

One Hundred Eleventh Congress
of the
United States of America

AT THE FIRST SESSION

*Begun and held at the City of Washington on Tuesday,
the sixth day of January, two thousand and nine*

An Act

Making omnibus appropriations for the fiscal year ending September 30, 2009,
and for other purposes.

*Be it enacted by the Senate and House of Representatives of
the United States of America in Congress assembled,*

SECTION 1. SHORT TITLE.

This Act may be cited as the “Omnibus Appropriations Act,
2009”.

SEC. 2. TABLE OF CONTENTS.

The table of contents of this Act is as follows:

- Sec. 1. Short title.
- Sec. 2. Table of contents.
- Sec. 3. References.
- Sec. 4. Explanatory statement.
- Sec. 5. Statement of appropriations.

DIVISION A—AGRICULTURE, RURAL DEVELOPMENT, FOOD AND DRUG
ADMINISTRATION, AND RELATED AGENCIES APPROPRIATIONS ACT, 2009

- Title I—Agricultural Programs
- Title II—Conservation Programs
- Title III—Rural Development Programs
- Title IV—Domestic Food Programs
- Title V—Foreign Assistance and Related Programs
- Title VI—Related Agency and Food and Drug Administration
- Title VII—General Provisions

DIVISION B—COMMERCE, JUSTICE, SCIENCE, AND RELATED AGENCIES
APPROPRIATIONS ACT, 2009

- Title I—Department of Commerce
- Title II—Department of Justice
- Title III—Science
- Title IV—Related Agencies
- Title V—General Provisions

DIVISION C—ENERGY AND WATER DEVELOPMENT AND RELATED
AGENCIES APPROPRIATIONS ACT, 2009

- Title I—Department of Defense—Civil: Department of the Army
- Title II—Department of the Interior
- Title III—Department of Energy
- Title IV—Independent Agencies
- Title V—General Provisions

DIVISION D—FINANCIAL SERVICES AND GENERAL GOVERNMENT
APPROPRIATIONS ACT, 2009

- Title I—Department of the Treasury
- Title II—Executive Office of the President and Funds Appropriated to the President
- Title III—The Judiciary
- Title IV—District of Columbia
- Title V—Independent Agencies

in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multi-year program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$3,045,549,000, to remain available until September 30, 2010, except for funds provided for cooperative enforcement, which shall remain available until September 30, 2011: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, \$3,000,000 shall be derived by transfer from the fund entitled “Coastal Zone Management” and in addition \$79,000,000 shall be derived by transfer from the fund entitled “Promote and Develop Fishery Products and Research Pertaining to American Fisheries”: *Provided further*, That of the \$3,133,549,000 provided for in direct obligations under this heading \$3,045,549,000 is appropriated from the general fund, \$82,000,000 is provided by transfer, and \$6,000,000 is derived from recoveries of prior year obligations: *Provided further*, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$226,809,000: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed \$36,583,000: *Provided further*, That within the amounts appropriated, \$129,970,000 shall be used for the projects, and in the amounts, specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act): *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That in allocating grants under sections 306 and 306A of the Coastal Zone Management Act of 1972, as amended, no coastal State shall receive more than 5 percent or less than 1 percent of increased funds appropriated over the previous fiscal year: *Provided further*, That the number of authorized officers in the NOAA Commissioned Officer Corps shall remain at 321 until such time as section 6 of Public Law 110–386 takes effect.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,243,647,000, to remain available until September 30, 2011, except funds provided for construction of facilities which shall remain available until expended: *Provided*, That of the \$1,245,647,000 provided for in direct obligations under this heading \$1,243,647,000 is appropriated from the general fund and \$2,000,000 is provided from recoveries of prior year obligations: *Provided further*, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar-for-dollar matching basis with funds provided for the same purpose by the Department of Defense: *Provided further*, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 505 of this Act: *Provided further*, That within the amounts appropriated, \$29,610,000 shall be used for the projects, and in the amounts, specified in the explanatory statement described in section 4 (in the matter preceding division A of this consolidated Act).

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$80,000,000, to remain available until September 30, 2010: *Provided*, That of the funds provided herein the Secretary of Commerce may issue grants to the States of Washington, Oregon, Idaho, Nevada, California, and Alaska, and Federally-recognized tribes of the Columbia River and Pacific Coast for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat, based on guidelines to be developed by the Secretary of Commerce: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least 33 percent of the Federal funds.

H. R. 1105—44

COASTAL ZONE MANAGEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the “Operations, Research, and Facilities” account to offset the costs of implementing such Act.

FISHERIES FINANCE PROGRAM ACCOUNT

Subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2009, obligations of direct loans may not exceed \$8,000,000 for Individual Fishing Quota loans and not to exceed \$59,000,000 for traditional direct loans as authorized by the Merchant Marine Act of 1936: *Provided*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official entertainment, \$53,000,000: *Provided*, That the Secretary, within 120 days of enactment of this Act, shall provide a report to the Committees on Appropriations that audits and evaluates all decision documents and expenditures by the Bureau of the Census as they relate to the 2010 Census: *Provided further*, That of the amounts provided to the Secretary within this account, \$5,000,000 shall not become available for obligation until the Secretary certifies to the Committees on Appropriations that the Bureau of the Census has followed and met all standards and best practices, and all Office of Management and Budget guidelines related to information technology projects and contract management.

HERBERT C. HOOVER BUILDING RENOVATION AND MODERNIZATION

For expenses necessary, including blast windows, for the renovation and modernization of the Herbert C. Hoover Building, \$5,000,000, to remain available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$25,800,000.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 101. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C.

[House Appropriations Committee Print]

Omnibus Appropriations Act, 2009
(H.R. 1105; Public Law 111-8)

**DIVISION B—COMMERCE, JUSTICE, SCIENCE,
AND RELATED AGENCIES APPROPRIATIONS
ACT, 2009**

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

The bill includes a total of \$4,365,196,000 in discretionary appropriations for the National Oceanic and Atmospheric Administration, which is \$261,283,000 above the request.

Justification.—NOAA is directed to work with the House and Senate Committees on Appropriations to reformat its justification into a more useable and user-friendly document, starting with the fiscal year 2010 submission.

Research and development (R&D) tracking and outcomes.—NOAA is directed to continue tracking the division of R&D funds between intramural and extramural research, and is further directed to assure consistency and clarity in the collection and reporting of data. NOAA is also directed to state clearly its expected research outcomes and available funding in order to provide transparency into the competitive grant process for extramural researchers. By not providing enough extramural research funding, NOAA risks discouraging extramural involvement in NOAA's research programs and the concomitant leveraging of external funds in support of mission-oriented research. Thus, NOAA is encouraged to provide additional extramural funding in future budget requests.

Atmospheric sciences.—NOAA is urged to make atmospheric sciences a priority within the resources made available in the bill and to request additional resources in subsequent years to advance this research.

OPERATIONS, RESEARCH, AND FACILITIES

(INCLUDING TRANSFERS OF FUNDS)

The bill includes a total program level of \$3,133,549,000 under this account for the coastal, fisheries, marine, weather, satellite and other programs of the National Oceanic and Atmospheric Administration. This total funding level includes \$3,045,549,000 in direct appropriations, a transfer of \$79,000,000 from balances in the "Promote and Develop Fishery Products and Research Pertaining to American Fisheries" account, a transfer of \$3,000,000 from the Coastal Zone Management Fund, and \$6,000,000 is derived from recoveries of prior year obligations. The direct appropriation of \$3,045,549,000 is \$214,296,000 above the request.

Narrative descriptions and tables that identify the specific activities and funding levels included in this Act follow.

National Ocean Service (NOS).—The bill includes \$496,967,000 for NOS operations, research and facilities, which is \$46,978,000 above the request. These funds are distributed as follows:

NATIONAL OCEAN SERVICE OPERATIONS, RESEARCH, AND FACILITIES
(In thousands of dollars)

	<u>Conference Recommendation</u>
Navigation Services:	
Mapping & Charting	47,639
Hydrographic Research and Technology Development	7,424
Electronic Navigational Charts	6,128
Shoreline Mapping	2,424
Address Survey Backlog/Contracts	30,000
Geodesy	22,860
National Height Modernization	2,541
Regional Geospatial Modeling Grants	7,000
Tide & Current Data	31,337
Total, Navigation Services	157,353
Ocean Resources Conservation and Assessment:	
Ocean Assessment Program (OAP):	
Integrated Ocean Observing System - Regional Observatories	20,000
NOAA IOOS	6,500
Coastal Services Centers	20,254
Coastal Storms	2,000
Ocean Health Initiative	4,000
Coral Reef Programs	28,900
Gulf Of Mexico Regional Collaboration	4,000
Subtotal, Ocean Assessment Program (OAP)	85,654
Response and Restoration:	
Response and Restoration Base	17,266
Estuary Restoration Program	2,188
Damage Assessment Program	2,000
Marine Debris	4,000
Subtotal, Response and Restoration	25,454
National Centers for Coastal Ocean Science (NCCOS):	
NCCOS Headquarters	3,800
Competitive External Research (HABS, Hypoxia and Regional Ecosystem)	15,801
Center for Coastal Environmental Health & Biomolecular Research	11,500
Oxford Cooperative Lab	5,000
Center for Sponsored Coastal Ocean Research	2,700
Center for Coastal Monitoring & Assessment	5,000
Center for Coastal Fisheries and Habitat Research	5,000
Marine Env. Health Research Lab - MEHRL	4,100
Subtotal, National Centers for Coastal Ocean Science	52,901
Total, Ocean Resources Conservation and Assessment	164,009
Ocean and Coastal Management:	
CZM Grants	66,146
CZM Program Administration	7,000
CZM Non-Point Implementation Grants	3,900
National Estuarine Research Reserve System	22,326
Marine Protected Areas	2,900
Marine Sanctuary Program Base	47,378
Total, Ocean and Coastal Management	149,650
Congressionally Directed Projects	25,955
GRAND TOTAL NOS	\$496,967

Regional geospatial modeling grants.—The bill provides \$7,000,000 to continue funding for this competitive program for researchers and resource managers to develop models or geographic information systems using existing geodetic, coastal remote sensing data, terrestrial gravity measurements or other physical datasets.

Tides and current data.—The bill provides \$31,337,000, which is \$2,500,000 above the request, to better support existing operations and maintenance of Physical Oceanographic Real-Time Systems (PORTS).

Integrated Ocean Observing System (IOOS).—The bill provides a total of \$26,500,000 for IOOS, of which no more than \$6,500,000 is for program administration and \$20,000,000 is provided only for a competitive, regional ocean observing systems solicitation. NOAA is directed, as part of the IOOS 5-year strategic plan, to develop a strategy for incorporating observations systems from estuaries, bays and other near shore waters as part of the IOOS regional network of observatories. NOAA is directed not to tax the funds designated for regional observation systems as the bill provides more than adequate resources for programmatic administration.

National Centers for Coastal and Ocean Science (NCCOS).—Within the NCCOS program, the bill provides \$15,801,000 for research related to HABs, Hypoxia, and Regional Ecosystems. NOAA is directed to use these funds for externally-based research.

Coral reef program.—Within the NOS appropriation, \$28,900,000 is provided for the coral reef program, which is \$2,266,000 above the request and includes \$737,000 for coral reef monitoring as requested under the NESDIS section; \$750,000 in additional funding for international coral reef monitoring efforts; and \$500,000 for additional funding within the Caribbean. NOAA is directed to consolidate agency-wide coral reef activities under this one NOS line item for future budget requests.

Ocean and Coastal Management.—The goals of the Memorandum of Understanding between the Office of National Marine Sanctuaries and Mystic Seaport Museum are supported.

National Marine Fisheries Service (NMFS).—The recommendation provides \$753,510,000 for NMFS operations, research and facilities, which is \$29,299,000 above the request, and provides full funding for activities supporting the mandates of the Magnuson-Stevens Fishery Conservation and Management Act. These funds are distributed as follows:

NATIONAL MARINE FISHERIES SERVICE OPERATIONS, RESEARCH, AND FACILITIES
(In thousands of dollars)

	<u>Conference Recommendation</u>
Marine Mammals, Marine Turtles, and Marine Protected Species:	
Protected Species Research and Management Programs	35,800
Marine Mammal Protection (MMP)	41,340
Other Protected Species	8,257
Marine Turtles	10,003
Atlantic Salmon	6,000
Pacific Salmon (Salmon Management Activities)	59,000
Total, Marine Mammals, Marine Turtles, and Marine Protected Species	160,400
Fisheries Research and Management:	
Fisheries Research and Management Programs	155,526
Expand Annual Stock Assessments - Improve Data Collection	40,504
Economics and Social Sciences Research	7,387
Salmon Management Activities	24,000
Regional Councils and Fisheries Commissions	27,289
Fisheries Statistics	15,868
Fish Information Networks	22,013
Survey and Monitoring Projects	17,000
Fisheries Oceanography	995
American Fisheries Act	5,351
Interjurisdictional Fisheries Grants	2,569
National Standard 8	1,035
Reduce Fishing Impacts on Essential Fish Habitat (EFH)	517
Reducing Bycatch	3,360
Product Quality and Safety	7,127
New England Fisheries Assistance	10,000
Total, Fisheries Research and Management	340,541
Enforcement and Observers:	
Enforcement and Surveillance	56,405
Observers / Training	32,680
Total, Enforcement and Observers/Training	89,085
Habitat Conservation & Restoration:	
Sustainable Habitat Management	20,952
Fisheries Habitat Restoration (Open Rivers & CBRP)	22,953
Total, Habitat Conservation & Restoration	43,905
Other Activities Supporting Fisheries:	
Antarctic Research	2,639
Aquaculture	4,052
Climate Regimes & Ecosystem Productivity	2,055
Computer Hardware and Software	3,417
Cooperative Research	11,455
Information Analyses & Dissemination	19,328
Marine Resources Monitoring, Assessment & Prediction Program (MarMap)	842
National Environmental Policy Act (NEPA)	8,211
NMFS Facilities Maintenance	6,477
Southwest Fisheries Center	1,000
Regional Studies - Chesapeake Bay Studies	2,950
Regional Studies - Southeast Area Monitoring & Assessment Program (SEAMAP)	5,098
Total, Other Activities Supporting Fisheries	67,524
Congressionally Directed Projects	52,055
GRAND TOTAL NMFS	\$ 753,510

Hawaiian monk seal.—The bill provides \$35,800,000 for Protected Species Research and Management programs, which is \$1,034,000 above the request. NMFS is directed to utilize funding of no less than \$5,734,000 for the Hawaiian monk seal. The Hawaiian monk seal may be one of the world's most endangered marine species, and the agency has not provided adequate funding to reverse its decline.

Fisheries research and management programs.—The bill provides \$155,526,000 for fisheries research and management programs and regional science and operations to fully fund Magnuson-Stevens Act requirements.

Fisheries habitat restoration.—The bill provides \$22,953,000. NOAA is directed to apply \$500,000 for the improvement of the living resources of the Chesapeake Bay watershed headwater streams.

Chesapeake Bay oyster restoration.—The bill provides \$4,600,000 for oyster restoration in the Chesapeake Bay. Of these funds, \$2,600,000 is provided for oyster restoration in Maryland waters of the Chesapeake Bay, which shall be for on-the-ground and in-the-water restoration efforts. In addition, \$2,000,000 of these funds are for oyster restoration in Virginia waters of the Chesapeake Bay. Funds shall not be used for administrative costs, including banquets or salaries.

Regional studies, Chesapeake Bay.—NOAA's Chesapeake Bay Office is directed to develop, within nine months after enactment of this Act, a collaborative strategic research and assessment program with the States of Maryland and Virginia. This program will advance multiple species management by focusing on blue crabs, oysters, and other resource species. In developing this program, NOAA shall utilize the Sea Grant programs from both States.

Blue crab disaster assistance.—The bill provides \$10,000,000 to be equally divided between the States of Maryland and Virginia for economic assistance to watermen and communities impacted by the Secretary's blue crab disaster declaration of September 22, 2008.

New England fisheries assistance.—The bill provides \$10,000,000 to assist New England's fisheries impacted by regulations and catch reductions. NOAA is directed to provide the House and Senate Committees on Appropriations with a spend plan for such funds within 30 days of enactment of this Act.

Pacific salmon restoration.—The San Joaquin River Restoration Settlement will restore California's second longest river and help rebuild imperiled Pacific salmon runs. NMFS is obligated, under the Federal court order, to participate in the restoration planning and settlement implementation along with other Federal agencies. NMFS is expected to adhere to the requirements of the court order and report back to the House and Senate Committees on Appropriations on any developments.

Oceanic and Atmospheric Research (OAR).—The bill includes \$396,734,000 for OAR operations, research and facilities, which is \$37,492,000 above the request. These funds are distributed as follows:

**OCEANIC AND ATMOSPHERIC RESEARCH OPERATIONS,
RESEARCH AND FACILITIES**
(In thousands of dollars)

	Conference Recommendation
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Climate Research:	
Laboratories & Cooperative Institutes	53,337
Climate Data & Information	8,299
Competitive Research Program	132,000
Climate Operations	900
Total, Climate Research	194,536
Weather & Air Quality Research Programs:	
Laboratories & Cooperative Institutes	49,339
U.S. Weather Research Program	5,500
Tornado Severe Storm Research/Phased Array Radar	2,972
Total, Weather & Air Quality Research	57,811
Ocean, Coastal & Great Lakes Research:	
Laboratories & Cooperative Institutes	24,246
National Sea Grant College Program	54,997
Ocean Exploration & Research	18,591
NOAA's Undersea Research Program	8,850
Aquatic Invasive Species Research	988
Marine Aquaculture Research	1,622
Total, Ocean, Coastal & Great Lakes Research	109,294
Info Tech, R&D, & Science Education	
High Performance Computing Initiatives	14,028
Congressionally Directed Projects	21,065
GRAND TOTAL OAR	\$396,734

Laboratories and cooperative institutes.—Additional funds are provided for all sections of laboratories and cooperative institutes throughout OAR to further its commitment to the NOAA Cooperative Institute for the Northern Gulf of Mexico.

Weather and air quality research.—An additional \$250,000 above the request is provided for other partnership programs in support of instrumenting, maintaining and operating state-of-the-art nutrient and mercury speciation measurement stations.

Analysis of unmanned aircraft systems (UAS).—In support of NOAA's efforts to identify new technology platforms for studying the arctic, NOAA is directed to dedicate \$1,000,000 from within the funds provided for competitive research program for the analysis of arctic UAS data.

National undersea research program (NURP).—The bill includes a total of \$9,200,000 for NURP, as requested, which includes funds designated for the National Undersea Research Center in Connecticut.

National Weather Service (NWS).—The bill includes \$847,938,000 for the NWS operations, research and facilities, which is \$29,105,000 above the request. These funds are distributed as follows:

NATIONAL WEATHER SERVICE OPERATIONS, RESEARCH, AND FACILITIES
(In thousands of dollars)

	Conference Recommendation
Observations, Forecasts, and Communications:	
Local Warnings and Forecasts:	
Local Warnings and Forecasts Base	601,876
Air Quality Forecasting	5,445
Alaska Data Buoys	1,683
Sustain Cooperative Observer Network	1,871
National Mesonet Network	11,000
NOAA Profiler Network	4,736
Pacific Island Compact	3,515
Strengthen U.S. Tsunami Warning Network	23,196
Subtotal, Local Warnings and Forecasts	653,322
Operations and Research:	
Advanced Hydrological Prediction Services	6,037
Aviation Weather	5,253
WFO Maintenance	7,316
Central Forecast Guidance (includes Hurricane Center)	67,253
Subtotal, Operations and Research	85,859
Total, Observations, Forecasts, and Communications	739,181
Systems Operation & Maintenance:	
NEXRAD	45,121
ASOS	9,657
Weather Radio Transmitters and Communications	2,297
AWIPS	38,065
NWSSTG Backup - CIP	5,512
Total, Systems Operation & Maintenance	100,652
Congressionally Directed Projects	8,105
GRAND TOTAL NWS	\$847,938

Williston radar.—NOAA is directed to maintain staffing and operations at the Williston Radar site through fiscal year 2009.

National mesonet network grants.—The National Research Council (NRC) has completed a study for NOAA, “Developing Mesoscale Meteorological Observational Capabilities to Meet Multiple National Needs” which provides a framework for a full scale national mesonet network. In particular, the NRC calls for the use of public/private partnerships, the aggregation of a network of networks and the leveraging of existing networks (public and private), as components of the national mesonet for high priority regions—mountains, coastal, and urban. The bill provides \$11,000,000 for NOAA to procure competitively a national mesonet, which will provide the critical information needed to improve short- and medium-term weather forecasting (down to local scales), plume dispersion and climate monitoring, as well as air quality analyses. NOAA is directed to utilize \$5,000,000 of these funds to maintain operations for existing mesonet network observation agreements. NOAA is further directed to utilize \$1,500,000 to examine the use of real time mobile data collected from commercial trucking operators to evaluate, validate and demonstrate the efficacy of providing supplemental weather information to improve the safety and efficiency of the national highway system. NOAA is directed to provide to the House and Senate Committees on Appropriations, within 90 days after enactment, a plan, including policies and requirements, for the operation of the national mesonet, as well as integration of mesonet data into NWS field offices, mesoscale numerical weather prediction models, and with the Advanced Weather Interactive Processing System (AWIPS), as part of the AWIPS Technology Infusion program. NOAA is further directed to make awards no later than September 1, 2009.

Central forecast guidance.—An additional \$10,000,000 is provided above the amount requested for central forecast guidance to reflect more accurately that these funds shall be available primarily for rent, operations and security of the NOAA Center for Weather and Climate Prediction. The increase corresponds with a decrease of funds for the same amount requested for Center for Weather and Climate Prediction under NOAA’s PAC account.

National Environmental Satellite, Data and Information Service (NESDIS).—The bill includes \$187,422,000 for NESDIS operations, research and facilities, which is \$22,130,000 above the request. These funds are distributed as follows:

**NATIONAL ENVIRONMENTAL SATELLITE, DATA & INFORMATION
SERVICE OPERATIONS, RESEARCH, AND FACILITIES**

(In thousands of dollars)

	Conference Recommendation
Environmental Satellite Observing Systems:	
Satellite Command and Control Base	38,729
NSOF Operations	7,652
Product Processing and Distribution	31,457
Product Development, Readiness & Application	20,415
Product Development, Readiness & Application (Ocean Remote Sensing)	3,930
Joint Center/Accelerate Use of Satellites	3,294
Commercial Remote Sensing Licensing & Enforcement	1,285
Office of Space Commercialization	634
Group on Earth Observations (GEO)	500
Total, Environmental Satellite Observing Systems	<u>107,896</u>
Data Centers & Information Services:	
Archive, Access & Assessment	56,506
Coastal Data Development	4,559
Environmental Data Systems Modernization	9,511
Total, NOAA's Data Centers & Information Services	<u>70,576</u>
Congressionally Directed Projects	<u>8,950</u>
GRAND TOTAL NESDIS	<u>\$187,422</u>

Coral reef monitoring.—Funding for this request has been moved to the ocean assessment program within the National Ocean Service.

Ocean surface vector winds studies.—The bill does not include funding for the ocean surface vector winds studies. Instead, NESDIS is directed to conduct the study in-house and within available appropriations, and in conjunction with NASA, which has been directed similarly.

Data centers and information services.—The bill includes \$56,506,000 for archive, access and assessment, which is \$16,917,000 above the request and provides for additional data and information archive services to address the backlog.

Space-based scientific data.—NOAA is directed to report to the House and Senate Committees on Appropriations, within 60 days after enactment of this Act, on its plans to obtain space-based scientific data from commercial sources over the next three years.

Program support (PS).—The bill includes \$450,978,000 for PS operations, research and facilities, which is \$56,583,000 above the request. These funds will be distributed as follows:

PROGRAM SUPPORT OPERATIONS, RESEARCH, AND FACILITIES

(In thousands of dollars)

	Conference Recommendation
Corporate Services:	
Under Secretary and Associate Offices Base	27,676
Facilities	21,000
NOAA Wide Corporate Services & Agency Management	119,500
IT Security	22,050
DOC Working Capital Fund	36,583
Total, Corporate Services	<u>226,809</u>
NOAA Education Program:	
Education Program / Initiative	1,574
Competitive Educational Grants	8,500
Educational Partnership Program/Minority Serving Institutions (EPPMSI)	15,000
BWET Regional Programs	7,200
Total, NOAA Education Program	<u>32,274</u>
Marine Operations & Maintenance:	
Marine Services	118,511
Fleet Planning and Maintenance	28,000
Aviation Services	31,544
Total, Marine Operations & Maintenance	<u>178,055</u>
Congressionally Directed Projects	<u>13,840</u>
GRAND TOTAL PS	<u>\$450,978</u>

Climate modeling and information technology security.—NOAA's plans to upgrade its high performance computing and communications are supported with \$20,000,000 above the request to accelerate climate modeling improvements and improve information technology services. NOAA is also encouraged to expand its partnership with the Department of Energy and the National Science Foundation to provide supercomputing capacity to help meet research needs.

Competitive education grants.—The bill provides \$8,500,000 for competitive education grants, of which \$7,500,000 is for a new ocean education grant program. Eligible recipients of the ocean education grants must be non-profit 501(c)(3) aquariums accredited by the Association of Zoos and Aquariums with informal education partnerships regarding the ocean. The grants require a 50 percent non-Federal cost share and can be used for capital improvements, exhibit space and educational program development projects originating within the aquarium.

BWET regional programs.—NOAA is directed to continue to support existing BWET programs and is encouraged to expand this program to additional regions.

Marine operations and maintenance.—Increased funding for marine services and aviation services is provided above the request to offset increased fuel charges and to ensure critical research and operations are conducted.

Fleet planning and maintenance.—Given the trend in lost sea days, an additional \$11,000,000 is provided above the request to better ensure NOAA vessels are manned properly and operate safely. Improving fleet conditions and increasing days at sea will strengthen NOAA's ability to carry out many critical missions, including fisheries surveys, climate research, and nautical charting.

Diving regulations.—NOAA's diving program is critical to conducting scientific research, ship maintenance and marine operations, and NOAA's unique mission requires unique diving operations. Section 106 of this bill provides the Secretary the authority to prescribe diving regulations. Within 90 days of enactment, NOAA is directed to submit a plan to the House and Senate Committees on Appropriations on how the agency will implement its own scientific and working diver regulations by the end of the fiscal year, which shall include recommendations on improving the viability, safety and efficiency of the NOAA diving program in out-years.

Congressionally-directed items.—Within the appropriation for operations, research and facilities, the bill provides for the following Congressionally-directed activities:

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

Recipient	Project	Location	Amount
Acadia Partners for Science and Learning	for natural science research and education	Winter Harbor, ME	500
Alaska Sea Grant	for research on stock enhancement for rehabilitation of depleted king crab stocks in Alaska	Fairbanks, AK	200
Alaska SeaLife Center	for pinniped research, marine mammal rescue, and Resurrection Bay salmon enhancement	Seward, AK	1,500
American Museum of Natural History	for a partnership to advance environmental literacy through public education and research	New York, NY	250
Appalachian Mountain Club	Climate Change and Air Pollutant Impacts to New England's Rare Alpine Zone	Gorham, NH	350
Baldwin County Commission, AL	Gulf Coast Flood Elevation Study, Baldwin County, Alabama	Bay Minette, AL	1,000
Bering Sea Fishermen's Assoc	for salmon research and restoration projects in Western Alaska and interior river systems and ongoing marine productivity research	Anchorage, AK	190
Blue Crab Advanced Research Consortium at UMBI_Center of Marine Biotechnology	Blue Crab Research	Baltimore, MD	50
Boise State University	Improved Hydrologic Modeling of Water Resources for Snow-dominated Regions	Boise, ID	350
Bowling Green State University	to monitor cyanobacteria blooms in the Great Lakes	Bowling Green, OH	250
Bowling Green State University	Monitoring of Lake Erie Water Quality with Remote Sensing	Bowling Green, OH	355
California Salmon Council	West Coast Weak Stock Salmon Solutions	Folsom, CA	200
Chesapeake Biological Laboratory	Alliance for Coastal Technologies	Solomons, MD	1,000
City of Mobile	for public education	Mobile, AL	500
City of Mobile, AL	for NOAA Gulf Coast education programs	Mobile, AL	500
City of Orange Beach	for study of Perdido Pass Inlet	Orange Beach, AL	250
City of Port Aransas	to preserve endangered wetlands and help stop severe erosion in Port Aransas and along the Corpus Christi Ship Channel	Port Aransas, TX	300
Coastal Steward	Water Quality Improvements in Port Jefferson Harbor, New York	Port Jefferson Station, NY	155
Cornell University	Regional Climate Center	Ithaca, NY	500
Dauphin Island Sea Lab	for fish management	Mobile, AL	900
Delaware River Basin Commission	Delaware River Enhanced Flood Warning System	West Trenton, NJ	235
Department of Environmental Management, County of Maui	Maui Coral Reef Preservation and Restoration	Wailuku, HI	185
Eastern Kentucky PRIDE, Inc	Eastern Kentucky PRIDE, Inc	Somerset, KY	1,000
Eastern Michigan University	Coupled Remote Sensing and Biological Monitoring of Invasive Plant Species and Their Impacts on the Detroit River International Wildlife Refuge	Ypsilanti, MI	650
Florida Fish and Wildlife Commission	to collect accurate, reliable data on red snapper catch, bycatch and mortality	Leon County, FL	1,000

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

Florida Fish and Wildlife Conservation Commission	Cooperative Reef Fish Monitoring and Research Program	St. Petersburg, FL	1,000
Florida International University	Storm Surge Model	Miami, FL	500
Florida State University	Southeastern Mercury Consortium	Tallahassee, FL	500
Great Lakes Science Center	Great Lakes Water Education STEM Project	Cleveland, OH	500
Gulf of Alaska Coastal Communities Coalition	for the organization to serve as an advocate for small boat community-based fisheries in the Gulf of Alaska	Anchorage, AK	150
Gulf of Maine Lobster Foundation	to provide economic relief to Maine lobstermen	Kennebunk, ME	100
Gulf of Maine Research Institute	Transforming New England's Groundfishery into Harvesting Sectors	Portland, ME	200
Hawaii Coral Reef Initiative, University of Hawaii	to support monitoring and research activities on Hawaii coral reefs	Honolulu, HI	700
Hawaii Institute of Marine Biology, University of Hawaii	for research in the Hawaiian Archipelago to guide ecosystem based management	Kaneohe, HI	2,000
Hubbs SeaWorld Research Institute	California Marine Fisheries Replenishment Program	San Diego, CA	250
Hubbs-SeaWorld Research Institute	Florida Marine Sportfish Replenishment	Orlando, FL	295
Idaho State University	Boise Center Aerospace Laboratory (BCAL) Watershed Modeling Utilizing LIDAR	Pocatello, ID	350
Illinois State Geological Survey	Illinois Height Modernization	Champaign, IL	725
International Pacific Research Center, University of Hawaii	to conduct systematic and reliable climatographic research of the Pacific region	Honolulu, HI	1,750
Iowa State University	for a research initiative to improve understanding of surface winds and their damaging effects	Ames, IA	850
Jackson State University	to establish dispersion forecasting modelling for the Gulf Coast Region	Jackson, MS	1,500
Joint Institute for Marine and Atmospheric Research, University of Hawaii	to conduct research on open ocean fisheries in the Pacific Ocean	Honolulu, HI	1,250
Kenai Peninsula Borough	Cook Inlet Beluga Whale Research	Cook Inlet, AK	700
Lakes Region Planning Commission	to continue efforts to develop a comprehensive watershed management plan for Lake Winnepesaukee	Meredith, NH	100
Louisiana State University A&M	to provide more information for a geodetic reference system to aid land planning in Louisiana	Baton Rouge, LA	700
Maine Department of Marine Resources	for the Maine groundfish industry in the form of Emergency Economic Assistance	Augusta, ME	300
Maine Department of Marine Resources	Lobster Research	Augusta, ME	150
Maine Department of Marine Resources	Maine/New Hampshire Inshore Trawl Survey	Augusta, ME	250
Marine Environmental Research Institute	Seals as Sentinels	Blue Hill, ME	100
Massachusetts Marine Fisheries Institute	for continued research into the New England scallop fishery, to promote sustainability	New Bedford, MA	1,000

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

Mississippi University for Women	provide quality scientific, inquiry-based learning for grades K-12 in-service and pre-service teachers	Columbus, MS	375
Mobile County Commission	Gulf Coast Flood Elevation Study, Mobile County, Alabama	Mobile, AL	1,000
Monterey Bay Aquarium	Bluefin Tuna Tagging and Research Program	Monterey, CA	250
Morgan State University Estuarine Research Center	Oyster Hatchery Economic Pilot Program	St. Leonard, MD	500
Mote Marine Laboratory	Science Consortium for Ocean Replenishment	Sarasota, FL	500
National Marine Fisheries Service	Shrimp Industry Fishing Effort Research Continuation	Silver Spring, MD	200
National Ocean Atmospheric Administration	for the conservation and recovery of endangered Hawaiian sea turtle populations	Honolulu, HI	7,100
National Ocean Atmospheric Administration	for the conservation and recovery of the critically endangered monk seal population and conservation of Pacific cetaceans	Honolulu, HI	2,600
National Ocean Atmospheric Administration	for the deployment of two oceanographic buoys to monitor ocean currents near Ordnance Reef	Honolulu, HI	500
National Ocean Atmospheric Administration	for the NOAA Pacific Services Center to meet the coastal management needs of Pacific Island communities	Honolulu, HI	4,500
National Ocean Atmospheric Administration	for the sustainable use of Pacific pelagic fishery resources and the production of healthy, safe domestic seafood	Honolulu, HI	1,500
National Ocean Atmospheric Administration	to create and implement an integrated system-wide ocean science education program piloted in Hawaii's schools	Honolulu, HI	1,500
National Ocean Atmospheric Administration	to develop a program to map the seafloor of California's coastal waters, inland bays and the Sacramento-San Joaquin River Delta	Silver Spring, MD	1,500
National Ocean Atmospheric Administration	to help the Integrated Data and Environmental Applications Center meet critical regional needs for ocean, climate, and ecosystem information	Honolulu, HI	2,500
National Oceanic and Atmospheric Administration	to enhance research on ice seal populations	Anchorage, AK	250
National Weather Service	Bryan County Oklahoma Nexrad Doppler Radar	Silver Spring, MD	175
Nature Conservancy	Mapping the Hudson River to Build Resiliency to Climate Change	Albany, NY	445
New England Aquarium	for research of environmentally sensitive gear technologies designed to reduce bycatch	Boston, MA	1,250
New Hampshire Lakes Association	to prevent the spread of exotic aquatic weeds, such as milfoil and others, in NH lakes	Concord, NH	100
NOAA	for NOAA UAS research with the Army.	Huntsville, AL	750

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

NOAA Chesapeake Bay Office	Chesapeake Bay Blue Crab Research	Annapolis, MD	550
NOAA Chesapeake Bay Office	for a network of environmental observation platforms	Annapolis, MD	500
NOAA National Weather Service Pacific Region Headquarters	to purchase, install, and maintain rain gages	Honolulu County, HI	360
NOAA Office of Education	California Bay Watershed Education and Training Program (Bv09WET)	Monterey, CA	2,500
Northwestern University	NU Great Lakes Restoration	Evanston, IL	1,000
Nova Southeastern University	Nova Southeastern University National Coral Reef Institute	Ft. Lauderdale, FL	1,000
Nurture Nature Foundation	Flood Awareness and Emergency Preparedness Education Campaign	Easton, PA	250
Oceanic Institute	for research to make marine finfish culture technologies economically viable for commercial operation	Waimanalo, HI	750
Oregon Salmon Commission	West Coast Weak Stock Salmon Solutions: Using "Real Time" Oceanographic and Genetic Research to Improve Science, Management, and Marketing of West Coast Ocean Salmon Fisheries	Lincoln City, OR	200
Oregon State University	Klamath River Fish Disease Research_NOAA Fisheries	Corvallis, OR	640
Partnership for Mid-Atlantic Fisheries Science	to address the most urgent scientific problems limiting successful management of summer flounder in the Mid-Atlantic region	Pt. Pleasant Beach, NJ	1,000
Pierce College	Meteorological Equipment, Pierce College Weather Station	Woodland Hills, CA	85
Pioneer Valley Planning Commission	Pioneer Valley Planning Commission to Establish a Lower Connecticut River Joint Commission	West Springfield, MA	150
Plymouth State University	for continued weather technology and observation at Plymouth State University	Plymouth, NH	200
Provincetown Center for Coastal Studies	Provincetown Center for Coastal Studies Right Whale Conservation	Provincetown, MA	500
Puerto Rico Coral Reef Monitoring Institute	Puerto Rico Coral Reef Monitoring Institute	Mayaguez, Puerto Rico	240
Regional Climate Centers	Funding for climate research at nationwide sites	Reno, NV; Chapel Hill, NC, Baton Rouge, LA; Baton Rouge, LA; Ithaca, NY; Champaign, IL; Lincoln, NE, NV	3,000
Rhode Island Coastal Resource Management Council	for the development of a comprehensive habitat restoration and protection plan for Narragansett Bay and nearby water bodies	Wakefield, RI	1,000
San Jose State University	Training the Next Generation Weather Forecasters	San Jose, CA	115
Savannah State University HBCU	Savannah State University HBCU Marine Sciences	Savannah, GA	450
Save the Bay	for a middle-school youth program to study, cleanup, and preserve Narragansett Bay	Providence, RI	1,000

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

School for Marine Science and Technology	for continued research and development of new methods to protect, preserve, and improve the health of multi-species fisheries in New England	New Bedford, MA	3,000
Sea Grant Law Center	to integrate biotechnology and undersea technology development with cutting edge research for the advancement of marine science	Oxford, MS	750
Society for the Protection of New Hampshire Forests	to continue a program to proactively conserve undeveloped river frontage and upland watershed	Concord, NH	100
State of Alaska	to support private industry participation in two international fishery advisory groups	Juneau, AK	150
State of Louisiana	to conduct priority research and provide science support for the restoration of the Pontchartrain Basin	Baton Rouge, LA	250
State of Wisconsin	Wisconsin Height Modernization Program	Madison, WI	2,150
States of Maryland and Virginia	to provide economic assistance, equally divided between States of Maryland and Virginia, to watermen and communities impacted by the Secretary of Commerce's blue crab disaster declaration of September 22, 2008	Annapolis, MD; Richmond, VA	10,000
States of Maryland and Virginia	to restore oyster habitat and plant disease free oysters in scientifically selected sites throughout the Chesapeake Bay	Annapolis, MD; Richmond, VA	4,600
Susquehanna River Basin Commission	for operations and maintenance of a flood forecast and warning system	Harrisburg, PA	2,000
The Alaska Sea Otter and Steller Sea Lion Commission (TASSC)	Steller Sea Lion Comanagement, Biosampling and Outreach/Education	Anchorage, AK	300
The James J. Howard Marine Sciences Laboratory	James J. Howard Marine Sciences Laboratory	Highlands, NJ	300
The JASON Project	JASON Project	Ashburn, VA	5,600
The Nature Conservancy	Southern New England Seagrass Research and Restoration Project	Middletown, CT and Cold Spring Harbor, NY	500
The University of Alabama at Birmingham	for nanotoxicology research	Birmingham, AL	700
The University of Southern Mississippi	to build decision support tools related to flooding and/or storm surge that provide a 3D visualization for emergency management officials to plan, train, and coordinate relief efforts	Hattiesburg, MS	500
Thunder Bay Marine Sanctuary	for the lease for the Great Lakes Maritime Heritage Center	Alpena, MI	1,000
University of Alabama at Huntsville	for cooperative institute	Huntsville, AL	800
University of Alabama at Huntsville	for weather research in the Gulf of Mexico	Huntsville, AL	800
University of Alaska	for advanced submarine surveys to establish new U.S. claims for seabed resources	Fairbanks, AK	500

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

University of Alaska	for research on coastal vulnerability to climate change	Fairbanks, AK	100
University of Connecticut	National Undersea Research Program NURP	Storrs, CT	350
University of Evansville	University of Evansville's Conservation Park Programs for Environmental Research	Evansville, IN	300
University of Guam	Western Pacific Coral Reef Ecosystems Studies Program (CSCOR09NCCOS)	Mangilao, Guam	350
University of Hawaii Sea Grant College Program	County of Hawaii Coastal Land Use Extension Project	Honolulu, HI	115
University of Maryland College Park	for the Advanced Study Institute for Environmental Prediction to study climate impacts and adaptation in the Mid-Atlantic region	College Park, MD	1,000
University of Massachusetts, Amherst	Climate System Research Center	Amherst, MA	650
University of Miami	to improve and expedite hurricane forecasts through rapid transition of results to NOAA operations	Miami-Dade County, FL	250
University of Mississippi	for a research project on the public safety applications of infrasound	Oxford, MS	1,500
University of Mississippi	for training, education and research	Oxford, MS	850
University of Mississippi	to integrates biotechnology and undersea technology development with cutting edge research for the advancement of marine science and discovering new products from the sea	Oxford, MS	5,000
University of New Hampshire	for continued weather and air quality research	Durham, NH	300
University of North Alabama	for geospatial analysis	Florence, AL	500
University of North Carolina at Chapel Hill	UNC Southeast Regional Climate Center	Chapel Hill, NC	400
University of Oklahoma	National Weather Radar Testbed Phased Array Radar	Norman, OK	350
University of Rhode Island	for assessing the water quality, ecology, fish, and fisheries of Narragansett Bay	Kingston, RI	1,000
University of Rhode Island	Inner Space Center	Narragansett, RI	300
University of South Alabama	for hurricane monitoring in the Gulf of Mexico	Mobile, AL	700
University of South Alabama	for oyster rehabilitation	Mobile, AL	800
University of Tennessee Space Institute	Atmospheric Science Research	Tullahoma, TN	500
University of Texas Marine Science Institute	UTMSI Center for Biological Indicators of Change in Coastal Ecosystem Health	Port Aransas, TX	500
University of Toledo, Lake Erie Center	Maumee Bay Fish Kill Study	Toledo, OH	750
University of Vermont	for research on water quality, ecosystem health and the transport of pollutants	Burlington, VT	350
University of Vermont	for research targeting, understanding and mitigating invasive species, toxic blue green algae and new contaminants of concern	Burlington, VT	250

National Oceanic and Atmospheric Administration
Operations, Research and Facilities
Congressionally-designated Items
(\$ in thousands)

Valparaiso University	Valparaiso University for Meteorological Equipment	Valparaiso, IN	250
Virginia Institute of Marine Science	Virginia Trawl Survey	Gloucester, VA	150
Virginia Polytechnic Institute & State University	Horseshoe Crab Research	Blacksburg, VA	400
Von Braun Center for Science & Innovation Not for Profit	for research Gulf Coast research	Huntsville, AL	750
Washington State Department of Ecology	for citizen-driven environmental protection	Olympia, WA	1,600
West Virginia Department of Natural Resources	Stream Restoration Program	Charleston, WV	750
West Virginia University	WVU Environmental Center	Morgantown, WV	1,750
Western Kentucky University	to complete the development of a monitoring system that will collect real-time weather observations through a statewide grid of stations in Kentucky	Bowling Green, KY	700
Wildlife Conservation Society	Bronx River and South Bronx Waterfront	Bronx, NY	1,000
Yukon River Drainage Fisheries	to continue monitoring, research, and educational efforts for subsistence and commercial fisheries along the Yukon River	Anchorage, AK	180

PROCUREMENT, ACQUISITION AND CONSTRUCTION

The bill includes a total program level of \$1,245,647,000 under the Procurement, Acquisition and Construction (PAC) heading, which is \$4,987,000 above the request. This includes a direct appropriation of \$1,243,647,000 and \$2,000,000 is derived from recoveries of prior year obligations. The funds will be distributed as follows:

PROCUREMENT, ACQUISITION AND CONSTRUCTION
(In thousands of dollars)

	Conference Recommendation
National Ocean Service:	
Coastal and Estuarine Land Protection Program	15,000
National Estuarine Research Reserve Construction & Land Acquisition	7,043
Marine Sanctuaries Construction/Acquisition	12,995
Total, National Ocean Service - PAC	<u>35,038</u>
Oceanic and Atmospheric Research:	
Research Supercomputing/CCRI	10,379
Total, Oceanic and Atmospheric Research - PAC	<u>10,379</u>
National Weather Service:	
Systems Acquisition:	
ASOS	1,635
AWIPS	19,064
NEXRAD	8,376
NWSTG Legacy Replacement	1,195
Radiosonde Network Replacement	4,014
Weather and Climate Supercomputing	26,169
Cooperative Observer Network Modernization (NERON)	3,734
Complete and Sustain NOAA Weather Radio	10,000
NOAA Profiler Network	7,500
Subtotal, NWS Systems Acquisition	<u>81,687</u>
Construction:	
WFO Construction	12,504
Center for Weather & Climate Prediction (NCWCP)	4,100
Subtotal, NWS Construction	<u>16,604</u>
Total, National Weather Service - PAC	<u>98,291</u>
NESDIS:	
Systems Acquisition & Construction:	
NOAA Satellites and Climate Sensors	965,667
EOS & Advanced Polar Data Processing, Distribution & Archiving Systems	990
CIP - single point of failure	2,772
Comprehensive Large Array Data Stewardship System (CLASS)	16,467
NPOESS Preparatory Data Exploration	2,455
Satellite CDA Facility	2,228
Total, NESDIS - PAC	<u>990,579</u>
Program Support:	
Construction:	
Pacific Regional Facility	60,250
NOAA Construction	10,000
Subtotal, Construction	<u>70,250</u>
OMAO Fleet Replacement:	
FSV Calibration	1,000
Hydro Survey Launch Construction	2,400
Vessel Equip. & Tech Refresh	1,000
Temporary Berthing for HENRY B. BIGELOW	1,000
Ship Acquisition, Conversion & Maintenance	6,100
Subtotal, OMAO Fleet Replacement	<u>11,500</u>
Total, Program Support - PAC	<u>81,750</u>
Congressionally Directed Projects	<u>29,610</u>
GRAND TOTAL PAC	<u>\$1,245,647</u>

NOAA satellite systems.—The bill includes \$965,667,000 for geostationary and polar orbiting satellite programs and the restoration of critical climate sensors. The impact of the GOES–R out-year costs on NOAA’s traditional mission areas is troubling, as GOES–R demands an ever-increasing percentage of NOAA’s budget. If investments in necessary satellite infrastructure must be funded within NOAA’s budget, those requirements should be accommodated in NOAA’s budget requests without impinging on NOAA’s other critical mission priorities. Furthermore, both the GOES–R and NPOESS programs are entering critical phases of their respective developments during the transition of administrations. The Office of Inspector General recommended that the Department of Commerce establish thresholds and procedures for reporting and improving major deviations from GOES–R’s capability, cost, and schedule baseline, as well as enhancements to the baseline. NOAA and the Department of Commerce are directed to implement this recommendation no later than March 2, 2009.

VIIRS.—The VIIRS instrument has consistently caused major delays and cost overruns to the NPOESS program. Development delays continue; forcing postponement in the launch of the NPP mission, and almost certainly delaying the launch of C1 and C2 of NPOESS. Therefore, NOAA is directed to provide, no later than March 2, 2009, to the House and Senate Committees on Appropriations, a revised total cost estimate to build and install the current VIIRS instrument for NPP, C1 and C2, as well as an analysis of alternatives to the VIIRS instrument, including cost estimates and risk analysis, as well as the matrix for development and contract performance.

Comprehensive large array data stewardship system (CLASS).—NOAA CLASS is directed to establish a sound technical plan and implement foundation elements to move CLASS architecture to an enterprise solution that supports the anticipated increase in the demand for archival and distribution of current and planned data campaigns. NOAA CLASS is further directed to examine the technical and programmatic components required to establish an interface-to-data archives for the purpose of creating information products that would add value for stakeholders and the user community.

Construction.—The bill provides \$10,000,000 for program support construction, which allows NOAA to begin its highest priority construction projects.

Cooperative Weather and Research Center.—The southeast United States experiences more severe weather events, such as hurricanes, tornados, lightning, flooding and severe droughts, than any other region of the country. NOAA dedicates few resources to respond and prepare for severe weather events in this area, and unlike other regions, the Southeast does not possess the surveillance, research and forecasting assets to study and predict these events. The bill provides a total of \$10,550,000 for the NWS to build a Cooperative Institute and Research Center for Southeast Weather and Hydrology and to begin to develop and acquire dual polar, phased array and multi-frequency Doppler Radars and passive radiometers to study storms, improve rainfall estimates, and to begin to provide the citizens of the Southeast with state-of-the-

art weather research and prediction capabilities. Of the funding provided, up to \$1,500,000 shall be used for operations.

NOAA Center for Weather and Climate Prediction.—Based on revised information, the bill fully funds the request for the NCWCP building, but has shifted \$10,000,000 to the ORF appropriation to more accurately reflect that these funds will be used primarily for rent, operations, and security of this facility.

Congressionally-directed items.—Within the appropriation for procurement, acquisition and construction, the bill provides for the following Congressionally-directed activities:

National Oceanic and Atmospheric Administration
 Procurement, Acquisition and Construction
 Congressionally-designated Items
 (\$ in thousands)

Recipient	Project	Location	Amount
Auburn University	for research.	Auburn, AL	1,500
City of Dauphin Island	for shoreline restoration.	Dauphin Island, AL	400
Great Bay Resource Protection Partnership	for continued protection and acquisition of critical habitats and lands around Great Bay.	Portsmouth, NH	3,000
Henderson County Fiscal Court	to purchase severe weather warning sirens in populated areas of Henderson County, where no systems currently exist.	Henderson County, KY	110
Institute for Marine Mammal Studies	to complete construction of a facility dedicated to rehabilitation, conservation, and education on marine mammals with a focus on dolphins.	Gulfport, MS	1,500
Mississippi Center for Conservation and Biodiversity	for construction of a research facility.	Jackson, MS	1,600
Mississippi State University	to more effectively link local, state, regional, and national organizations concerned with Northern Gulf wetlands issues and management.	Starkville, MS	4,500
National Weather Service	for a doppler radar station in Washington state.	Silver Spring, MD	2,000
Thunder Bay Marine Sanctuary	for exhibits and telepresence technology.	Alpena, MI	500
University of Alabama	for weather research in the Gulf of Mexico.	Tuscaloosa, AL	10,550
University of Delaware	for a real-time satellite receiving station.	Dover, DE	750
University of Maryland Center for Environmental Science	to rebuild the Horn Point laboratory.	Cambridge, MD	2,000
University of Rhode Island	equipment for the Pell Library and Undersea Exploration Center.	Kingston, RI	1,200

PACIFIC COASTAL SALMON RECOVERY

The bill includes \$80,000,000 for Pacific Coastal Salmon Recovery, which is \$45,000,000 above the budget request.

COASTAL ZONE MANAGEMENT FUND

(INCLUDING TRANSFER OF FUNDS)

The bill includes language transferring not to exceed \$3,000,000 from the Coastal Zone Management Fund to the “Operations, Research, and Facilities Account.”

FISHERIES FINANCE PROGRAM ACCOUNT

The bill includes language under this heading limiting obligations of direct loans to \$8,000,000 for Individual Fishing Quota loans and \$59,000,000 for traditional direct loans.

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

The bill includes \$53,000,000 for Departmental Management, which is \$7,583,000 less than the amended budget request.

2010 Decennial report and certification.—The bill includes language that requires the Secretary of Commerce to provide a report to the House and Senate Committees on Appropriations that audits and evaluates all decision documents and expenditures by the Bureau of Census as they relate to the 2010 Decennial. The bill also includes language that restricts \$5,000,000 of the available appropriation from obligation until the Secretary certifies to the House and Senate Committees on Appropriations that the Bureau of Census has met all standards and best management practices and Office of Management and Budget guidelines related to information technology projects and contract management.

Emergency Steel Loan Guarantee Program (ESLG).—The proposed rescission of the remaining unobligated subsidy balances associated with the ESLG program is rejected.

Information Technology (IT) security.—Within the appropriation, the bill provides an increase of \$4,117,000 to address the Department’s IT security material weaknesses and other concerns raised by the Inspector General.

HERBERT C. HOOVER BUILDING RENOVATION AND MODERNIZATION

The bill includes \$5,000,000 for costs associated with the renovation of the Herbert C. Hoover building, which is \$2,367,000 below the budget request.

OFFICE OF INSPECTOR GENERAL

The bill includes \$25,800,000 for the Office of Inspector General, which is \$1,034,000 above the request. The increased funding is provided to address the increasing oversight necessary for the 2010 Decennial Census and NOAA’s satellite development programs.

GENERAL PROVISIONS—DEPARTMENT OF COMMERCE (INCLUDING
TRANSFER OF FUNDS)

Section 101 makes funds available for advanced payments only upon certification of officials designated by the Secretary that such payments are considered to be in the public interest.

Section 102 makes appropriations for the Department for salaries and expenses available for hire of passenger motor vehicles, for services, and for uniforms and allowances as authorized by law.

Section 103 provides the authority to transfer funds between Department of Commerce appropriations accounts, but not between NOAA and other Departmental appropriations; the provision makes transfers subject to the standard reprogramming procedures.

Section 104 provides that any costs incurred by the Department from personnel actions taken in response to funding reductions shall be absorbed within the total budgetary resources available to the Department and shall be subject to the reprogramming limitations set forth in this Act.

Section 105 includes a permanent prohibition of funds related to the trademark of “Last Best Place”.

Section 106 provides permanent authority for the Secretary of Commerce to prescribe and enforce standards or regulations affecting safety and health in the context of scientific and occupational diving within the National Oceanic and Atmospheric Administration.

Section 107 extends Congressional notification requirements for the GOES–R satellite program.

Section 108 provides for the reimbursement for services within Department of Commerce buildings.

Section 109 transfers prior year funding from the Fisheries Finance Program into NOAA Operations, Research, and Facilities appropriation.

Section 110 amends the Pacific Salmon Treaty Act.

Section 111 provides authority for the Secretary of Commerce to negotiate or reevaluate international agreements related to fisheries, marine mammals, or sea turtles.

TITLE II—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For fiscal year 2009, the bill provides \$105,805,000 for General Administration (GA), which is equal to the budget request.

Materials in support of the annual budget request.—The Department of Justice (DOJ) was the only agency under the CJS Subcommittee’s jurisdiction which was unable to meet the liberal timetables imposed for submission of additional requested information in support of the Department’s fiscal year 2009 budget. The Department is directed to take any action necessary to ensure that such delays do not occur in the fiscal year 2010 budget process.

Office of Professional Responsibility (OPR) investigations.—The Department shall continue to support OPR’s ongoing reviews of the Federal government’s interrogation methods and warrantless wire-