1105 of title 31, United States Code, the Adminis-
8 trator shall submit to the appropriate committees of Con-
9 gress a future-years capital investment plan for the Ad-
10 ministration, developed in consultation with the Assistant
11 Administrator for the Office of Marine and Aviation Oper-
12 ations and other Assistant Administrators of line offices
13 established under section 219, as appropriate.

14 (b) ELEMENTS.—The plan required by subsection (a)
15 shall identify, for each capital budgetary line item—

16 (1) the proposed funding level included in the
17 applicable proposed budget;

18 (2) the total estimated cost of completion;

19 (3) projected funding levels for each fiscal year
20 for the next 5 fiscal years or until project comple-
21 tion, whichever is earlier;

22 (4) an estimated completion date at the pro-
23 jected funding levels; and

24 (5) changes, if any, in the total estimated cost
25 of completion or estimated completion date from

1 previous future-years capital investment plans sub-
2 mitted under this section.

3 (c) DEFINITIONS.—In this section:

4 (1) APPROPRIATE COMMITTEES OF CON-
5 GRESS.—The term “appropriate committees of Con-
6 gress” means—

7 (A) the Committee on Commerce, Science,
8 and Transportation of the Senate;

9 (B) the Committee on Appropriations of
10 the Senate;

11 (C) the Committee on Natural Resources
12 of the House of Representatives;

13 (D) the Committee on Science, Space, and
14 Technology of the House of Representatives;
15 and

16 (E) the Committee on Appropriations of
17 the House of Representatives.

18 (2) CAPITAL BUDGET LINE ITEM.—The term
19 “capital budgetary line item” means a line item in
20 the budget justification materials submitted to Con-
21 gress in support of the budget of the President for
22 a fiscal year pursuant to section 1105 of title 31,
23 United States Code, for any aircraft, vessel, or sat-
24 ellite for the Administration valued at more than
25 \$1,000,000.

1 **SEC. 607. MULTIYEAR CONTRACTS FOR HIGH-PERFORM-**
2 **ANCE COMPUTING PROPERTY OR SERVICES.**

3 (a) DEFINITION.—In this section, the term
4 “multiyear contract” means a contract for the purchase
5 of high-performance computing (including cloud com-
6 puting) property or services for more than 1, but not more
7 than 5, program years.

8 (b) AUTHORITY TO ENTER INTO CONTRACT.—The
9 Administrator may enter into a multiyear contract if the
10 Administrator determines that—

11 (1) the need for the high-performance com-
12 puting property or services is reasonably firm and
13 expended to continue over the period of the contract;
14 and

15 (2) a multiyear contract will serve the best in-
16 terests of the Administration by encouraging full
17 and open competition or promoting economy in ad-
18 ministration, performance, and operation of the pro-
19 grams of the Administration.

20 (c) TERMINATION CLAUSE REQUIRED.—A multiyear
21 contract entered into under subsection (b) shall include
22 a clause that provides that the contract shall be termi-
23 nated if funds are not made available for the continuation
24 of the contract in a fiscal year covered by the contract.

25 (d) AVAILABILITY OF FUNDS FOR TERMINATION
26 COSTS.—Funds available for paying termination costs of

1 a multiyear contract entered into under subsection (b)
2 shall remain available for that purpose until the costs as-
3 sociated with termination of the contract are paid.

4 (e) CONTINGENCY CLAUSE FOR APPROPRIATION OF
5 FUNDS.—A multiyear contract may provide that perform-
6 ance under the contract after the first year of the contract
7 is contingent on the appropriation of funds and (if the
8 contract does so provide) that a cancellation payment shall
9 be made to the contractor if the funds are not appro-
10 priated.

11 (f) CONTRACT CANCELLATION CEILINGS EXCEEDING
12 \$13,500,000.—

13 (1) NOTIFICATION REQUIRED BEFORE
14 AWARD.—

15 (A) IN GENERAL.—Before a multiyear con-
16 tract that contains a clause setting forth a can-
17 cellation ceiling in excess of \$13,500,000 may
18 be awarded under this section, the Adminis-
19 trator shall submit to Congress written notifica-
20 tion of the proposed contract and the proposed
21 cancellation ceiling for that contract.

22 (B) ELEMENTS.—A notification submitted
23 under subparagraph (A) shall include the fol-
24 lowing:

1 (i) The cancellation ceiling amounts
2 planned for each program year in the pro-
3 posed multiyear contract and the reasons
4 for the amounts planned.

5 (ii) A description of the extent to
6 which costs of contract cancellation are not
7 included in the budget for the contract.

8 (iii) A financial risk assessment of not
9 including budgeting for costs of contract
10 cancellation.

11 (2) LIMITATION.—The Administrator may not
12 award a multiyear contract described in paragraph
13 (1)(A) until the date that is 30 days after the date
14 on which the Administrator submits the notification
15 under such paragraph.

16 (3) NOTIFICATION REQUIRED BEFORE TERMI-
17 NATION.—Not later than 10 days before the date on
18 which the Administrator terminates a multiyear con-
19 tract described in paragraph (1)(A), the Adminis-
20 trator shall notify the Committee on Appropriations
21 of the Senate and the Committee on Appropriations
22 of the House of Representatives of such termination.

23 (g) FINAL DISPOSITION OF ADMINISTRATION
24 DATA.—At the inception of any contract, the Adminis-
25 trator shall stipulate that the final disposition of the data

1 of the Administration occur before the end of the final
2 period of performance or the termination of the contract.

3 **SEC. 608. HIGH-PERFORMANCE COMPUTING, TECHNO-**
4 **LOGICAL CAPABILITIES, AND DATA MANAGE-**
5 **MENT ASSESSMENT.**

6 (a) IN GENERAL.—Not later than 15 days after the
7 date on which the President submits to Congress the
8 budget of the President for a fiscal year pursuant to sec-
9 tion 1105 of title 31, United States Code, the Adminis-
10 trator shall submit to the appropriate committees of Con-
11 gress a detailed assessment of high-performance com-
12 puting infrastructure, technological capabilities, data
13 management, and related needs, organized by line office
14 of the Administration, including necessary funding to
15 achieve those needs for the fiscal year covered by the appli-
16 cable proposed budget.

17 (b) APPROPRIATE COMMITTEES OF CONGRESS DE-
18 FINED.—In this section, the term “appropriate commit-
19 tees of Congress” means—

20 (1) the Committee on Commerce, Science, and
21 Transportation of the Senate;

22 (2) the Committee on Appropriations of the
23 Senate;

24 (3) the Committee on Natural Resources of the
25 House of Representatives;

1 (4) the Committee on Science, Space, and
2 Technology of the House of Representatives; and

3 (5) the Committee on Appropriations of the
4 House of Representatives.

5 **SEC. 609. UNCREWED SYSTEMS RESEARCH AND DEVELOP-**
6 **MENT PROGRAM.**

7 (a) IN GENERAL.—The Assistant Administrator for
8 the Office of Marine and Aviation Operations, in coordina-
9 tion with other line offices of the Administration as the
10 Administrator considers appropriate, shall maintain a pro-
11 gram for uncrewed systems research and development to
12 fully use existing and advance new uncrewed systems ca-
13 pabilities and technologies—

14 (1) to meet the mission requirements of the Ad-
15 ministration;

16 (2) to improve understanding of and predict
17 changes in climate, weather, space weather, oceans,
18 Great Lakes, coasts, and living marine resources;
19 and

20 (3) to accelerate the transition of uncrewed sys-
21 tems capabilities and technologies from research to
22 operations by providing expertise and resources for
23 research and development that are anticipated to
24 yield societal and economic benefits.

1 (b) REQUIREMENT.—The Administrator shall carry
2 out the program required by subsection (a) without com-
3 promising long-term datasets necessary to maintain the
4 mission of the Administration, such as surveys that inform
5 fisheries management, the collection of bathymetric data,
6 and other purposes.

7 (c) AWARDS AND AGREEMENTS.—In carrying out the
8 program required by subsection (a), the Administrator
9 shall make awards (which may include grants) available
10 to or enter into agreements (which may include contracts
11 or cooperative agreements) with institutions of higher edu-
12 cation with expertise in uncrewed systems research and
13 development or related programs.

14 (d) DATA ACCESS AND INTEGRATION.—the Adminis-
15 trator shall ensure that data management strategies and
16 procedures are in place to ensure that all data and
17 metadata obtained from the program required by sub-
18 section (a) are available for scientific inquiry and public
19 access consistent with section 232.

20 (e) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to the Administration
22 to carry out this section—

23 (1) \$14,000,000 for fiscal year 2024;

24 (2) \$15,000,000 for fiscal year 2025;

25 (3) \$16,000,000 for fiscal year 2026;

1 (4) \$17,000,000 for fiscal year 2027; and

2 (5) \$18,000,000 for fiscal year 2028.

3 **SEC. 610. TRANSPARENCY AND OVERSIGHT OF GRANTS**

4 **AND CONTRACTS.**

5 (a) NOTIFICATION.—

6 (1) IN GENERAL.—The Administrator shall no-
7 tify the appropriate committees of Congress not
8 later than 3 full business days before—

9 (A) awarding a grant, or making a grant
10 allocation, in excess of \$1,000,000;

11 (B)(i) making or awarding a contract,
12 other transaction agreement, or task or delivery
13 order on a multiple award contract (as defined
14 in section 3302 of title 41, United States Code)
15 in excess of \$4,000,000; or

16 (ii) issuing a letter of intent with respect
17 to such a contract, agreement, or order;

18 (C) awarding a task or delivery order re-
19 quiring the obligation, in an amount in excess
20 of \$10,000,000, of funds appropriated for more
21 than one fiscal year;

22 (D) making a sole-source grant award; or

23 (E) announcing publicly the intention to
24 make or award a grant, allocation, contract (in-
25 cluding a contract covered by the Federal Ac-

1 quisition Regulation), agreement, or order de-
2 scribed in subparagraph (A), (B), (C), or (D).

3 (2) **ELEMENTS.**—The Administrator shall in-
4 clude in each notification required by paragraph (1)
5 with respect to a grant, allocation, contract, agree-
6 ment, or order described in subparagraph (A), (B),
7 (C), or (D) of paragraph (1)—

8 (A) the amount of the grant, allocation,
9 contract, agreement, or order;

10 (B) the fiscal year or fiscal years for which
11 the funds to be used for the grant, allocation,
12 contract, agreement, or order were appro-
13 priated;

14 (C) the appropriation account from which
15 such funds are to be withdrawn;

16 (D) the type of grant, allocation, contract,
17 agreement, or order; and

18 (E) an identification of the entity receiv-
19 ing, or that is a party to, the grant, allocation,
20 contract, agreement, or order, such as the name
21 and location of the entity.

22 (b) **APPLICABILITY.**—Subsection (a) shall not apply
23 to funds that are not available for obligation.

1 (c) APPROPRIATE COMMITTEES OF CONGRESS DE-
2 FINED.—In this section, the term “appropriate commit-
3 tees of Congress” means—

4 (1) the Committee on Commerce, Science, and
5 Transportation and the Committee on Appropria-
6 tions of the Senate; and

7 (2) the Committee on Natural Resources, the
8 Committee on Science, Space, and Technology, and
9 the Committee on Appropriations of the House of
10 Representatives.

11 **SEC. 611. GOVERNMENT ACCOUNTABILITY OFFICE STUDY**
12 **ON ADMINISTRATION INFRASTRUCTURE.**

13 (a) IN GENERAL.—Not later than 30 days after the
14 date of the enactment of this Act, the Comptroller General
15 of the United States shall commence a study on the state
16 of the infrastructure of the Administration.

17 (b) ELEMENTS.—The study required by subpara-
18 graph (a) shall include—

19 (1) the identification and evaluation of all infra-
20 structure of the Administration;

21 (2) an evaluation of—

22 (A) the policy, procedures, and regulations
23 of the Administration with respect to infra-
24 structure management, improvement, new con-
25 struction, and repair;

1 (B) the effects of infrastructure gaps and
2 challenges on the missions of the Administra-
3 tion;

4 (C) infrastructure opportunities and chal-
5 lenges relating to climate;

6 (D) the resilience of the infrastructure and
7 workforce of the Administration, and the extent
8 that the Administration incorporates resilience
9 into infrastructure vulnerability assessments,
10 repair, and new construction planning of the
11 Administration;

12 (E) the effects of aging infrastructure on
13 the ability of the Administration to carry out
14 the mission described in section 102 and the
15 functions described in section 103, during the
16 periods of 10 and 20 years after the date of the
17 enactment of this Act, if no improvements or
18 repairs to such infrastructure are completed;
19 and

20 (3) a list of infrastructure of the Administra-
21 tion in need of immediate replacement, repair, or
22 improvement that includes a description of—

23 (A) why that infrastructure is needed; and

24 (B) the impact of the infrastructure on the
25 current and projected ability of the Administra-

1 tion to carry out the mission described in sec-
2 tion 102 and the functions described in section
3 103.

4 (c) REPORT REQUIRED.—

5 (1) IN GENERAL.—Not later than 2 years after
6 the commencement of the study required by sub-
7 section (a), the Comptroller General shall submit to
8 the Committee on Commerce, Science, and Trans-
9 portation of the Senate and the Committee on Nat-
10 ural Resources of the House of Representatives a re-
11 port on the study.

12 (2) ELEMENTS.—The report required by para-
13 graph (1) shall include—

14 (A) the findings of the Comptroller Gen-
15 eral pursuant to the study; and

16 (B) recommendations on replacing, updat-
17 ing, and improving the aging infrastructure of
18 the Administration.

19 (d) INFRASTRUCTURE DEFINED.—In this section,
20 the term “infrastructure” includes all buildings, struc-
21 tures, research facilities, laboratories, weather forecast of-
22 fices, utility systems, equipment, computer systems, and
23 other infrastructure, as appropriate, of the Administra-
24 tion.

1 **SEC. 612. GOVERNMENT ACCOUNTABILITY OFFICE STUDY**
2 **ON MULTIYEAR CONTRACT AUTHORITY.**

3 (a) IN GENERAL.—Not later than 30 days after the
4 date of the enactment of this Act, the Comptroller General
5 of the United States shall commence a study to evaluate
6 the use by the Administration of multiyear contract au-
7 thorities with respect to major acquisitions, including ac-
8 quisitions of vessels and aircraft for the Administration.

9 (b) ELEMENTS.—The study required by subsection
10 (a) shall include—

11 (1) an evaluation of—

12 (A) the multiyear contract authorities
13 available to the Administration;

14 (B) acquisitions during the 10-year period
15 preceding the date of the enactment of this Act
16 and, with respect to each such acquisition,
17 whether multiyear contract authorities were
18 used and to what extent; and

19 (C) barriers to use by the Administration
20 of multiyear contract authorities;

21 (2) an assessment of how often and to what ex-
22 tent the Administration uses multiyear contract au-
23 thorities compared to the use by the Department of
24 the Navy of similar authorities;

1 (3) the cost and mission performance impacts
2 of the Administration not fully using multiyear con-
3 tract authorities; and

4 (4) recommendations to improve the use by the
5 Administration of multiyear contract authorities,
6 which may include legislative or policy improve-
7 ments.

8 (c) REPORT REQUIRED.—

9 (1) IN GENERAL.—Not later than 2 years after
10 the commencement of the study required by sub-
11 section (a), the Comptroller General shall submit to
12 the Committee on Commerce, Science, and Trans-
13 portation of the Senate and the Committee on Nat-
14 ural Resources of the House of Representatives a re-
15 port on the study.

16 (2) ELEMENTS.—The report required by para-
17 graph (1) shall include—

18 (A) the findings of the Comptroller Gen-
19 eral pursuant to the study; and

20 (B) recommendations on improving use by
21 the Administration of multiyear contract au-
22 thorities.

1 **TITLE VII—WORKFORCE**

2 **SEC. 701. COMPTROLLER GENERAL OF THE UNITED**
3 **STATES REPORT ON POSITIONING ADMINIS-**
4 **TRATION WORKFORCE FOR THE FUTURE.**

5 (a) IN GENERAL.—Not later than 1 year after the
6 date of the enactment of this Act, the Comptroller General
7 of the United States shall submit to the appropriate com-
8 mittees of Congress a report on positioning the workforce
9 of the Administration for the future.

10 (b) ELEMENTS.—The report required by paragraph
11 (1) shall include the following:

12 (1) A detailed review of the hiring process of
13 the Administration, including the roles and respon-
14 sibilities of contractors, the Administration, and the
15 Department of Commerce, including qualifications of
16 the individuals making hiring decisions, such as
17 training in science, technology, engineering, and
18 math.

19 (2) An analysis of the duration that each step
20 in the hiring process of the Administration requires
21 across several representative positions throughout
22 the Administration, such as fisheries biologist, mete-
23 orologist, social scientist, oceanographer, and data
24 scientist.

1 (3) A summary of the workforce planning pro-
2 esses of the Administration that inform the hiring
3 process and retention for each line office and staff
4 office of the Administration.

5 (4) A review of use by the Administration of di-
6 rect hiring and onboarding authority and the effec-
7 tiveness of the use of that authority in reducing the
8 duration of the hiring process.

9 (5) Recommendations to improve the hiring and
10 workforce oversight and processes of the Administra-
11 tion, including—

12 (A) an identification of any legislative or
13 administrative action needed with respect to the
14 Administration and the Department;

15 (B) recommendations—

16 (i) to improve the hiring, retention,
17 and promotion processes to support greater
18 equity, diversity, inclusion, and accessi-
19 bility;

20 (ii) to review the personnel budget
21 and full-time equivalent levels of the Ad-
22 ministration and actions taken relative to
23 attrition of the workforce;

24 (iii) to improve workforce planning
25 and hiring capacity;

- 1 (iv) to address critical skill gaps;
- 2 (v) to improve the experience of po-
- 3 tential employees with the hiring and
- 4 onboarding process; and
- 5 (vi) to improve equity, diversity, inclu-
- 6 sion, and accessibility of the workforce of
- 7 the Administration; and
- 8 (C) any other recommendations the Comp-
- 9 troller General considers necessary.

10 (c) DEFINITION OF APPROPRIATE COMMITTEES OF

11 CONGRESS.—In this section, the term “appropriate com-

12 mittees of Congress” means—

- 13 (1) the Committee on Commerce, Science, and
- 14 Transportation of the Senate;
- 15 (2) the Committee on Natural Resources of the
- 16 House of Representatives;
- 17 (3) the Committee on Science, Space, and
- 18 Technology of the House of Representatives; and
- 19 (4) the Committee on Transportation and In-
- 20 frastructure of the House of Representatives.

21 **SEC. 702. WORKFORCE STRATEGY AND ACTION PLAN.**

22 (a) IN GENERAL.—Not later than 180 days after the

23 date on which the report required by section 701(a) is sub-

24 mitted under such section, the Administrator, in consulta-

25 tion with employees of the Administration, shall develop,

1 submit to the appropriate committees of Congress (as de-
2 fined in section 701(e)), and make publicly available a
3 strategy to improve recruitment, retention, professional
4 development, and quality of life for the workforce of the
5 Administration (in this section referred to as the “strat-
6 egy”).

7 (b) ELEMENTS.—The strategy shall include the fol-
8 lowing:

9 (1) An action plan that is responsive to all rec-
10 ommendations included in the report required by
11 section 701(a).

12 (2) Detailed information on workforce needs,
13 workforce gaps, expected attrition, and trends in
14 critical skill needs.

15 (3) Such other elements as the Administrator
16 determines appropriate.

17 (c) UPDATES.—The Administrator shall periodically
18 update the strategy.

19 (d) UNFUNDED PRIORITIES LIST.—The Adminis-
20 trator shall include in each report required by section
21 801(a) a description of any legislation or appropriations
22 needed to implement the strategy.

23 **SEC. 703. FELLOWSHIPS.**

24 (a) IN GENERAL.—The Administrator may award fel-
25 lowships to qualified individuals for a term for not more

1 than 2 years for the purposes of providing such individuals
2 with on-the-job training, professional mentoring, and edu-
3 cational opportunities—

4 (1) for purposes consistent with section 102;
5 and

6 (2) for purposes of providing the Administra-
7 tion access to expertise to improve innovation and
8 novel approaches.

9 (b) QUALIFICATIONS.—In carrying out subsection
10 (a), the Administrator shall award fellowships to individ-
11 uals selected from among individuals who—

12 (1) have successfully completed a high school,
13 undergraduate, graduate or technical degree the cur-
14 riculum for which covered topics relevant to the mis-
15 sion of the Administration, as determined by the Ad-
16 ministrator;

17 (2) are enrolled at an institution of secondary
18 or higher education in a curriculum that covers such
19 topics; or

20 (3) have a demonstrated interest in pursuing a
21 career in coastal, marine, environmental, weather,
22 space weather, atmospheric, or climate science, pol-
23 icy, law, or education, or other field, as the Adminis-
24 trator determines appropriate.

1 (c) STIPEND.—Each recipient of a fellowship under
2 this section shall receive an appropriate annual stipend
3 that includes a locality pay adjustment comparable to the
4 locality pay adjustment for the locality pay area in which
5 the host office of the recipient is located, as determined
6 under section 531.603 of title 5, Code of Federal Regula-
7 tions (or any successor regulation).

8 (d) POLICIES AND PROCEDURES.—In carrying out
9 subsection (a), the Administrator shall establish policies
10 and procedures consistent with the functions described in
11 paragraphs (6) and (7) of section 103.

12 (e) DIRECT HIRE AUTHORITY.—

13 (1) IN GENERAL.—During fiscal year 2024 and
14 any fiscal year thereafter, the Administrator may
15 appoint, without regard to the provisions of sub-
16 chapter I of chapter 33 of title 5, United States
17 Code, other than sections 3303 and 3328 of that
18 title, a candidate who meets the qualifications de-
19 scribed in paragraph (2) directly to a position with
20 the Administration for which the candidate meets
21 qualification standards established by the Office of
22 Personnel Management.

23 (2) QUALIFICATIONS.—Paragraph (1) applies
24 with respect to a former recipient of a fellowship

1 under this section who has successfully fulfilled the
2 requirements of the fellowship.

3 (3) ELIGIBILITY.—A former recipient of a fel-
4 lowship under this section who receives a job offer
5 from the Administration has successfully fulfilled the
6 requirements of the fellowship for purposes of para-
7 graph (2) and is eligible to be hired by the Adminis-
8 tration using the direct hire authority under para-
9 graph (1).

10 (4) LIMITATION.—The direct hire authority
11 under paragraph (1) shall be exercised with respect
12 to a specific qualified candidate not later than 5
13 years after the date on which the candidate com-
14 pleted a fellowship awarded under this section.

15 (f) USE OF FUNDS.—The Administrator may use
16 amounts appropriated to carry out this section for—

17 (1) the award of fellowships under this section,
18 including stipends paid to recipients of fellowships
19 and other relevant benefits offered to such recipients
20 as identified by the Administrator;

21 (2) administrative costs associated with the fel-
22 lowships;

23 (3) relocation expenses paid to recipients of fel-
24 lowships under this section, who shall be considered

1 to be Federal employees for purposes of section
2 3375 of title 5, United States Code;

3 (4) professional development opportunities for
4 recipients of fellowships under this section, including
5 costs associated with trainings, certifications, class-
6 es, or other opportunities to advance—

7 (A) the professional skills of each recipient;

8 or

9 (B) the ability of each recipient to support
10 the needs of the host office; and

11 (5) such other costs of the fellowships as the
12 Administrator may identify.

13 **SEC. 704. COOPERATIVE INSTITUTES.**

14 (a) IN GENERAL.—The Administrator may establish
15 cooperative institutes with institutions of higher education
16 and other such other entities as the Administrator con-
17 siders appropriate.

18 (b) DIRECT HIRE AUTHORITY.—

19 (1) IN GENERAL.—During fiscal year 2024 and
20 any fiscal year thereafter, the Administrator may
21 appoint, without regard to the provisions of sub-
22 chapter I of chapter 33 of title 5, United States
23 Code, other than sections 3303 and 3328 of that
24 title, a candidate described in paragraph (2) directly
25 to a position with the Federal agency for which the

1 candidate meets qualification standards established
2 by the Office of Personnel Management.

3 (2) CANDIDATE DESCRIBED.—A candidate de-
4 scribed in this paragraph is any of the following:

5 (A) A faculty member or graduate of an
6 entity with which the Administration has estab-
7 lished a cooperative institute under this section.

8 (B) An individual who participated in a re-
9 search team as part of the Climate Adaptation
10 Partnerships program of the Administration,
11 formerly designated as Regional Integrated
12 Sciences and Assessments.

13 **SEC. 705. COMPETITIVE SERVICE.**

14 Section 3304 of title 5, United States Code, is
15 amended by adding at the end the following:

16 “(h) FORMER EMPLOYEES OF COMMISSIONED OFFI-
17 CER CORPS OF NOAA.—

18 “(1) IN GENERAL.—An individual who has been
19 separated from the commissioned officer corps of the
20 National Oceanic and Atmospheric Administration
21 under honorable conditions after not fewer than 3
22 years of active service may not be denied the oppor-
23 tunity to compete for a vacant position with respect
24 to which the agency in which the position is located
25 will accept applications from individuals outside the

1 workforce of that agency under merit promotion pro-
2 cedures.

3 “(2) TYPE OF APPOINTMENT.—If selected for a
4 position under paragraph (1), an individual de-
5 scribed in that paragraph shall receive a career or
6 career-conditional appointment, as appropriate.

7 “(3) ANNOUNCEMENTS.—The area of consider-
8 ation for a merit promotion announcement with re-
9 spect to a position that includes consideration of in-
10 dividuals within the Federal service for that position
11 shall—

12 “(A) indicate that individuals described in
13 paragraph (1) are eligible to apply for the posi-
14 tion; and

15 “(B) be publicized in accordance with sec-
16 tion 3327.

17 “(4) RULE OF CONSTRUCTION.—Nothing in
18 this subsection may be construed to confer an enti-
19 tlement to veterans’ preference that is not otherwise
20 required under any statute or regulation relating to
21 veterans’ preference.

22 “(5) REGULATIONS.—The Office of Personnel
23 Management shall prescribe regulations necessary
24 for the administration of this subsection.”.

1 **SEC. 706. LICENSURE OF HEALTH-CARE PROFESSIONALS.**

2 Section 263 of the National Oceanic and Atmospheric
3 Administration Commissioned Officer Corps Act of 2002
4 (33 U.S.C. 3073) is amended—

5 (1) by striking “The Secretary” and inserting
6 “(a) IN GENERAL.—The Secretary”; and

7 (2) by adding at the end the following:

8 “(b) LICENSURE OF HEALTH-CARE PROFES-
9 SIONALS.—

10 “(1) IN GENERAL.—Notwithstanding any other
11 provision of law regarding the licensure of health-
12 care providers, a health-care professional described
13 in paragraph (2) may practice the health profession
14 or professions of the health-care professional at any
15 location in any State, the District of Columbia, or
16 a Commonwealth, territory, or possession of the
17 United States, or in any other area within or beyond
18 the jurisdiction of the United States, regardless of
19 where the health-care professional or the patient of
20 the health-care professional is located, if the practice
21 is within the scope of the authorized Federal duties
22 of the health-care professional.

23 “(2) HEALTH-CARE PROFESSIONAL DE-
24 SCRIBED.—A health-care professional described in
25 this paragraph is a health-care professional—

26 “(A) who is—

1 “(i) a member of the commissioned
2 officer corps of the Administration;

3 “(ii) a civilian employee of the Admin-
4 istration;

5 “(iii) an officer or employee of the
6 Public Health Service who is assigned or
7 detailed to the Administration; or

8 “(iv) any other health-care profes-
9 sional credentialed and privileged at a Fed-
10 eral health-care institution or location spe-
11 cially designated by the Secretary; and

12 “(B) who—

13 “(i) has a current license to practice
14 medicine, osteopathic medicine, dentistry,
15 or another health profession; and

16 “(ii) is performing authorized duties
17 for the Administration.

18 “(3) DEFINITIONS.—In this subsection:

19 “(A) HEALTH-CARE PROFESSIONAL.—The
20 term ‘health-care professional’ has the meaning
21 given that term in section 1094(e) of title 10,
22 United States Code, except that such section
23 shall be applied and administered by sub-
24 stituting ‘Secretary of Commerce’ for ‘Secretary
25 of Defense’ each place it appears.

1 “(B) LICENSE.—The term ‘license’ has the
2 meaning given that term in such section.”.

3 **SEC. 707. STREAMLINING SEPARATION AND RETIREMENT**
4 **PROCESS.**

5 Section 241(c) of the National Oceanic and Atmos-
6 pheric Administration Commissioned Officer Corps Act of
7 2002 (33 U.S.C. 3041(c)) is amended to read as follows:

8 “(c) EFFECTIVE DATE OF RETIREMENTS AND SEPA-
9 RATIONS.—

10 “(1) IN GENERAL.—Subject to paragraph (2), a
11 retirement or separation under subsection (a) shall
12 take effect on such date as is determined by the Sec-
13 retary.

14 “(2) DETERMINATION OF DATE.—The effective
15 date determined under paragraph (1) for a retire-
16 ment or separation under subsection (a) shall be—

17 “(A) except as provided by subparagraph
18 (B), not earlier than 60 days after the date on
19 which the Secretary approves the retirement or
20 separation; or

21 “(B) if the officer concerned requests an
22 earlier effective date, such earlier date as is de-
23 termined by the Secretary.”.

1 **SEC. 708. ALIGNMENT OF PHYSICAL DISQUALIFICATION**
2 **STANDARD FOR OBLIGATED SERVICE AGREE-**
3 **MENTS WITH STANDARD FOR VETERANS'**
4 **BENEFITS.**

5 Section 216(c)(2)(B) of the National Oceanic and At-
6 mospheric Administration Commissioned Officer Corps
7 Act of 2002 (33 U.S.C. 3006(c)(2)(B)) is amended by
8 striking “misconduct or grossly negligent conduct” and in-
9 serting “willful misconduct”.

10 **SEC. 709. REPEAL OF LIMITATION ON EDUCATIONAL AS-**
11 **SISTANCE.**

12 (a) **IN GENERAL.**—Section 204 of the National Oee-
13 anic and Atmospheric Administration Commissioned Offi-
14 cer Corps Amendments Act of 2020 (33 U.S.C. 3079–1)
15 is repealed.

16 (b) **CLERICAL AMENDMENT.**—The table of contents
17 in section 1(b) of the National Oceanic and Atmospheric
18 Administration Commissioned Officer Corps Amendments
19 Act of 2020 (Public Law 116–259; 134 Stat. 1153) is
20 amended by striking the item relating to section 204.

21 **SEC. 710. IMPLEMENTING GOVERNMENT ACCOUNTABILITY**
22 **OFFICE RECOMMENDATIONS ON SEXUAL AS-**
23 **SAULT AND SEXUAL HARASSMENT POLICIES**
24 **OF THE ADMINISTRATION.**

25 (a) **EVALUATING RECOMMENDATIONS AND UPDAT-**
26 **ING POLICIES AND PRACTICE.**—Not later than 1 year

1 after the date of the enactment of this Act, the Adminis-
2 trator shall—

3 (1) evaluate the recommendations contained in
4 the report published by the Government Account-
5 ability Office entitled “Sexual Assault and Harass-
6 ment: NOAA Has Made Substantial Progress in
7 Prevention and Response but Could Further Im-
8 prove Processes” (GAO-21-560); and

9 (2) update policies and practice of the Adminis-
10 tration to implement the recommendations described
11 in paragraph (1), including by—

12 (A) modifying the sexual assault and sex-
13 ual harassment policy of the Administration—

14 (i) to incorporate all relevant legal re-
15 quirements;

16 (ii) to include oversight of disciplinary
17 matters; and

18 (iii) to clarify managerial require-
19 ments relating to sexual assault and sexual
20 harassment incidents;

21 (B) streamlining access to information and
22 updating the websites of the Administration to
23 include frequently asked questions, contact
24 mechanisms, and cross-posted resources;

1 (C) requiring each line office of the Admin-
2 istration that received a sexual assault or sexual
3 harassment allegation to include on its public-
4 facing website—

5 (i) information on sexual assault pre-
6 vention and reporting and other relevant
7 information for the workforce of the Ad-
8 ministration; and

9 (ii) a link to the Workplace Violence
10 Prevention and Response office of the Ad-
11 ministration;

12 (D) not later than March 1 of each year,
13 providing to the workforce of the Administra-
14 tion and the appropriate committees of Con-
15 gress, and making available on the website of
16 the Administration, a report containing infor-
17 mation for the previous calendar year that—

18 (i) includes aggregate data, such as
19 the total number of open and closed sexual
20 assault and sexual harassment cases and
21 types of corrective actions implemented;
22 and

23 (ii) does not include specific details
24 about cases or identifying information; and

25 (E) developing a database that will—

1 (i) streamline data on sexual assault
2 and sexual harassment cases for reporting
3 to Congress; and

4 (ii) provide consistent trend data on
5 such cases to leadership and employees of
6 the Administration.

7 (b) REPORT.—Not later than 1 year after the date
8 of the enactment of this Act, if the Administrator has not
9 addressed any recommendation contained in the report de-
10 scribed in subsection (a)(1), the Administrator shall sub-
11 mit to appropriate committees of Congress a report that
12 justifies such inaction.

13 (c) DEFINITION OF APPROPRIATE COMMITTEES OF
14 CONGRESS.—In this section, the term “appropriate com-
15 mittees of Congress” means—

16 (1) the Committee on Commerce, Science, and
17 Transportation of the Senate; and

18 (2) the Committee on Natural Resources of the
19 House of Representatives

20 **SEC. 711. OFFICE OF HUMAN CAPITAL SERVICES STUDY**
21 **AND PLAN.**

22 (a) STUDY.—Not later than 30 days after the date
23 of the enactment of this Act, the Comptroller General of
24 the United States shall begin conducting a study of the

1 Office of Human Capital Services of the Administration
2 (in this section referred to as the “Office”).

3 (b) ELEMENTS.—The study required by subsection
4 (a) shall evaluate, at a minimum, the following:

5 (1) The hiring process for the Administration,
6 including timeliness for making hiring decisions for
7 full- and part-time employees and contractors of the
8 Administration.

9 (2) Methods to conduct outreach to potential
10 employees and contractors of the Administration.

11 (3) The onboarding process, including timeli-
12 ness, for employees of the Administration.

13 (4) Methods used by the Office to promote pro-
14 fessional development opportunities and opportuni-
15 ties for advancement of the workforce of the Admin-
16 istration.

17 (5) Accountability measures that may or may
18 not be in place to track, assess, and correct delays
19 in the hiring or onboarding processes.

20 (6) The hiring flexibilities of the Administra-
21 tion.

22 (7) Existing oversight of the Office, specifically
23 with respect to improving efficiency, effectiveness,
24 and timeliness.

1 (c) BRIEFING AND COMMUNICATIONS.—The Comp-
2 troller General shall—

3 (1) not later than 180 days after the com-
4 mencement of the study required by subsection (a),
5 brief the appropriate congressional committees on
6 the progress of the study; and

7 (2) communicate with the appropriate congres-
8 sional committees about the progress of study 3
9 other times during the course of the study.

10 (d) REPORT.—

11 (1) IN GENERAL.—Not later than 1 year after
12 the commencement of the study required by sub-
13 section (a), the Comptroller General shall submit to
14 the appropriate congressional committees a report
15 on the study.

16 (2) RECOMMENDATIONS.—The report required
17 by paragraph (1) shall include recommendations—

18 (A) to enhance oversight of the Office;

19 (B) to improve the hiring and onboarding
20 processes of the Administration, including spe-
21 cific recommendations to address hiring back-
22 logs and delays; and

23 (C) regarding methods to improve reten-
24 tion and advancement of the workforce of the
25 Administration.

1 (e) PLAN.—Not later than 180 days after the submis-
2 sion of the report required by subsection (a), the Adminis-
3 trator shall submit to the appropriate congressional com-
4 mittees a detailed plan to address the recommendations
5 of the report, including specific and accountable actions
6 that will be taken to address efficiency challenges of the
7 Office.

8 (f) DEFINITION OF APPROPRIATE CONGRESSIONAL
9 COMMITTEES.—In this section, the term “appropriate
10 congressional committees” means—

11 (1) the Committee on Commerce, Science, and
12 Transportation of the Senate; and

13 (2) the Committee on Natural Resources of the
14 House of Representatives.

15 **SEC. 712. WORKING GROUP ON FOOD AND BEVERAGE**
16 **SERVICE AND FITNESS CENTERS OF THE AD-**
17 **MINISTRATION.**

18 (a) WORKING GROUP.—

19 (1) ESTABLISHMENT.—Not later than 180 days
20 after the date of the enactment of this Act, the Ad-
21 ministrator shall establish a working group to pro-
22 vide recommendations to improve the food and bev-
23 erage service and fitness centers of the Administra-
24 tion provided to employees in facilities of the Admin-
25 istration, including remote laboratories and offices.

1 (2) MEMBERSHIP.—The working group estab-
2 lished under paragraph (1) shall be composed of not
3 fewer than 15 individuals representing employees of
4 the Administration at different career scales, from
5 different geographic locations across the United
6 States, and including representatives with duty sta-
7 tions in larger facilities of the Administration and
8 remote facilities such as field laboratories.

9 (b) EMPLOYEE SURVEY.—The Administrator shall
10 conduct a survey of employees of the Administration about
11 the food and beverage service and fitness centers described
12 in subsection (a)(1).

13 (c) REPORT.—

14 (1) IN GENERAL.—Not later than 1 year after
15 the establishment of the working group under sub-
16 section (a), the working group shall submit to the
17 appropriate congressional committees a report that
18 includes the following:

19 (A) Recommendations for improving the
20 food and beverage service and fitness centers
21 described in subsection (a)(1) that address the
22 differing needs of employees working in the va-
23 riety of facilities of the Administration.

24 (B) The data from the survey conducted
25 under subsection (b).

1 (C) An identification of ways to incor-
2 porate local food and beverage items in State
3 offices of the Administration.

4 (D) A description of any other issues that
5 the working group determines to be appro-
6 priate.

7 (d) IMPLEMENTATION.—Not later than 180 days
8 after the submission of the report required by subsection
9 (c), the Administrator shall submit to the appropriate con-
10 gressional committees the following:

11 (1) A plan for implementing the recommenda-
12 tions included in the report.

13 (2) An identification of any recommendations
14 included in the report that the Administrator does
15 not agree with and does not plan on implementing,
16 and an explanation for each such identification.

17 (e) DEFINITION OF APPROPRIATE CONGRESSIONAL
18 COMMITTEES.—In this section, the term “appropriate
19 congressional committees” means—

20 (1) the Committee on Commerce, Science, and
21 Transportation of the Senate; and

22 (2) the Committee on Natural Resources of the
23 House of Representatives.

1 **TITLE VIII—REPORTS AND**
2 **RELATED MATTERS**

3 **SEC. 801. UNFUNDED PRIORITIES LIST AND REPORT RE-**
4 **LATING TO THE BUDGET OF THE PRESIDENT.**

5 (a) IN GENERAL.—Not later than 15 days after the
6 date on which the President submits to Congress the
7 budget of the President for a fiscal year pursuant to sec-
8 tion 1105 of title 31, United States Code, the Adminis-
9 trator, in consultation with the Assistant Administrator
10 for each line office established under section 219, shall
11 submit to the appropriate committees of Congress a report
12 that includes a list of unfunded priorities of the Adminis-
13 tration.

14 (b) INCLUSION OF INFRASTRUCTURE AND ASSETS.—
15 The list required by subsection (a) shall include the infra-
16 structure and asset needs of the Administration, such as—

17 (1) high-performance computing capacity and
18 infrastructure needs;

19 (2) in the case of the Office of Marine and
20 Aviation Operations, a specific and detailed list of
21 needed aircraft and vessels and shoreside construc-
22 tion needs, as determined by the Assistant Adminis-
23 trator for the Office of Marine and Aviation Oper-
24 ations;

1 (3) in the case of the National Weather Service,
2 buildings, infrastructure, and repair needs, as deter-
3 mined by the Assistant Administrator for the Na-
4 tional Weather Service;

5 (4) in the case of the National Marine Fisheries
6 Service, laboratory construction, repair, or other
7 needs, as determined by the Assistant Administrator
8 for the National Marine Fisheries Service; and

9 (5) other infrastructure and asset needs, as de-
10 termined by the Administrator or any Assistant Ad-
11 ministrator.

12 (c) **PRIORITIZATION.**—The list required by subsection
13 (a) shall—

14 (1) present the unfunded priorities of the Ad-
15 ministration in order from highest to lowest priority,
16 as determined by the Administrator; and

17 (2) with respect to each unfunded priority, in-
18 clude—

19 (A) a brief description of the unfunded pri-
20 ority;

21 (B) an estimate of the funding level re-
22 quired; and

23 (C) an assessment of the status of the de-
24 sign or acquisition program, if applicable.

25 (d) **STOCK ASSESSMENTS.**—

1 (1) IN GENERAL.—The Administrator, in con-
2 sultation with the Assistant Administrator for the
3 National Marine Fisheries Service, shall include in
4 each report required by subsection (a)—

5 (A) a list of all stock assessments and sur-
6 veys that would be funded by the applicable
7 proposed budget; and

8 (B) a list of unfunded stock assessments
9 and surveys for which funding is not included
10 in the applicable proposed budget but that
11 would be funded if funds were made available
12 under that budget.

13 (2) INCLUSIONS.—In the lists required by para-
14 graph (1), the Administrator shall include—

15 (A) all stocks that do not have stock sur-
16 vey data available or do not have sufficient such
17 data available; and

18 (B) an assessment of each such stock that
19 includes—

20 (i) the status of the stock; and

21 (ii) a plan for how the Administration
22 will be able to maintain fishery harvest and
23 conservation goals under the Magnuson-
24 Stevens Fishery Conservation and Manage-
25 ment Act (16 U.S.C. 1801 et seq.) with re-

1 spect to the stock during the fiscal year
2 covered by the applicable proposed budget.

3 (e) UNFUNDED PRIORITIES OF INDIAN TRIBES.—

4 The Administrator, in consultation with the Assistant Sec-
5 retary of Commerce for Tribal Affairs and the advisory
6 committees established under title III, shall include in
7 each report required by subsection (a) a list of unfunded
8 priorities of Indian Tribes.

9 (f) DEFINITIONS.—In this subsection:

10 (1) APPROPRIATE COMMITTEES OF CON-
11 GRESS.—The term “appropriate committees of Con-
12 gress” means—

13 (A) the Committee on Commerce, Science,
14 and Transportation of the Senate;

15 (B) the Committee on Appropriations of
16 the Senate;

17 (C) the Committee on Natural Resources
18 of the House of Representatives;

19 (D) the Committee on Science, Space, and
20 Technology of the House of Representatives;
21 and

22 (E) the Committee on Appropriations of
23 the House of Representatives.

1 (2) UNFUNDED PRIORITY.—The term “un-
2 funded priority” means a program or mission re-
3 quirement that—

4 (A) has not been selected for funding in
5 the applicable proposed budget;

6 (B) is necessary to fulfill a requirement as-
7 sociated with an operational need; and

8 (C) the Administrator would have rec-
9 ommended for inclusion in the applicable pro-
10 posed budget had additional resources been
11 available or had the requirement emerged be-
12 fore the budget was submitted.

13 **SEC. 802. REPORT ON ENGAGEMENT BY NATIONAL WEATH-**
14 **ER SERVICE WITH EXTERNAL WEATHER EN-**
15 **TERPRISE.**

16 (a) IN GENERAL.—Not later than 180 days after the
17 date of the enactment of this Act, the Comptroller General
18 of the United States shall submit to the Committee on
19 Commerce, Science, and Transportation of the Senate and
20 the Committee on Natural Resources of the House of Rep-
21 resentatives a report on—

22 (1) the growth and significant change of the
23 weather enterprise during the recent decades pre-
24 ceding the date of the enactment of this Act;

1 (2) the boundaries between the role of the Na-
2 tional Weather Service and effective engagement and
3 collaboration between entities that are part of the
4 weather enterprise; and

5 (3) the integration, interoperability, and quality
6 of data sources and programs that are, or should be,
7 used by the National Weather Service as of such
8 date of enactment.

9 (b) ELEMENTS.—The report required under sub-
10 section (a) shall include the following:

11 (1) An evaluation of the steps taken by the Na-
12 tional Weather Service to engage with other mem-
13 bers of the weather enterprise.

14 (2) An analysis of the challenges faced by the
15 National Weather Service in their efforts to engage
16 with other members of the weather enterprise, and
17 the actions taken by the National Weather Service
18 to address those challenges.

19 (3) A review of the extent that the efforts of
20 the National Weather Service to engage with mem-
21 bers of the weather enterprise align with leading
22 practices for collaboration.

23 (4) Recommendations for integrating the find-
24 ings of the report into the policies and planning
25 processes of the National Weather Service.

1 **SEC. 803. REPORT ON GAPS IN WEATHER OBSERVATIONS**
2 **DATA.**

3 (a) IN GENERAL.—Not later than 18 months after
4 the date of the enactment of this Act, the Comptroller
5 General of the United States shall submit to the Com-
6 mittee on Commerce, Science, and Transportation of the
7 Senate and the Committee on Science, Space, and Tech-
8 nology of the House of Representatives a report on the
9 progress made by the National Weather Service in exam-
10 ining and prioritizing, as required under the Weather Re-
11 search and Forecasting Innovation Act of 2017 (15 U.S.C.
12 8501 et seq.), as amended by section 441—

13 (1) the weather observations data requirements
14 and needs of the National Weather Service;

15 (2) current and potential future gaps with re-
16 spect to the collection of weather observations data
17 by the National Weather Service; and

18 (3) the range of options to address those gaps.

19 (b) ELEMENTS.—The report required under sub-
20 section (a) shall include the following:

21 (1) An evaluation of the gaps that exist in the
22 collection by the National Weather Service of weath-
23 er observations data across different platforms and
24 the effect those gaps have on weather forecasting.

25 (2) An analysis of the plans of the National
26 Weather Service to address those gaps and chal-

1 lenges faced by the National Weather Service in ad-
2 dressing those gaps.

3 (3) A review of the steps taken by the National
4 Weather Service to examine and prioritize the
5 weather observations data requirements and needs of
6 the National Weather Service.

7 (4) Recommendations for integrating the find-
8 ings of the report into the policies and planning
9 processes of the National Weather Service.

10 **SEC. 804. REPORT ON FIRE WEATHER DATA, TOOLS, AND**
11 **SERVICES.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of the enactment of this Act, the Comptroller General
14 of the United States shall submit to the Committee on
15 Commerce, Science, and Transportation of the Senate and
16 the Committee on Natural Resources of the House of Rep-
17 resentatives a report on engagement by the National
18 Weather Service in wildfire response activities.

19 (b) ELEMENTS.—The report required under sub-
20 section (a) shall include the following:

21 (1) An assessment of the data, tools, and serv-
22 ices provided by the National Weather Service to
23 Federal and State wildfire agencies.

24 (2) An evaluation of the data, tools, and serv-
25 ices of the National Weather Service available to

1 meet wildfire risk reduction, preparedness, and re-
2 sponse needs.

3 (3) A review of the challenges faced by the Na-
4 tional Weather Service in providing data, tools, and
5 services to meet those needs and an assessment of
6 how those challenges could be addressed.

7 (4) Recommendations for integrating the find-
8 ings of the report into the policies and planning
9 processes of the National Weather Service.

10 **SEC. 805. RECOMMENDATIONS TO CONGRESS ON TECH-**
11 **NICAL AND CONFORMING AMENDMENTS.**

12 (a) IN GENERAL.—Not later than 1 year after the
13 date of the enactment of this Act, and at any appropriate
14 time thereafter, the Administrator shall submit to the ap-
15 propriate committees of Congress recommendations for
16 technical, conforming, or other amendments to law nec-
17 essary—

18 (1) to fully carry out the provisions of, and
19 amendments made by, this Act;

20 (2) to strengthen the role of the Administration
21 within the Department of Commerce; or

22 (3) to further the policies and purposes of this
23 Act.

24 (b) CONSULTATION.—In developing any rec-
25 ommendations pursuant to subsection (a), the Adminis-

1 trator shall consult with the Office of the Law Revision
2 Counsel of the House of Representatives.

3 (c) DEFINITION OF APPROPRIATE COMMITTEES OF
4 CONGRESS.—In this section, the term “appropriate com-
5 mittees of Congress” means—

6 (1) the Committee on Commerce, Science, and
7 Transportation of the Senate;

8 (2) the Committee on Natural Resources of the
9 House of Representatives;

10 (3) the Committee on Science, Space, and
11 Technology of the House of Representatives; and

12 (4) the Committee on Transportation and In-
13 frastructure of the House of Representatives.