

House Science, Space, and Technology Committee

Ranking Member Frank Lucas

NOAA Organic Act Discussion Draft

Section-by-Section

Section 1: States the short title of the bill and includes the table of contents for the bill.

Section 2: States the purpose of the bill.

Title I – National Oceanic and Atmospheric Administration

Section 101: Establishment.

Establishes NOAA as an independent agency within the executive branch. The agency will be led by an Administrator who will be confirmed by the Senate. Specifies that any authority granted previously to NOAA in statute will carry over to the independent agency. It also clarifies that any prior reference to the “Under Secretary of Commerce for Oceans and Atmosphere” in statute is now considered a reference to the NOAA Administrator. Includes references to four positions within NOAA: a Deputy Administrator, an Associate Administrator for Environmental Observation and Prediction, a Chief Scientist, and an Inspector General.

Section 102: Functions of the Administrator.

Lays out the responsibilities of the Administrator, including atmospheric and oceanic research priorities, Earth observation, education and outreach, and enforcement of federal laws within the agency’s jurisdiction. Directs the Administrator to engage the scientific community and to disseminate information in an open manner consistent with federal law. The bill also directs the Administrator to establish and promote a culture of scientific integrity.

Section 103: Authority of the Administrator.

Establishes the authorities of the Administrator. Authorizes the Administrator to appoint employees as they see fit and pay them within OPM guidelines. Grants the Administrator the authority to purchase, acquire, construct, improve, and repair property, lease and sell property. Permits the Administrator to accept gifts for the benefit of the agency. States that the Administrator may enter into contracts, leases and agreements on behalf of the agency. Authorizes the Administrator to cooperate with other federal agencies in the execution of the agency’s mission. Allows the Administrator to engage in programs of international cooperation. Authorizes the Administrator to appoint advisory committees. Permits Administrator to establish offices and procedures as necessary to carry out the agency’s mission.

Section: 104 Science Advisory Board.

Establishes in code NOAA's existing Science Advisory Board (the Board). Directs the Board to advise the Administrator and Congress on research priorities for the agency. Specifies that the board will consist of 15 members, including a chair, appointed by the Administrator, and that they shall serve for up to two three-year terms. Directs the Administrator to consult with the Science Advisory Board to develop a strategic plan for research and development at NOAA and to revise that plan every five years. The bill also directs the Administrator to enter into an agreement with the National Academy of Sciences to review the strategic plan.

Title II – General Provisions

Section 201: Recommendations to Congress.

Directs the Administrator to transmit recommendations to Congress a year after the date of enactment of the legislation, to include recommendations on additional legislation to assist the agency's transition to an independent agency and other matters necessary to execute the agency's mission.

Section 202: Conforming Repeals.

Repeals Reorganization Plan No. 4 of 1970, which created NOAA. Repeals prior legislative language establishing Under Secretary of Commerce for Oceans and Atmosphere and Assistant Secretary of Commerce for Oceans and Atmosphere.

Section 203: Savings Provision.

Specifies that all regulations and agreements in place at the time of enactment of the legislation will remain in effect. States that if litigation is ongoing at the time of enactment of the bill, then the proceedings will, to the maximum extent practicable, not be affected.

Section 204: Reorganization Plan.

Directs the Administrator to submit a reorganization plan for NOAA to the Federal Register 18 months after enactment of the bill. Specifies that the Administrator must submit to Congress a revised version of the proposed plan 180 days after the close of the Federal Register comment period and must implement the plan 180 days after the plan has been submitted to Congress. Requires the plan to include content relating to improving the efficiency of carrying out NOAA's core mission, collaboration across different mission areas, and reducing overlap between different mission areas. Requires the Administrator to consult with a variety of parties in the implementation of the plan.

Section 205: National Weather Service.

Directs the continuation of the National Weather Service (NWS) within the independent NOAA. States the missions and functions of the NWS, including providing weather forecasts, providing warnings of severe weather, maintaining local forecast offices, and providing information to other federal agencies responsible for emergency management.

Section 206: Authorization of Appropriations.

Authorizes such sums as necessary for the implementation of the legislation, except for the acquisition or condemnation of real property, or any expansion capital item which exceeds \$250,000. Specifies that sums appropriated for this purpose for the construction of facilities or research and development shall remain available until expended.

Section 207: Office of Space Commerce.

Elevates the Office of Commercial Space, currently located within NOAA, to the Department of Commerce. Specifies the Director of the Office will be an Assistant Secretary of Commerce and report directly to the Secretary of Commerce.

Section 208: Study.

Directs the Administrator to contract with the National Academy of Public Administration to study the feasibility of transferring part or all of NOAA's Endangered Species Act and Marine Mammal Protection Act functions to the Department of Interior. Directs the report to be submitted to Congress one year after the date of enactment of the legislation.

Section 209: Effective Date.

States that the provisions of the legislation take effect six months after the enactment of the legislation.