

CONSTRUCTION OF RESEARCH FACILITIES

Appropriations, 2003	\$65,670,000
Budget estimate, 2004	69,590,000
House allowance	62,590,000
Committee recommendation	84,630,000

The Committee recommends an appropriation of \$84,630,000. The recommendation is \$15,040,000 above the budget request and fully funds the highest priority safety, capacity, maintenance, and repair projects at NIST. Of the amounts provided, \$28,770,000 is for central utility plant and primary electrical upgrades at NIST's Boulder, Colorado laboratory, \$5,000,000 is for expenses relating to the relocation and equipping of NIST's Advanced Measurement Laboratory [AML] in Gaithersburg, Maryland, \$3,360,000 is for the renovation of Building 220 on the Gaithersburg campus, and \$24,000,000 is for safety, capacity, maintenance, and major repairs.

The Committee has been supportive of NIST's requests for additional resources to improve its aging infrastructure. With the AML nearing completion, NIST must now address its remaining facility needs. In 1998, NIST published the Facilities Improvement Plan. However, much has changed since this document was prepared. The Committee therefore directs that NIST update its Facilities Improvement Plan prior to the obligation of any funds provided under this account. This plan should detail NIST's short-term and long-term priorities, provide current cost estimates, and timelines for completion. Additionally, the updated facilities plan should address how the facility improvements correspond with NIST's strategic planning. The updated plan will guide the replacement, renovation, and repair of the Institute's buildings so that NIST can continue to provide U.S. industry and science with the best possible measurement system.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

(INCLUDING TRANSFERS OF FUNDS)

Appropriations, 2003	\$3,187,723,000
Budget estimate, 2004	3,338,889,000
House allowance	3,219,764,000
Committee recommendation	3,779,392,000

The Committee recommends an appropriation of \$3,779,392,000 for National Oceanic and Atmospheric Administration [NOAA]. Transfers total \$52,000,000. The recommendation is \$440,503,000 above the budget request. During this time of continued budgetary constraint, the Committee recommendation continues to make funding for ocean, coastal, fisheries, and atmospheric programs a high priority.

As in past years, the Committee expects NOAA and the Department to adhere to the direction given in this section of the Committee report, particularly language regarding consultation with Congress, and to observe the reprogramming procedures detailed in section 605 in the general provisions of the accompanying bill. Unlike past years, however, the Committee intends to enforce congressional direction ruthlessly.

Fisheries in Distress.—In the past few years, the Committee has been showered with requests for emergency relief for devastated

fisheries from the Bay of Fundy to the Bering Sea. The causes for the collapse of fisheries are many and varied. The one consistency is that no region of the country is unaffected. It is no exaggeration to say that the fate of a multi-billion dollar industry that puts food on many a table hangs in the balance. NOAA, increasingly entangled in litigation, has lost control of the situation. The Committee's response has been ad hoc and reactive, little better than a band aid on a gaping wound. It can only be hoped that the Pew and Ocean Commission reports will prove the call to arms that they are intended to be. In the meantime, the Committee expects to join the National Marine Fisheries Service in a major exploration of the causes of collapse, current and future management activities and options, and the likelihood of sustainable recovery.

OPERATIONS, RESEARCH, AND FACILITIES

Appropriations, 2003	\$2,298,481,000
Budget estimate, 2004	2,392,300,000
House allowance	2,180,454,000
Committee recommendation	2,696,520,000

The Committee recommends an appropriation of \$2,696,520,000. The recommendation is \$304,220,000 above the budget request. Committee recommendations for specific line offices are displayed in the following table:

NOAA OPERATIONS, RESEARCH, AND FACILITIES
[In thousands of dollars]

	Committee recommendation
National Ocean Service	508,619
National Marine Fisheries Service	672,452
Oceanic and Atmospheric Research	394,470
National Weather Service	696,857
National Environmental Satellite and Data Information Services	148,840
Program Support	327,282
Total Operations, Research, and Facilities (including transfers)	2,748,520

The Committee recommendations are discussed in more detail below.

Pacific Salmon Funding.—The Committee remains concerned that it lacks assurances that funding provided for Pacific Salmon will contribute to the recovery of species listed under the Endangered Species Act [ESA]. The Committee has continually noted that the Secretary could potentially face severe adverse legal consequences for failure to make progress under the ESA, and that just providing funding for habitat restoration was not enough. For a plan to have at least a modicum of certainty of success, it must address the “four H’s”—habitat, hatcheries, hydropower, and harvest—and section 6 agreements that would set forth commitments by the Secretary, States, Treaty Tribes, and other relevant entities. Unfortunately, the Committee’s warnings have been underscored by the recent district court decision finding that the Secretary’s Pacific salmon recovery plans for the Columbia River, which rely solely upon off-site habitat and hatchery programs—only two of the “four H’s” that play a part in salmon recovery—did not provide any

certainty of success. In concluding NOAA failed to comply with the ESA, the court specifically noted “the absence in the record of any binding commitments by the States, Treaty Tribes, and private parties to fund or implement the responsibilities devolved upon them by NOAA as well as the lack of certainty as to the range-wide off-site mitigation actions.” The Committee takes this caution seriously. Consequently, the Committee directs the National Marine Fisheries Service [NMFS] Administrator to provide no funding for any recovery program for ESA-listed salmon unless that program can be shown to be part of an effort to address the “four H’s” and section 6 agreements. The Committee directs the NMFS Administrator to report to the Committees on Appropriations on each proposal for which funding is provided detailing what steps the proposal includes addressing habitat, hatcheries, hydropower, and harvest issues relating to the recovery of the stock for which the proposal has been submitted.

In addition, the Committee continues to note the lack of accountability and performance standards for resources distributed to restore endangered and threatened salmon through the Pacific Coastal Salmon Recovery Fund. The ESA imposes substantial legal obligations on the Secretary of Commerce with regard to the not less than twenty-six runs of Pacific salmon listed as endangered. As noted above, failure to make progress toward recovery under the ESA poses adverse legal consequences for NOAA. Further, the “Executive Report for the Washington Comprehensive Monitoring Strategy and Action Plan for Watershed Health and Salmon Recovery” states that current monitoring activities are not comprehensive and are lacking in nearly every category. In light of the considerable funds that have been provided to date for salmon recovery, it is unacceptable that no mechanism yet exists for providing assurances that the stocks are, in fact, recovering. The Executive Report also noted that validation monitoring is the only type of monitoring that can establish “cause and effect” relationships between fish, habitat, water quality, water quantity, and management actions. The Committee directs that 2 percent of the funding provided through the Pacific Coastal Salmon Recovery Fund shall be used for validation monitoring. The Committee directs NOAA to provide an annual report to the Committee no later than March 30 of each year on the projects funded through the Pacific Salmon Recovery Fund and the results of the validation monitoring for funded projects.

NATIONAL OCEAN SERVICE

The Committee recommends an appropriation of \$508,619,000 for the National Ocean Service [NOS]. Committee recommendations are displayed in the following table:

NATIONAL OCEAN SERVICE

[In thousands of dollars]

	Committee recommendation
NOS Operations—Salaries and Expenses	150,051

NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Navigation Services:	
Mapping & Charting:	
Coastal Mapping:	
Coastal Mapping	535
MS/LA Digital Coast	2,000
Shoreline Mapping	7,465
Chesapeake Bay	2,000
Hydrographic Surveys:	
Address Survey Backlog/Contracts	24,300
EEZ Outer Continental Shelf Ocean Bottom Claims	3,200
Gulf of Alaska	2,500
North Pacific	1,000
North Pacific Maritime Boundary Line	1,500
Hydrographic Surveys	1,339
Vessel Lease/Time Charter	11,100
Joint Hydrographic Center	4,250
Joint Hydrographic Center—Bathymetric Research	3,200
Marine Modeling & Geospatial Technology	2,146
Nautical Charting:	
Electronic Navigational Charts	5,350
Nautical Charting	6,759
Navigational Services	1,885
Subtotal, Mapping and Charting	80,529
Geodesy:	
Geodetic Survey (Height Modernization):	
Pacific Regional Geodetic Survey (CA/OR/WA)	1,500
Washington	1,000
SE Regional Geodetic Survey (NC/SC/GA/FL/AL/MS/LA)	1,000
Louisiana	500
Mississippi	1,000
North Carolina	1,000
South Carolina	500
Upper Great Lakes RGS (MI/IN/IL/WI/MN)	500
National Spatial Reference System	2,150
Subtotal, Geodesy	9,150
Tide & Current Data:	
Alaska Current & Tide Data	1,500
Upper Cook Inlet Tidal Research	500
Nat'l Water Level Observation Network (NWLON)	1,500
National Water Level Program	1,620
Subtotal, Tide & Current Data	5,120
Total, Navigation Services	94,799
Ocean Resources, Conservation, & Assessment:	
Coastal Assessment Program:	
Aquatic Research Consortium—MS	2,500
Coastal Observing Systems:	
Alliance for Coastal Technologies	2,500
CA Ctr. for Integrative Coastal Research (CI-CORE)	1,000
Carolina Coastal Ocean Observing & Prediction Sys	2,500
Center for Coastal Ocean Observation & Analysis	2,500
Center for Integrated Marine Technologies	2,500
Coastal Marine Research & Monitoring Program	2,500
Coastal Observation Technology System	2,500
Coastal Ocean Research & Monitoring Program	2,500
Coordination/Competitive Grant Pilot Fund	5,000

NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Gulf of Alaska Ecosystem Monitoring	750
Long Island Sound Coastal Observing System	1,800
Wallops Ocean Observation Project	2,000
Coastal Rest. & Enhance. thru S&T (CREST)	500
Coastal Services Center	19,000
Coastal Storms	2,750
Coastal Watershed Groundwater Assessment—NH	500
Coop Institute for Coastal and Estuarine Enviro Tech	6,550
Coral Reef Program:	
National Program	26,050
Florida—National Coral Reef Institute	1,000
Hawaii Initiative	1,500
Nature Conservancy of HI Marine Program	250
Puerto Rico Coral Reef Initiative	500
JASON Education and Outreach	1,000
Lake Pontchartrain	100
National Fish and Wildlife Foundation—NFWF	1,500
Pacific Services Center	2,000
B-WET Hawaii	500
Sarasota Bay—Mote	250
Subtotal, Coastal Assessment Program	94,500
Response and Restoration:	
Aquatic Resource Environmental Initiative—KY	100
Center for Marine Spill Response Technology	2,000
Coastal Protection and Restoration Project	664
Damage Assessment Program	2,282
Edisto Beach Marsh Restoration	100
Estuarine and Coastal Assessment	600
Estuarine Restoration Program	600
Marine Debris Removal:	
Alaska	500
South Carolina	175
Oil Pollution Act of 1990	809
Spill Response and Restoration Program	810
Water Control Impoundments SC	250
Subtotal, Response and Restoration	8,890
Coastal Research:	
Long-term Estuary Assessment Group (LEAG)	1,200
Murrell's Inlet Special Area	200
Prince William Sound Science Center	500
South Florida Ecosystem	100
Subtotal, Coastal Research	2,000
National Centers for Coastal Ocean Science (NCCOS):	
Ctr for Coastal Environ'l Health & Biomoleclr Research	7,923
Extramural Research (HAB/Pfisteria/Hypoxia)	3,857
LUCES & high salinity estuaries (Baruch)	2,000
Oxford, MD	3,000
Extramural Research (HAB/Pfisteria/Hypoxia)	3,857
Center for Coastal Fisheries Habitat Research	1,148
Extramural Research (HAB/Pfisteria/Hypoxia)	3,857
Center for Coastal Monitoring & Assessment	2,196
Extramural Research (HAB/Pfisteria/Hypoxia)	3,857
Center for Sponsored Coastal Ocean Research	3,857
Marine Environment Health Research Lab (MERHL)	4,000

NATIONAL OCEAN SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Subtotal, NCCOS	39,552
Coastal Management:	
CZM Grants	70,963
Marine Protected Areas	2,269
National Estuarine Research Reserve System	20,320
Subtotal, Coastal Management	93,552
Marine Sanctuary Program:	
Marine Sanctuary Continuing Activities	21,282
Northwest Straits Citizens Advisory Commission	1,200
Subtotal, Marine Sanctuary Program	22,482
Payment to OMAO	2,793
GRAND TOTAL, NATIONAL OCEAN SERVICE—ORF	508,619

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Budget Structure.—The Committee recommendation divides the budget for NOS into two broad categories: salaries and expenses [S&E] and programs. Reductions in some program lines reflect the teasing out of S&E from each line and the consolidation of all S&E in one line, “NOS Operations—Salaries & Expenses”. The Committee commends NOS for its thorough grasp of its own budget and its willingness to work with Congress to improve the above table. Funds provided under program, project, or activity lines shall not be used for S&E, nor shall program funds be available to pay internal or external “taxes” charged by NOS, NOAA, or the Department of Commerce.

Navigation.—The Committee recommends \$3,200,000 for bathymetric surveys off the Southeast Coast of the United States and the Gulf of Alaska in accordance with the data needs identified by a Joint Hydrographic Center on the potential expansion of United States lands beyond the Exclusive Economic Zone. Within the funding recommendation for Shoreline Mapping, the Committee recommends that NOS focus on mapping the shoreline of the North Slope of Alaska.

Geodetic Survey (Height Modernization).—To achieve efficiencies, the Committee recommendation combines height modernization efforts in several States into Southeast, Upper Great Lakes, and Pacific regional geodetic survey pilots. NOS is directed to develop and submit to the Committees on Appropriations plans for the pilots, including detailed cost and schedule information, not later than April 1, 2004. The plans should serve as models for other regions. In addition, funds provided under this heading require a 100 percent match from State, local, or private sources. Should participants’ match fall short of appropriated levels, NOS may, on a dollar for dollar basis, partially release funds matching the lesser

amounts available to participants as long as NOS can certify that at least a minimum operating capability will be achieved. The balance of funds in such an eventuality shall be transferred to the NOS "National Spatial Reference System" line.

Physical Oceanographic Real-Time System [PORTS].—The intent of Section 103(a) of the recently-passed Hydrographic Services Improvement Act has become the source of considerable confusion. Some interpret 103(a) to mean that NOS is now responsible for all costs associated with real-time hydrographic monitoring systems, including PORTS. Others believe that 103(a) in no way undercuts the cost sharing arrangement that underpins this very popular and successful program. One thing that is clear is that PORTS would be immediately unaffordable were NOS to bear the full cost of the program. Lacking a definitive interpretation, no funds are recommended for PORTS until the ambiguity is cleared up.

Various.—The Committee recommendation consolidates all NOAA coral reef appropriations under NOS. A spending plan for coral reef funding shall be delivered to the Committees on Appropriations not later than January 15, 2004. The Committee recommendation includes \$2,000,000 for the Baruch Institute's research and monitoring of small, high-salinity estuaries, of which \$1,200,000 is for the Land Use-Coastal Eco-System Study [LUCES] program.

Ocean and Coastal Observing Systems.—The Committee has provided \$20,000,000 during the past 2 years for establishment of an integrated interagency ocean and coastal observing system. A recently-delivered report outlines NOAA's strategy for establishing a national network: (1) inventory existing or planned local or regional systems, their capabilities, and costs, and (2) establish a management framework to coordinate coverage and investments. Unfortunately, these prerequisites will not be completed until year's end.

The Committee strongly supports NOAA's efforts to coordinate the growing number of individual micro-regional coastal observing systems and pilot projects into truly regional systems. This effort is essential to ensuring technical connectivity and data compatibility among all the systems so that they may support a national system that provides benefits to the public and improves the availability, timeliness, quality, and value of information for Federal missions as well as local decision makers and academia. However, this coordination effort will not succeed if the growth and number of these independent regional systems outstrips the ability of the Federal Government to ensure long-term funding, integration and basic coordination of the plans for the proposed federation of regional systems.

Therefore, the Committee recommendation limits specific funding of systems to those funded in previous years. However, to accommodate continued development and integration of the system, the Committee has established: (1) a dedicated coastal observation fund that may be used by the Assistant Administrator [AA] of NOS to support system coordination efforts and expand existing individual systems into a regional framework; and (2) a competitive grant pilot fund whereby parties interested in joining the system may compete, and if deemed by the AA as contributing to the concept of a national system, may receive funding. The NOAA Admin-

istrator is directed to report to the Committees on Appropriation no later than April 25, 2004 on the future shape of these systems and their integration into the Federal system, including: (1) the non-Federal contribution of each of the individual systems to the envisioned regional or national system, and (2) a description of the benefits to Federal missions and the public at large of such systems.

NOS is urged to consider the: (1) Gulf of Maine Ocean Observing System [GoMOOS], (2) Southern California Coastal Ocean Observing System [SCCOOS], (3) Coastal-Global Ocean Observing System [C-GOOS], and (4) Louisiana State University Wave Current Information System [WAVCIS] for awards under the competitive grant pilot program.

Coastal Ocean Science.—The Committee commends the recent efforts of NOS to better account for the base funding levels and specific programmatic increases of the National Centers for Coastal Ocean Science [NCCOS] laboratories. In order to assure that mismanagement does not reoccur in future years, the Committee recommendation reflects those efforts and consolidates into one sub-account all funding for NCCOS and specifies the appropriate funding level for each of the NCCOS laboratories. The Committee recommendation also consolidates all funding for the Oxford Laboratory, previously included in two line offices, into one line. Finally, for the past several years the external research community has suffered the equivalent of a bad roller coaster ride in terms of knowing the amount of external research funding available at the beginning of each fiscal year. The Committee recommendation provides certainty and accountability by specifying the exact level of funding available for external research.

NATIONAL MARINE FISHERIES SERVICE

The Committee recommends an appropriation of \$672,452,000 for the National Marine Fisheries Service [NMFS]. Committee recommendations are displayed in the following table:

NATIONAL MARINE FISHERIES SERVICE

[In thousands of dollars]

	Committee recommendation
Marine Mammals & Sea Turtles:	
California Sea Lions/Protected Species Management (PSM)	750
Cook Inlet Beluga	150
Dolphins:	
Bottlenose Dolphin:	
Data Analysis	1,500
Research	2,500
Take Reduction Teams	1,500
Dolphin Encirclement	2,293
Manatees—New College (MMP)	250
Marine Mammal Protection (MMP)/NMFS Activities	3,000
Marine Mammal Strandings:	
Alaska SeaLife Center	1,000
Charleston Health and Risk Assessment	800
Prescott Grant Program	4,000
Marine Mammals, Sea Turtles & Other Species/Endangered Species Act (ESA)	3,000
Native Marine Mammals:	
Alaska Eskimo Whaling Commission	500
Participation of AEWC in International Whaling Commission Meetings	100

NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Alaska Harbour Seals	150
Aleut Pacific Marine Resources Observers	125
Beluga Whale Committee	225
Bristol Bay Native Association	50
National Fish & Wildlife Foundation (NFWF) Species Mgmt (PSM)	750
North Pacific Southern Resident Orca Population (PSM)	1,500
Right Whale Activities (ESA)	12,500
Sea Turtles:	
ESA	7,900
Hawaiian Sea Turtles	7,800
Rancho Nuevo Sea Turtles	350
Southeastern Sea Turtles	300
Seals:	
Harbor Seals:	
Alaska Native Harbor Seal Commission	600
NMFS Activities	2,000
Sealife Center	1,200
State of Alaska	1,200
Hawaiian Monk Seals	825
Ice Seals (MMP)	250
Steller Sea Lions:	
Endangered Species Act	850
N. Pacific Universities MM Consortium (and Harbor Seal Research)	3,000
Recovery Plan:	
Alaska Fisheries Foundation	1,000
Alaska Sea Life Center	6,000
Fisheries Management (North Pacific Council)	2,000
NMFS Activities	5,000
State of Alaska	2,000
Univ of AK Gulf Apex Predator	1,000
Winter Food Limitation Research (Prince William Sound SC)	1,000
Subtotal, Marine Mammals & Sea Turtles	80,918
Fish:	
Alaska Fisheries Development Foundation	1,500
Alaska Fisheries Information Network (AKFIN)	3,600
Alaska Groundfish Monitoring:	
Bering Sea Fishermen's Association Community Development Quota (CDQ)	175
Crab Research NMFS	473
NMFS Activities	2,087
NMFS Field Fishery Monitoring	300
NMFS Rockfish Research	340
Winter Pollock Survey	1,000
Alaska Near Shore Fisheries State of Alaska	1,250
Alaskan Groundfish Surveys:	
Calibration Studies	240
NMFS Activities	661
American Fisheries Act:	
Implementation	3,525
N. Pacific Council	499
National Standards 4 and 8 State of Alaska	499
NMFS Activities	2,174
Anadromous Fish Commission—North Pacific	750
Anadromous Grants	2,100
Atlantic Billfish Research	2,500
Atlantic Herring and Mackerel	800
Bering Sea Pollock Research	945
Bluefin Tuna Tagging:	
Monterey	425
UNH	1,020
Bluefish/Striped Bass	527

NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Chesapeake Bay	500
Long Island Sound	500
Cashes Ledge (Gulf of Maine) Ecosystem Pilot	1,000
Charleston Bump	650
Billfish Tagging	500
Expand Stock Assessments—Improve Data Collection	20,014
California Oceanic Cooperative Fisheries Investigation (CalCOFI)	1,200
Narragansett Bay (Phase II)	1,000
Fish Statistics	13,900
Atlantic States Marine Fisheries Commission	2,000
Economics & Social Sciences Research	4,200
National Standard 8	1,000
Fisheries Development Program:	
Hawaiian Fisheries Development	750
Product Quality and Marketing:	
Gulf Shrimp	3,000
South Atlantic Shrimp	3,000
Product Quality and Safety/Seafood Inspection	8,685
Fisheries Management Programs	27,657
Gulf Fisheries Information Network (GULF FIN) Data Collection Effort	3,500
Gulf of Maine Groundfish Survey	567
Halibut Data Collection	450
Halibut/Sablefish	1,200
Hawaii Stock Management Plan (Oceanic Institute)	750
Highly Migratory Shark Fishery Research Program (Mote)	2,000
Interjurisdictional Fisheries Grants	2,590
International Fisheries Commission State of Alaska	400
Interstate Fish Commissions:	
3 Commissions	750
Atlantic Cooperative Management	7,250
Large Pelagics Research Program (UNH)	3,100
Marine Fisheries Initiative (MARFIN):	
NMFS Activities	2,500
Monkfish Trawl	1,000
Northeast Fisheries Management	1,000
Pacific Coast Fisheries Information Network (PACFIN) Catch Effort Data	3,000
Recreational Fishery Harvest Monitoring/Rec. Fisheries Info Ntwk (RECFIN)	3,950
RECFIN—SC (inshore recreational species assessment/tagging)	500
Red Snapper Monitoring and Research	5,000
Reduce Fishing Impacts on Essential Fish Habitat (EFH)	750
Reducing Bycatch	5,000
Gulf/Atlantic Turtle Excluder Device (GSAFD)	2,000
Regional Councils	15,547
Salmon:	
Atlantic Salmon:	
ESA	2,217
Recovery Plan	450
Research	710
State of Maine Salmon Recovery (PSM)	2,128
Chinook Salmon:	
Management	150
Pacific Salmon Treaty—Chinook Salmon Agreement	1,844
Research at Auke Bay	300
State of Alaska	1,840
Yukon River Chinook Salmon:	
State of Alaska	1,000
Yukon River Drainage Fisheries Assoc	499
Pacific Salmon:	
Columbia River:	
Biological Opinion (BIOP) Implementation, including ESA	15,100
Endangered Species Studies	299
Hatcheries and Facilities	11,485

NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Hatcheries—Monitor, Evaluation and Reform	1,700
Pacific Salmon Treaty	5,612
Recovery (ESA)	21,197
SW Conservation Project—SW Alaska Conservation Coalition	4,250
Western Alaska Salmon Failure—Bering Sea Fisherman's Assoc.	3,500
Virginia Fisheries Trawl Survey	500
West Coast Groundfish	3,520
Subtotal, Fish	258,051
Crustaceans & Mollusks:	
Bering Sea Crab (State of Alaska)	1,000
Blue Crab Advanced Research Consortium	2,500
Chesapeake Bay Oyster Restoration	2,000
Horseshoe Crab Research (HCRC)	1,300
Lobster Sampling	300
Louisiana Shrimper Assistance	2,000
Mobile Bay Oyster Recovery	2,000
Oyster Restoration (Chesapeake—VIMS)	2,250
Scallop Fishery Assessment (MFI)	2,500
Shrimp Pathogens: South Carolina	650
South Carolina Oyster Recovery	1,000
South Carolina Shrimper Assistance	2,000
Subtotal, Crustaceans & Mollusks	19,500
Enforcement & Observers:	
Enforcement & Surveillance:	
Driftnet Act Implementation	1,375
Ghostnet—High Seas Driftnet Detection	250
NMFS Activities	1,800
Pacific Rim Fisheries	150
Science Observer Russian Exclusive Economic Zone (EEZ)	250
State Participation—AK/WA	200
Enforcement & Surveillance:	
Cooperative Agreements w/States	9,500
Vessel Monitoring System	2,500
Observers/Training:	
Atlantic Coast Observers	3,350
East Coast Observers	350
Hawaii Longline Observer Program	4,000
N. Pacific Marine Resources Observers	1,875
N. Pacific Observer Program	800
NE Groundfish Court-Ordered Observers	7,500
S. Atlantic/Gulf Shrimp Observers	800
West Coast Groundfish Observers	5,000
Subtotal, Enforcement & Observers	39,700
Habitat Conservation & Restoration:	
Bay Watersheds Education and Training Program	2,500
Connecticut River Partnership	300
Cooper River Corridor Management	125
Fisheries Habit Restoration:	
Bronx River Restoration	1,000
Community-Based Restoration Grants	12,000
Kenai Peninsula	700
LA DNR	150
Pinellas County Environmental	150
Habitat Conservation	9,218
Instream Flow Pilot Program (UNH)	600
Marsh Restoration—NH	1,000

NATIONAL MARINE FISHERIES SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Narragansett Bay Marine Education Program (Save the Bay)	500
Refine EFH Designations	1,000
Sea Grass Restoration (Chesapeake)	894
Subtotal, Habitat Conservation & Restoration	30,137
Other Activities Supporting Fisheries:	
Antarctic Research	1,550
Center for Marine Education and Research (MS)	3,000
Conservation & Recovery with States	1,000
Consortium for Fisheries & Wildlife Conflict Resolution (UNH/NEA/VIMS/Duke)	500
Cooperative Research:	
Cooperative Marine Education & Research	200
Cooperative Research—North Pacific Research Board	3,000
National Cooperative Research	2,750
NE Cooperative Research	5,750
Northeast Consortium	5,000
SC Cooperative Research	2,500
SE Cooperative Research	3,250
West Coast Groundfish Cooperative Research	1,000
Ecosystem Management:	
Gulf of Mexico	6,000
Middle Atlantic	6,000
New England	6,000
South Atlantic	6,000
Endangered Species Act—Fish, Crustaceans, Mollusks	2,682
FMP Extended Jurisdiction, State of Alaska	1,500
Gulf of Alaska Coastal Communities Coalition	425
Hawaiian Community Development	500
Information Analysis and Dissemination	22,508
Joint Institute for Marine & Atmospheric Research (JIMAR), HI	2,500
Magnuson-Stevens Implementation off Alaska	7,250
Marine Resources Monitoring, Assessment & Prediction Pgm (MarMap)	1,250
National Environmental Policy Act (NEPA)	8,000
NEPA Permit Approval Streamlining	4,000
New England Multi-Species Survey (SMAST)	3,000
Science Consortium on Ocean Research (SCORE)—NH/FL/WA	1,500
Southeast Area Monitoring & Assessment Program (SEAMAP)	1,750
South Carolina Taxonomic Center	500
Subtotal, Other Activities Supporting Fisheries	110,865
Overhead:	
Expedite Grant Applications & Awards	21,334
Fisheries Enforcement	23,734
Other NMFS Activities	11,700
Pacific Islands Regional Office	5,000
Protect Endangered & Threatened Species	63,838
NW Fisheries Science Center (West Coast Groundfish Team)	1,700
Regulatory Streamlining & Modernization	1,500
Expedite Permit Applications & Approvals	3,775
Subtotal, Overhead	132,581
Payment to OMAO	700
GRAND TOTAL, NATIONAL MARINE FISHERIES SERVICE—ORF	672,452

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations dis-

played in the table above are described in more detail in the following paragraphs.

Base Funding.—For the second year in a row, NMFS has chosen not to provide the Committee with a coherent description of what is contained in the so-called “base” lines. Therefore the Committee is unable to differentiate between fixed and variable costs within the lines that make up the NMFS account. The Committee has done what it could to eliminate or limit the worst budget excesses, but much work remains to be done. Only funds provided under the heading “Overhead” may be used for NMFS salaries, benefits, or expenses, including rent, utilities, communications, contract and consulting services, supplies, materials, and equipment, travel and transportation of people and things, and printing and reproduction. Funds provided under program, project, or activity lines shall not be used for overhead, including internal or external “taxes” charged by NMFS, NOAA, or the Department of Commerce.

Regional Office Financial Accountability.—The Committee has been working to provide budget transparency for each of the line offices as well as for NOAA headquarters. While the Committee has been able to obtain clarity with respect to some line office accounts, the Committee’s efforts to separate and clarify NMFS funding levels for programs, personnel, and expenses have been stymied by the Service. One explanation offered for NMFS’ inability to provide the requested budget information is that the decentralized line office structure provides funding to the regional offices from multiple NMFS accounts without any effort by the regional offices or headquarters to track or report on either the total funding level provided to the regional offices or the regions’ use of the funding. Therefore, the Committee directs the regional offices, in consultation with the program offices from which they receive funding, and through the NMFS Administrator, to submit a spending plan for their activities no later than January 1, 2004. The plan should include the following information: (1) the level of funding received by each regional office from each NMFS baseline for salaries and expenses versus program activities; and (2) the level of funding received by each regional office from each program line for salaries and expenses versus program activities.

International Conservation of Sea Turtles.—The Committee remains concerned by the increasing threat to sea turtles, particularly those listed under the Convention on International Trade on Endangered Species of Wild Fauna and Flora [CITES], from activities conducted outside of U.S. control, including incidental capture in the longline and shrimp trawl fisheries of other nations. In the past, the Department of State has ignored the Committee’s direction to: (1) negotiate strong, enforceable management, reporting, and data collection measures (including economic measures) focused on reducing incidental capture of sea turtles in commercial fisheries under regional management agreements for living marine resources; (2) develop a trans-Pacific international turtle conservation agreement to include Pacific island and Pacific rim nations; and (3) with the Secretary of Commerce, seek international agreements to establish standards and measures for bycatch reduction that are comparable to U.S. standards. The Committee therefore directs the Secretary of Commerce to assume these responsibilities.

The Secretary of Commerce shall report back to the Committee by February 1, 2004, detailing actions taken to comply with this and previous direction during fiscal years 2002 and 2003.

The Committee is also concerned that the conservation benefits of the new U.S. regulations requiring use of larger turtle excluder devices [TEDs], which take effect this year, will be lost if such requirements are not also applicable in other shrimp trawling nations who seek to import shrimp to the United States, as required in the 1990 “shrimp-turtle law” (Public Law 101–162). While American fishermen are being asked to take on additional economic burdens, shrimp fleets in some other nations have barely demonstrated compliance with the previously established TED requirements as well as the obligations of the Inter-American Sea Turtle Convention. This has not provided American shrimpers the level conservation playing field intended by Congress in the 1990 law. The Committee directs the Secretary of Commerce to take immediate steps to ensure that these newly promulgated turtle protection requirements are met by other nations who import shrimp to the United States, pursuant to the requirements of Public Law 101–162 by May 4, 2004. The Committee also directs the Secretary to submit a report, within 90 days of enactment of this Act, setting forth the following: (1) specific criteria used by the Secretary to determine whether to certify that a nation’s regulatory program is “comparable” to the U.S. program under Public Law 101–162; (2) a list of nations that the Secretary has de-certified under the law from 2000–2003; (3) case-specific inspection findings, rationales, and criteria (including trip reports and cables) used in 2000–2003 to determine whether or not to certify nations pursuant to Public Law 101–162; (4) a timeline and detailed actions that the Secretary will take to ensure the new TED measures are adopted by shrimp-importing nations prior to May 2004, the next certification date; (5) describe any failure to maintain or use TEDs noted during dockside or at-sea inspections in shrimp importing nations, and explain why, in instances where such failures were noted, the nation was not de-certified.

The Committee recommendation includes \$12,500,000 for North Atlantic right whale activities, to be distributed in the manner described in the following table:

NORTHERN RIGHT WHALE PRESERVATION

[In thousands of dollars]

	Amount
Reduce ship strikes	3,730
Whale detection technologies	[1,255]
Reduce entanglement	2,500
Gear modification	[500]
Pilot Buyback/Recycling—Gear Purchase Program	[1,500]
Training/Disentanglement Teams	[500]
Biology	1,755
Recovery coordination	140
Competitive Grants/Personnel Costs	2,950
State programs	1,425

The Committee expects to be consulted prior to any deviation from the above plan. The Office of Protected Resources shall submit

a report to the Committees on Appropriations on fiscal year 2003 accomplishments not later than January 15, 2004.

Decline of Pacific Marine Mammals.—The Committee expects NOAA to continue its research initiative on Pacific decadal oscillation, predator-prey relationships with particular emphasis on killer whale predation on sea lion pups, and to explore other factors in the marine environment that may be contributing to the decline of Stellar sea lions and other marine mammal populations.

Enforcement of International Dolphin Agreement.—The Committee remains concerned that Mexico and other non-United States parties to the International Dolphin Conservation Program [IDCP], of which the United States is a member, are not fully complying with the requirements of the IDCP, particularly with respect to accurate reporting of dolphin interactions and mortality. The Committee recommendation includes \$2,293,000 for research and monitoring activities associated with dolphin encirclement in the eastern tropical Pacific [ETP] and the IDCP to be distributed in the manner described in the following table:

INTERNATIONAL DOLPHIN CONSERVATION PLAN

[In thousands of dollars]

Research Activities:	
Fishery Effects	250
Gear for Reduction of by-catch	250
Ecosystem Studies	238
Collection and Analysis of Biological Samples	60
Coastal Stocks Research	40
Small Vessel sets on Dolphins	200
Research Cruises	945
Days at Sea for Research Cruise	125
Research Program Management	75
Implementation and Monitoring Activities:	
Local Management Fund	40
Travel for document verification	20
Data entry and document contracts	50
Total	2,293

The Committee expects to be consulted prior to any deviation from the above plan.

Increased funding is provided for additional biological sampling, further research on cow-calf separation, herd sizes on which sets are made, and development of alternative gear for reducing by-catch of dolphins, turtles and other species in the ETP and the occurrence of and impacts on dolphin populations from vessels with a carrying capacity of less than 400 short tons that are reportedly setting on dolphins in the ETP. Funding for salaries and expenses, and agency assessments has been more accurately aligned under the salaries and expenses heading. The Committee further directs NOAA, in consultation with key United States stakeholders, to continue evaluating and documenting any lack of compliance by the non-United States parties to the IDCP with its provisions, including through on-site visits and discussions with government officials, observers and others with first-hand knowledge of country practices, and to submit a written report describing the findings to the Committee no later than May 1, 2004. The report should include an updated evaluation of compliance with the on-board ob-

server program, an updated report of dolphin interactions and mortality, the latest operational requirements for vessels, the extent to which vessels with a carrying capacity of less than 400 short tons are setting on dolphins, and all actions taken in the past year by parties to follow-up on infractions identified by the international review panel.

Gulf/Atlantic Turtle Excluder Device.—Funds made available under this heading shall be provided to the Gulf and South Atlantic Fisheries Development Foundation to conduct a field testing program of the new, larger Turtle Excluder Device required by regulation in order to determine and document the most effective and efficient use and configuration of such devices in terms of sea turtle exclusion and shrimp retention.

Fisheries Research and Management.—Of the amount provided for the recreational fishing information network [RECFIN] program, the Committee expects that \$500,000 will be used to continue the effort to enhance the annual collection and analysis of economic data on marine recreational fishing. The Committee also expects that the Pacific, Atlantic, and Gulf States shall each receive one-third of the remaining RECFIN funds. The Committee recommends that the \$750,000 for the Interstate Fish Commissions be equally divided among the three commissions. As in prior fiscal years, funds appropriated for the Hawaii Fisheries Development and Hawaii Stock Management Plan programs shall be administered by the Oceanic Institute.

Seafood Inspections.—The Committee firmly opposes efforts to list the activities of the NOAA Seafood Inspection program under the FAIR Act inventory as providing “not inherently governmental functions”. Such a determination would be contrary to both common sense and public welfare. The NOAA Seafood Inspection program inspects or certifies approximately seventeen percent of the fishery products consumed in the United States, provides inspection and certification of more than 142,000,000 pounds of U.S. exports, and routinely evaluates the safety, wholesomeness, proper labeling, and quality of fish and fishery products. In addition to ensuring specific product safety, the adequacy of sanitation and hygienic practices of processing facilities and the processes used in the manufacture of food are also inspected. Both the United States Department of Agriculture and the Food and Drug Administration have already determined that their food inspection functions are inherently governmental, and any other determination for the NOAA program would damage efforts to improve seafood safety and undermine efforts to better coordinate and improve Federal seafood safety efforts, including efforts to protect against bioterrorist threats.

Hatcheries.—The Committee intends funding for the Mitchell Act hatcheries to meet production, mass marking, and monitoring and evaluation needs.

Fisheries Enforcement.—Since 9/11, port security has become the primary mission of the Coast Guard. A minor responsibility in peacetime, the Coast Guard had committed few ships and personnel to port security prior to 9/11. As a result, the Coast Guard has had to redirect assets dedicated to the enforcement of fisheries laws to the new port security mission. Today, and for the foresee-

able future, the Coast Guard will be unable to enforce these laws. NOAA and State departments of natural resources must fend for themselves. That being so, the Under Secretary of Commerce for Oceans and Atmosphere, in consultation with the Commandant of the United States Coast Guard, shall report to the Committees on Appropriations not later than December 1, 2003 on the feasibility of transferring from the Coast Guard to NOAA such authorities, liabilities, and assets as are necessary for NOAA to enforce the fisheries laws of the United States that were being enforced by the Coast Guard on September 10, 2001.

Enforcement and Surveillance.—The Committee recommends continued support at last year's level for marine forensics and southeast fisheries' law enforcement.

Ecosystem Management.—NMFS' approach to managing marine resources, as reflected in the chart above, is mission-, action-, or species-specific. NMFS personnel in New England are, for example, criss-crossing the Gulf of Maine researching, assessing, surveying, or otherwise scrutinizing right whales, dogfish, and lobster, but doing so in isolation or at best with little coordination. Whether because it is too complex or crosses too many disciplines, the study of all life within a column of water in a comprehensive, coordinated way is not being done. As a result, there is no understanding of, or preparation for, potential unintended consequences on ecosystems as NMFS' renders its decisions in a species-specific manner. The Committee believes that ecosystem management is the wave of the future, though it acknowledges that a revolution in ocean politics will have to occur first. The recommendation includes modest funding to initiate regional ecosystem management pilot projects in the Atlantic and Gulf of Mexico. The pilots purposely cover bodies of water that are contiguous, because the one influences the others. The Committee expects the four pilots to be closely coordinated and for each pilot to integrate with existing NMFS or local oceans programs. Ultimately, should the pilots prove successful, the Committee would expect to fold more specific initiatives into the larger ecosystem approach. NMFS is directed to report to the Committees on Appropriations not later than December 1, 2003 on its plans for implementing the pilots.

Stewardship of Capital Investments.—The Committee is aware that a number of NMFS facilities are in deplorable condition, including labs in Beaufort, NC and Mukilteo, WA. A Committee-directed facilities master plan was due June 30, 2003. Hopefully, when received, it will answer questions regarding the need to replace, rehabilitate, consolidate, or close NMFS labs. While reserving judgment on the fate of specific facilities, the Committee recommendation does transfer funding for "NMFS Facilities Maintenance", previously provided under this heading, to the Program Support subaccount. The Committee believes that NOAA headquarters is more inclined than NMFS to protect taxpayers' investments. For the same reason, funds for "Computer Hardware and Software", previously provided under this heading, have been transferred to the Procurement, Acquisition, and Construction account. NOAA headquarters is directed to submit spending plans to the Committees on Appropriations prior to the obligation of any NMFS facilities maintenance or computer funds.

OCEANIC AND ATMOSPHERIC RESEARCH

The Committee recommends an appropriation of \$394,470,000 for Oceanic and Atmospheric Research [OAR]. Committee recommendations are displayed in the following table:

OCEANIC AND ATMOSPHERIC RESEARCH

[In thousands of dollars]

	Committee recommendation
Climate Research:	
Laboratories & Joint Institutes	48,907
Climate & Global Change Program	71,051
Accelerating Climate Models—IRI	1,500
Aerosols—Climate Interaction	2,000
Subtotal, Climate & Global Change Program	74,551
Climate Observations & Services:	
ARGO-Related Costs	10,950
Baseline Operations	2,500
Carbon Cycle	4,300
Climate Change Assessments	650
Climate Data & Info and CLASS in PAC	1,000
Climate Modeling Center (GFDL)	5,000
Climate Reference Network	3,000
Global Climate Atmospheric Observing System	4,000
Regional Assessments, Education and Outreach	2,750
Weather-Climate Connection	900
Subtotal, Climate Observations & Services	35,050
Climate Partnership Programs:	
Abrupt Climate Change Research	1,600
Arctic Research Initiative (SEARCH)	2,074
Central CA Ozone Study	250
East Tennessee Ozone Study	300
Subtotal, Climate Partnership Programs	4,224
Total, Climate Research	162,732
Weather & Air Quality Research:	
Laboratories & Joint Institutes	37,713
U.S. Weather Research Program:	
Energy Security (CA)	2,000
Hurricane & Tropical Storm Research	5,314
Targeted Wind Sensing	2,000
Subtotal, U.S. Weather Research Program	9,314
Weather & Air Partnership Programs:	
AIRMAP	5,000
New England Air Quality Study	3,000
Remote Sensing Research (ISU/BCAL)	1,000
STORM	1,000
Tornado Severe Storm Research (PAR Evaluation)	1,500
Subtotal, Weather & Air Partnership Programs	11,500
Total, Weather & Air Quality Research	58,527
Ocean, Coastal, and Great Lakes Research:	
Laboratories & Joint Institutes	19,148
Chesapeake Bay "dead zone" research (prevention)—Oxford	4,500

OCEANIC AND ATMOSPHERIC RESEARCH—Continued

[In thousands of dollars]

	Committee recommendation
Great Lakes Environmental Research Laboratory (Michigan):	
Lake Erie "dead zone" research (Stone Lab)	448
Lake Erie observation buoys	2,000
Solvent research (Notre Dame)	250
Milfoil (NH)	590
Subtotal, Ocean, Coastal, and Great Lakes Research	26,936
National Sea Grant College Program:	
Continuing Activities	66,160
Fish Extension	2,000
Gulf of Mexico Oyster Initiative	1,000
Marine Invasive Species Program	250
Subtotal, National Sea Grant College Program	69,410
National Undersea Research Program (NURP):	
Aquarius II	1,200
Continuing Activities	15,000
National Institute for Undersea Science and Technology	5,000
Subtotal, National Undersea Research Program (NURP)	21,200
Ocean Exploration	13,200
Submersible Microtechnology Research	994
NMNH East Wing (Oceans)	2,000
Ocean & Coastal Partnership Programs:	
Aquatic Ecosystems—Canaan Valley Institute	2,300
Arctic Research	2,000
Cooperative Institute for Arctic Research	350
Cooperative Institute for New England Mariculture and Fisheries	3,000
Gulf of Maine Habitat Restoration Initiative (GOM Council)	1,000
Institute for Science, Technology & Public Policy (Texas A&M)	1,000
Lake Champlain Research Consortium	300
National Invasive Species Act:	
Alaska	1,500
Nutria—Chesapeake Bay	545
Prevent & Control Invasive Species	800
NOAA Marine Aquaculture Program	3,131
Pacific Tropical Ornamental Fish	500
Ocean Health Initiative	10,000
Subtotal, Ocean & Coastal Partnership Programs	26,426
Total, Ocean, Coastal, and Great Lakes Research	160,166
High Performance Information Technology	12,945
Payment to OMAO	100
GRAND TOTAL NOAA RESEARCH—ORF	394,470

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Budget Structure.—For the second year in a row, OAR has chosen not to provide the Committee with a coherent description of what is contained in the so-called "base" lines. Therefore, the Committee is unable to differentiate between fixed and variable costs

within the lines that make up the OAR account. OAR leadership is playing a dangerous game, being particularly vulnerable to budget reductions for reasons known all too well. The recommendation continues a trend begun last year to look outside OAR for research expertise. Funds provided under program, project, or activity lines shall not be used for overhead, including internal or external "taxes" charged by OAR, NOAA, or the Department of Commerce.

Tinkering.—OAR is supposed to be conducting applied research that directly supports the operations of other NOAA line offices. Too often, however, OAR research appears disconnected from the immediate-, near-, and even medium-term needs of the rest of NOAA. The result is that the line offices have developed their own research programs in parallel with that of OAR. Budget pressures leave no room for "science projects", nor duplication of effort. The Committee suspects that the drift of research in unproductive directions is largely due to the artificial separation of OAR from the line offices it supports. NOAA is directed to report to the Committees on Appropriations on the costs and benefits of breaking OAR up into its constituent parts and distributing those parts as desirable to the other line offices. The report should specifically address how the newly configured research sector will directly assist line offices in developing timely solutions to problems confronting NOAA now and in the next 5 years.

Solar Observation.—The "Atmospheric" in NOAA does not extend to the astral. Absolutely no funds are provided for solar observation. Such activities are rightly the bailiwick of the National Aeronautics and Space Administration and the Air Force.

Phased Array Radar [PAR] Evaluation.—Elements of this initiative are perplexing. The National Severe Storms Lab intends to couple a Navy SPY-1 phased array radar (found on Aegis-class cruisers) with artificial intelligence-based decision support systems in the hopes of almost doubling tornado warning times. This is a desirable goal, but depends, in large part, on the successful commercialization of the SPY-1. That quest, achieving desired performance at a far lower cost, would seem to be an engineering and manufacturing feat, not the outcome of weather research. At the same time, the now venerable SPY-1 is older than the WSR-88D NEXRAD weather radar it would replace. The WSR-88D is not scheduled for retirement for decades. By then, phased array radar performance should be far better at far lower cost. Unsure where this project is ultimately headed, the Committee recommendation funds SPY-1 tornado detection and tracking testing under this heading. A parallel assessment of the practicality of commercializing the SPY-1 or a successor for weather forecasting is funded under the National Weather Service.

NISA Alaska.—The Committee recommends \$1,500,000 to address the proliferation of exotic species such as Atlantic salmon in the marine environment in the North Pacific. Of this amount, \$750,000 is for the Pacific States Marine Fisheries Commission to prevent the escapement of Atlantic salmon from Alaska streams and to address other invasive species issues including mitten crab and green crab.

Ocean, Coastal, and Great Lakes Research.—The Committee is alarmed by recent reports regarding the formation of a massive

“dead zone” in the Chesapeake Bay. The recommendation includes research funds to develop immediate and near-term preventive measures to reduce the runoff of phosphorous and nitrogen into the Bay. Within the amount provided for the Great Lakes Environmental Research Lab, the Committee recommends that NOAA support research programs on aquatic invasive species mitigation and reduction in the Lake Champlain Basin. Of the amount provided for the National Undersea Research Program, \$7,500,000 is for research conducted through the east coast NURP centers and \$7,500,000 is for the west coast NURP centers, including the Hawaiian and Pacific Center and the West Coast and Polar Regions Center. The Committee expects level funding will be available for Aquarius, ALVIN, and program administration.

NATIONAL WEATHER SERVICE

The Committee recommends an appropriation of \$696,857,000 for the National Weather Service [NWS]. Committee recommendations are displayed in the following table:

NATIONAL WEATHER SERVICE

[In thousands of dollars]

	Committee recommendation
Operations and Research:	
Salaries, Benefits, and Expenses:	
Local Warnings and Forecasts	505,675
Central Forecast Guidance	45,102
Systems Operation & Maintenance (O&M):	
Advanced Weather Interactive Processing System (AWIPS)	37,570
Automated Surface Observing System (ASOS)	8,248
Next Generation Weather Radar (NEXRAD)	42,340
Subtotal, Salaries, Benefits, and Expenses	638,935
Programs:	
Advanced Hydrological Prediction Services	6,098
Air Quality Forecasting Pilot Program	3,000
Alaska Data Buoys	1,700
Aviation Weather	2,500
Delaware River Basin Flood System	900
High Resolution Temperature Forecasting	4,200
Hurricane Mitigation Alliance (SUSF)	3,750
Microforecasting/Mesonets:	
Data Collection:	
DE Environmental Observing System (DEOS)	312
KY Environmental Monitoring Network (WKU)	667
North Dakota Ag Weather Network	340
Data Assimilation, Analysis, & Distribution:	
DRI Great Basin Water & Climate Initiative	750
JSU Assembling Sys/Atmospheric Dispersion Frcstg	990
USU Weather & Climate Database Mgmt System	500
Mt. Washington Observatory	1,000
NC Flood Warning System	1,215
New England Weather Technology Initiative	500
NOAA Profiler Network	4,150
Pacific Island Compact	3,550
Phased Array Radar (PAR) Engineering/Manufacturing	1,500
Susquehanna River Basin Flood System	1,300
Sustain Cooperative Observer Network	1,890
Tsunami Hazard Mitigation	4,300
Pacific Ocean Monitoring Buoy Augmentation	600

NATIONAL WEATHER SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Tsunami Warning & Environ'l Obs for AK (TWEAK)	2,000
Weather Radio Transmitters:	
Weather Radio Transmitters Base	2,320
WFO Maintenance	7,390
Subtotal, Programs	57,422
Payment to OMAO	500
GRAND TOTAL NATIONAL WEATHER SERVICE—ORF	696,857

The Committee expects to be consulted prior to any deviation from the above plan. Various Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Budget Structure.—The Committee recommendation divides the budget for NWS into two broad categories: salaries and expenses [S&E] and programs. The Committee commends NWS for its thorough grasp of its own budget and its willingness to work with Congress to improve the above table. Funds provided under program, project, or activity lines shall not be used for S&E, nor shall program funds be available to pay internal or external “taxes” charged by NWS, NOAA, or the Department of Commerce.

Network Integrity.—The “1995 Secretary’s Report to Congress on Adequacy of NEXRAD Coverage and Degradation of Weather Services” requested further studies of several sites, including Williston, ND and Erie, PA. This year, as in the past, the Committee recommendation includes such sums as are necessary to continue current operations at these sites.

NEXRAD Coverage.—The area running from northern California through central Oregon to the Washington border is one of the few regions of the country not covered by a NEXRAD facility. The NWS is directed to submit a report to the Committees on Appropriations as to whether such a facility is required and, if so, where such a facility should be sited to maximize coverage and integration into the national weather radar network.

NOAA Profiler Network [NPN].—The abrupt decision to shut-down the NPN came as a surprise. Though the Committee is aware that the 404 MHz frequency being used by the NPN will be unavailable by mid-decade, no analysis has been done to determine the value of the data produced by the NPN, the method and cost of collecting valuable NPN data by other means, or the cost of shutting the NPN down. Lacking adequate justification, the Committee recommendation funds NPN operations for at least 1 more year. The NWS is directed to undertake a cost and operational effectiveness analysis [COEA] comparing the \$10,000,000 cost to upgrade the NPN over the next decade versus the short, medium, and long-term costs of ending the NPN program. The COEA shall be delivered to the Committees on Appropriations not later than March 31, 2004.

Phased Array Radar [PAR] Engineering and Manufacturing.—As mentioned elsewhere, the Committee recommendation includes funds for an assessment of the practicality of commercializing the Navy’s SPY–1 radar or a successor for weather forecasting. To be successful, a civilian version of the SPY–1 will need to have comparable or better performance at far lower cost. The NWS should coordinate with the Navy, the manufacturer, and the National Severe Storms Lab to get the fullest understanding of the costs and benefits of converting a military radar for civilian weather forecasting. The NWS shall submit a feasibility study to the Committees on Appropriations not later than May 1, 2004.

Microforecasting/Mesonets.—Funds provided under this heading require a 100 percent match from State, local, or private sources. Should participants’ match fall short of appropriated levels, NWS may, on a dollar for dollar basis, partially release funds matching the lesser amounts available to participants as long as NWS can certify that at least a minimum operating capability will be achieved. The balance of funds in such an eventuality shall be transferred to the NWS maintenance lines on a priority basis. NWS shall also certify prior to the release of funds that proposed mesonets do not reopen the debate over the: (1) consolidation of Federal weather forecasting offices, or (2) transfer of agriculture-related weather activities to the Department of Agriculture.

Flash Floods.—Prior to release of funds for the Delaware River Basin Flood System and the North Carolina Flood Warning System, NWS is directed to submit reports on the total cost of these systems, including installation, operation, maintenance, and upgrade, as well as the need for the systems, based on historical flood data and the current level of development in flood plains. Also, funds provided for flood systems require a 100 percent match from State, local, or private sources.

NOAA Weather Radio [NWR].—The NWS shall report back to the Committees on Appropriations not later than December 1, 2003 on the merits of expanding the NWR network to include Kemmerer and Dubois, Wyoming. If merited, the Committee expects the NWS to budget for this expansion in fiscal year 2005.

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

The Committee recommends an appropriation of \$148,840,000 for the National Environmental Satellite, Data, and Information Service [NESDIS]. Committee recommendations are displayed in the following table:

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE

[In thousands of dollars]

	Committee recommendation
Environmental Satellite Observing Systems:	
Product Processing and Distribution	23,771
Satellite Command and Control	36,871
Subtotal, Environmental Satellite Observing Systems	60,642

NATIONAL ENVIRONMENTAL SATELLITE, DATA, AND INFORMATION SERVICE—Continued

[In thousands of dollars]

	Committee recommendation
Product Development, Readiness & Application:	
Global Wind Demonstration	4,000
Joint Center/Accelerate Use of Satellites	1,500
NESDIS Activities	19,500
Subtotal, Product Development, Readiness & Application	25,000
Interagency Global Positioning System Executive Board Secretariat (IGEB)	600
Office of Space Commercialization	600
Total, Satellite Systems	86,842
NOAA's Data Centers & Information Services:	
Archive, Access & Assessment:	
Archive, Access & Assessment/Climate Database Modernization:	
KY	2,900
MD	2,900
Quality assurance/quality control (NC)	2,900
WV	2,900
NESDIS Activities	26,750
Subtotal, Archive, Access & Assessment	38,350
Coastal Data Development	4,513
Coastal Remote Sensing—CSC	500
Regional Climate Centers	4,000
International Pacific Research Center (U of HI)	2,000
Environmental Data Systems Modernization	12,335
Total, NOAA's Data Centers & Information Services	61,698
Payment to OMAO	300
GRAND TOTAL NATIONAL ENVIRONMENTAL SATELLITE, DATA AND INFORMATION SERVICE—ORF	148,840

The Committee expects to be consulted prior to any deviation from the above plan.

Budget Structure.—The Committee did not find the “base” breakout submitted by NESDIS particularly enlightening in terms of differentiating between fixed and variable costs within the lines that make up the NESDIS account, although it did identify with precision where the salaries of full time equivalents are. It should be a simple task for NESDIS to divide its budget, on a line by line basis, into two broad categories: salaries and expenses [S&E] and programs. NESDIS is directed to do so and submit the results to the Committees on Appropriations not later than October 1, 2003. Also, funds provided under program, project, or activity lines shall not be used for overhead, including internal or external “taxes” charged by NESDIS, NOAA, or the Department of Commerce.

Data Dissemination.—The Committee is concerned that with the significant increase in oceanographic and environmental data collection in Hawaii and the American Flag Territories, including the Northwestern Hawaiian Islands, NOAA has inadequate capacity to provide timely data and services to the region. The Committee directs NOAA through the National Ocean Service, the National Oceanographic Data Center, and the National Climatic Data Cen-

ter to submit a report to Congress that details the region's oceanographic and environmental data and information requirements, identifies gaps in existing service, makes recommendations for the establishment of a Pacific Ocean and Environment Information Center that would address such needs, and identifies potential coordination or partnerships with other Federal facilities in the region that might enhance the effectiveness of such a center.

PROGRAM SUPPORT

The Committee recommends an appropriation of \$327,282,000 for NOAA program support. Committee recommendations are displayed in the following table:

PROGRAM SUPPORT
[In thousands of dollars]

	Committee recommendation
Corporate Services:	
Commerce Administrative Management System (CAMS)	8,229
Educational Partnership Program/Minority Serving Institutions (EPPMSI)	7,500
E-gov	3,000
Information Technology (IT) Security	1,050
National Ocean Science Competition	1,500
Office of Acquisition & Grants	2,700
Grants On-Line	1,200
Office of the Chief Administrative Officer	15,255
Facilities Staff	1,250
Office of the Chief Financial Officer	11,791
Office of the Chief Information Officer	3,800
Office of Human Resources	2,484
Office of Program Analysis & Evaluation	1,553
Payment to the DoC Working Capital Fund	38,758
Payment to the NOAA Business Management Fund	60,104
Program Planning and Integration	2,000
Under Secretary and Associate Offices	17,524
Total, Corporate Services	179,698
Facilities:	
Energy Management	550
Environmental Compliance	2,564
Maintenance, Repairs and Safety (non-NWS):	
Backlog	13,000
Cyclical	6,684
Pribilof Islands Cleanup	10,000
Total, Facilities	32,798
Marine Operations & Maintenance:	
Marine Services:	
AGATE PASS (Coastal YTT) Operations	350
FAIRWEATHER Operations	5,700
HIIALAKAI (Vindicator) Operations	4,200
LITTLEHALES Operations	350
Marine Services (Fleet Operations)	68,797
NOAA Corps Pay Differential	1,000
Univ-Nat'l Oceanographic Lab Sys (UNOLS) (Days at Sea—West Coast)	2,500
Subtotal, Marine Services	82,897
Fleet Planning and Maintenance:	
AGATE PASS (Coastal YTT) Maintenance	250
FAIRWEATHER Maintenance	800

PROGRAM SUPPORT—Continued

[In thousands of dollars]

	Committee recommendation
Fleet Planning and Maintenance	11,277
LITTLEHALES Maintenance	100
Subtotal, Fleet Planning and Maintenance	12,427
Total, Marine Operations and Maintenance	95,324
Aviation Operations:	
Aircraft Services	18,267
Total, Aircraft Services	18,267
Future Health Care Benefits for Current Officers	1,195
Total, Marine and Aviation Operations	114,786
GRAND TOTAL PROGRAM SUPPORT—ORF	327,282

The Committee expects to be consulted prior to any deviation from the above plan.

Truth in Budgeting.—NOAA covers the costs of certain central services through a system of internal “taxation”. The costs of other central services are covered through a payment to the Department of Commerce’s Working Capital Fund. Rather than budget for these expenses, NOAA has always skimmed funds from program, project, and activity lines. Congressional supporters of NOAA have been understandably frustrated by these hidden taxes on essential programs. The Committee recommendation eliminates the taxation system by adding new lines under Program Support that totally fund central services. Henceforth, funding in program, project, and activity lines shall be available only for those programs, projects, and activities unless NOAA submits, and Congress approves, a re-programming.

Information Security.—Rather than reinvent the wheel, the Chief Information Officer [CIO] should consult with the Federal Bureau of Investigation [FBI] on information security. Like NOAA, the FBI started from zero on security. In the new Security Division/Information Assurance Section, the FBI married the right people to the right programs and brought information security to the Bureau on time and within budget. The CIO would benefit from the many lessons learned from the FBI experience. The recommendation includes seed money to start this process.

INTERNATIONAL FISHERIES COMMISSIONS

Appropriations, 2003	\$16,989,000
Budget estimate, 2004	20,043,000
House allowance	16,989,000
Committee recommendation	20,743,000

The Committee recommends an appropriation of \$20,743,000. The recommendation is \$700,000 above the budget request.

This account funds the U.S. share of the expenses of international fisheries commissions; participation in the International Council for the Exploration of the Sea; participation in the North

Pacific Marine Sciences Organization; travel expenses of the U.S. commissioners and their advisors; and salaries of non-Government employees of the Pacific Salmon Commission for days actually worked as commissioners and panel members and alternates.

The Committee recommendations, by commission, organization, or council, are displayed in the following table:

INTERNATIONAL FISHERIES COMMISSIONS

[In thousands of dollars]

	Committee recommendation
Antarctic Treaty	75
Commission for the Conservation of Antarctic Marine Living Resources	74
Expenses of the U.S. Commissioners	140
Great Lakes Fishery Commission	12,948
Inter-American Sea Turtle Convention Commission	120
Inter-American Tropical Tuna Commission	2,100
International Commission for the Conservation of Atlantic Tunas	165
International Council for the Exploration of the Seas	122
International Pacific Halibut Commission	2,180
International Whaling Commission	116
North Atlantic Salmon Conservation Organization	27
North Pacific Anadromous Fish Commission	104
North Pacific Marine Science Organization	166
Northwest Atlantic Fisheries Organization	156
Pacific Salmon Commission	2,250
Total	20,743

The Committee expects to be consulted prior to any deviation from the above plan.

Of the amount provided for the Great Lakes Fishery Commission [GLFC], not less than \$700,000 shall be used to eradicate lampreys in Lake Champlain. The GLFC is directed to give priority to States that have provided matching grants when distributing lampricide funds.

LITIGATION AND SETTLEMENT FUND

Appropriations, 2003	
Budget estimate, 2004	
House allowance	
Committee recommendation	\$5,000,000

The Committee recommends an appropriation of \$5,000,000. The recommendation is \$5,000,000 above the budget request.

This new account funds certain legal costs associated with the growing number of lawsuits filed against the National Oceanic and Atmospheric Administration [NOAA]. The funds are only intended for extraordinary costs associated with unanticipated filings or settlements. In the past, NOAA has had to loot programmatic accounts to cover unbudgeted litigation costs.

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

Appropriations, 2003	\$678,412,000
Supplemental appropriations, 2003	65,000,000
Budget estimate, 2004	822,399,000
House allowance	794,059,000
Committee recommendation	990,127,000

The Committee recommends an appropriation of \$990,127,000.
The recommendation is \$167,728,000 above the request.
Committee recommendations are displayed in the following table:

PROCUREMENT, ACQUISITION, AND CONSTRUCTION

[In thousands of dollars]

	Committee recommendation
NOS:	
Coastal and Estuarine Land Conservation Program (CELCP):	
Discretionary	2,125
Orange Beach (Robinson Island), AL	2,000
Brea/Tonner Creek, CA	500
Elkhorn Slough/Moss Landing, CA	1,500
San Pablo Bay, CA	1,000
Sand Hill Bluff (Santa Cruz Co.), CA	2,000
Salt Island Overlook (Westbrook), CT	300
Coastal Lands, HI	3,000
Westwego, LA	1,600
Monomoy River (Harwich), MA	2,500
Chesapeake, Eastern Shore (Glatfelter properties), MD	6,000
Royal River (Yarmouth), ME	1,600
Saugatuck Dunes, MI	2,500
Watervale Dunes, MI	3,000
Deer Island, MS	2,000
Seacoast, NH	2,000
Barneget Bay, NJ	3,000
Gunning Island, NJ	1,500
Lotus Point (Lake Erie), NY	375
Bass Islands, OH	3,000
Grand River (Lake County), OH	1,000
Lake Erie Shoreline (Canal Basin), OH	5,000
South Slough Watershed, OR	2,000
Third Beach (Middletown), RI	750
Crow's Nest (Stafford Co.), VA	4,000
Bainbridge Island, WA	3,000
Maury Island, WA	2,000
Saxine Creek/Bibon Swamp (Bayfield County), WI	750
Subtotal, Coastal and Estuarine Land Conservation Program	60,000
Estuarine Land Acquisition & Construction:	
ACE Basin	4,500
Apalachicola NERR, FL	1,500
Delaware NERR:	
St. Jones River	250
Blackbird Creek	2,250
Jacques Cousteau NERR, NJ	3,000
NERRS Discretionary	10,000
Old Woman Creek NERR, OH	400
Port Aransas, TX	3,375
Subtotal, Estuarine Acquisition & Construction	25,275
Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition:	
Bonneau Ferry, SC	14,000
Great Bay Partnership, NH	6,000
Subtotal, Sec. 2 (FWCA) Coastal/Estuarine Land Acquisition	20,000
Marine Sanctuaries Construction	1,625
Subtotal, Marine Sanctuary Construction	1,625

PROCUREMENT, ACQUISITION, AND CONSTRUCTION—Continued

[In thousands of dollars]

	Committee recommendation
Other NOS Facilities:	
Cedar Point Coastal Research Facility, MS	2,000
Fort Johnson Joint Laboratory (SCDNR) Modernization	2,000
Kasitsna Bay Laboratory	4,000
Marine Environmental Health Research Laboratory Expansion & Equip	6,000
Subtotal, Other NOS Facilities	14,000
Total NOS—PAC	120,900
NMFS:	
Systems Acquisition: Computer Hardware & Software	3,492
Subtotal, NMFS Systems Acquisition	3,492
Construction:	
Honolulu Lab	12,000
Pascagoula Laboratory	2,000
Subtotal, NMFS Construction	14,000
Total, NMFS—PAC	17,492
OAR:	
Systems Acquisition: Research Supercomputing (GFDL)	7,550
Subtotal, OAR Systems Acquisition	7,550
Construction: Barrow Arctic Research Center (Phase I)	8,500
Subtotal, OAR Construction	8,500
Total, OAR—PAC	16,050
NWS:	
Systems Acquisition:	
Advanced Weather Interactive Processing System (AWIPS)	14,134
Automated Surface Observing System (ASOS)	5,125
Next Generation Weather Radar (NEXRAD)	12,000
NWS Telecommunications Gateway (NWSWG) Legacy Replacement	2,870
Radiosonde Network Replacement	6,989
Weather and Climate Supercomputing	19,285
Subtotal, NWS Systems Acquisition	60,403
Construction: WFO Construction	13,630
Subtotal, NWS Construction	13,630
Total, NWS—PAC	74,033
NESDIS:	
Systems Acquisition:	
Geostationary Systems	277,554
Polar Orbiting Systems	391,083
NPOESS Pre-/Unplanned Product Improvements	10,510
Subtotal, NESDIS Systems Acquisition	679,147
Construction: Suitland Facility	8,217

PROCUREMENT, ACQUISITION, AND CONSTRUCTION—Continued

[In thousands of dollars]

	Committee recommendation
Subtotal, NESDIS Construction	8,217
Total, NESDIS—PAC	687,364
Program Support:	
Aircraft Upgrade & Replacement:	
G-IV Instrumentation Upgrades	4,600
Required Regulatory Upgrades to Aircraft	1,343
WP-3D Navigation Upgrade	1,645
Subtotal, Aircraft Upgrade & Replacement	7,588
Fleet Upgrade & Replacement:	
Fisheries Research Vessel	53,000
Hiialakai (Vindicator) equipment fit out	2,500
Ship Acquisition, Conversion & Maintenance (climate/hydro/fisheries/enforce/explore)	5,500
Sonar for Long-Range Fisheries Research	5,700
Subtotal, OMAO Fleet Upgrade & Replacement	66,700
Total, Program Support—PAC	74,288
GRAND TOTAL PAC	990,127

The Committee expects to be consulted prior to any deviation from the above plan. Some of the Committee recommendations displayed in the table above are described in more detail in the following paragraphs.

Land Acquisition and Construction.—The funds included in the Committee recommendation will be used expressly to acquire lands or interests in lands that include significant conservation, recreation, ecological, historical or aesthetic values or to construct interpretive, scientific, or stewardship facilities at the sites. In keeping with the statute, Section 2 (Fish & Wildlife Coordination Act) acquisition projects are not dependent upon receipt of local, State, or private matching funds.

Other NOS Facilities.—The Committee is very concerned about the repeated delays and inaccurate cost estimates related to the Katsisna Bay Laboratory redevelopment project. The Committee is providing \$4,000,000 to complete Phases I and II of this project. The Committee expects that: (1) all construction on phases I and II to be complete by September 15, 2004; (2) any cost overruns will be paid for out of the Program Support funds related to the operation of the Under Secretary's office; (3) no funds will be expended on activities not listed as priority I and II items in the January 2002 Katsisna Bay Laboratory Redevelopment Master Plan; and (4) any funds remaining at the end of fiscal year 2004 will be deobligated and returned to the United States Treasury.

All Hazard National Warning Network NOAA Weather Radio.—Timely local warning of natural and man-made disasters has been identified by the Administration as a priority. The fiscal year 2004 request seeks funds to improve the timeliness of NOAA Weather Radio [NWR] network alerts. While the goal is commendable, the Committee questions the method. Though NWRs are popular in

areas of the country particularly susceptible to violent weather, less than 10 percent of Americans are reported to own one. The Committee is aware of a number of other technological solutions, such as telephony-based warning systems, that could more quickly reach a far larger percentage of at-risk populations. Before investing in NWR network improvements, the Committee would like to review the Administration's overall plan for emergency broadcasts. Therefore, NOAA, in cooperation with the Federal Communications Commission, the Department of Homeland Security, and other relevant agencies, is directed to submit to the Committees on Appropriations a comprehensive, inter-agency plan detailing the costs and benefits of the various technological solutions for timely local warning of disasters, proposed and planned investments based upon that assessment, and performance improvements expected.

Turbo Commander Replacement.—Rather than replace this aircraft, NWS is directed to contract out its snow survey work. NWS should submit its plan for doing so to the Committees on Appropriations not later than November 1, 2003.

Fisheries Research Vessel.—The recommendation includes full funding for the third vessel of the class to allow NOAA to exercise an advantageously-priced contract option.

PACIFIC COASTAL SALMON RECOVERY FUND

Appropriations, 2003	\$129,155,000
Budget estimate, 2004	90,000,000
House allowance	90,000,000
Committee recommendation	90,000,000

The Committee recommends \$90,000,000 for Pacific Coastal Salmon Recovery Fund. The recommendation is identical to the budget request. Within the funding for the Pacific Coastal Salmon Recovery Fund, the Committee recommends \$26,000,000 for the State of Washington, \$26,000,000 for the State of Alaska, \$11,000,000 for the State of Oregon, \$11,000,000 for the State of California, \$8,500,000 for the Pacific Coastal Tribes, \$5,000,000 for the State of Idaho, and \$2,500,000 for the Columbia River Tribes. Of the funds provided for the State of Alaska, \$5,000,000 is for the Arctic Yukon-Kushokwim Sustainable Salmon initiative, \$1,000,000 is for construction of salmon mitigation passes, \$1,000,000 is for the Cook Inlet Fishing Community Assistance Program, \$500,000 is for the Yukon River Drainage Association, \$500,000 is for Fort Richardson fisheries, \$500,000 is for Elmendorf AFB hatcheries, \$500,000 is for Fort Wainwright fisheries, \$450,000 is for universal quality standards, \$450,000 is for competitive analysis of global salmon, \$250,000 is to restore the king salmon runs in Coffman Cove, \$250,000 is to enable the State of Alaska to participate in discussions regarding the Columbia River hydrosystem management, and \$100,000 is for United Fishermen of Alaska's subsistence program. Of the amount provided for the State of Washington, \$5,000,000 is for the Washington State Department of Natural Resources and other State and Federal agencies for purposes of implementing the State of Washington's Forest and Fish Report. The funding shall be spent in accordance with the terms and conditions of the Forest and Fish Report and consistent with the requirements of the Endangered Species Act and Clean