



## CRS Report for Congress

# The National Oceanic and Atmospheric Administration (NOAA): FY2007 Appropriations and FY2008 Budget

Wayne A. Morrissey  
Information Research Specialist  
Knowledge Services Group

### Summary

For the remainder of FY2007, the National Oceanic and Atmospheric Administration (NOAA) in the Department of Commerce is operating under a revised continuing resolution, P.L. 110-5, that, for the most part, funds the agency at FY2006 appropriation levels. The President requested a total of \$3.82 billion in discretionary appropriations for NOAA for FY2008. The Secretary of Commerce announced funding in his FY2008 budget for NOAA of \$123 million that would support the President's 2004 *Ocean Action Plan* (OAP), and increase funding for ocean research and sustainable fisheries management. Ocean advocates argue that the funding is not enough, however. NOAA is poised to have all of its programs and activities authorized under a single law, but Congress differs about Administration-proposed authorities. For FY2008, NOAA would prioritize funding and scheduling of its satellite programs to ensure critical continuous meteorological and environmental observations and data acquisition.

The mission of the National Oceanic and Atmospheric Administration (NOAA) is "[t]o understand and predict changes in the Earth's environment and conserve and manage coastal and marine resources to meet the nation's economic, social, and environmental needs."<sup>1</sup> In terms of funding, NOAA is the largest agency of the Department of Commerce (DOC) and, for FY2008, accounts for about 57% of DOC's discretionary budget request of \$6.33 billion. Congress may choose to fund NOAA under Title II of the Commerce, Justice, Science Appropriations Act of FY2008 (hereafter, CJS Approps.).

### The President's FY2008 Request

For FY2008, the President requested \$3.82 billion in discretionary funds for NOAA (**Table 1**). Meanwhile, NOAA is operating under P.L. 110-5, the Revised Continuing

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<sup>1</sup> Department of Commerce, *NOAA FY2008 Budget Summary*, Feb. 8, 2007. Available at [[http://www.corporateservices.noaa.gov/%7Enbo/08bluebook\\_highlights.html](http://www.corporateservices.noaa.gov/%7Enbo/08bluebook_highlights.html)].

Appropriations Resolution, 2007 (hereafter, CR) that instructs how much and in what manner funding will be allocated by Congress to most federal agencies through September 30, 2007. Specifically, Chapter 9 of the CR approved, with some exceptions, P.L. 109-108, the Science, State, Justice, and Commerce Appropriations Act for FY2006 (hereafter, SSJC Appropriations) as the baseline for P.L. 110-5 (**Table 1**). For NOAA, the CR also includes a rescission of \$25 million from unobligated funds appropriated for FY2006. NOAA would also acquire \$79 million in offsetting budget authority from the U.S. Department of Agriculture for fishery products research and development, the transfer is \$12 million more than the FY2006 approved level. Specific instructions are included in the CR which indicate that provisions of Title II §§208-209 of SSJC Appropriations for FY2006 are not funded in FY2007.

In **Table 1** below, FY2006 appropriation amounts are compared with the FY2007 request, P.L. 110-5, and the FY2008 request. Total budget authority (BA) requested is tabulated for NOAA's ORF and PAC accounts. Those figures are then adjusted and added with NOAA's Other Accounts to derive *discretionary* appropriations totals.

**Table 1. NOAA FY2007 Request & FY2006-FY2007 Appropriations**  
(\$ in millions)

NOAA Accounts	FY2006 Approps. <sup>a,b</sup>	FY2007 Req. <sup>c</sup>	P.L. 110-5 <sup>d</sup>	FY2008 Req. <sup>e</sup>
Operations, Research, and Facilities (ORF)				
<i>National Ocean Service (NOS)</i>	493.6	393.5	493.2	436.8
<i>NOAA Fisheries (NMFS)</i>	669.8	649.0	669.8	704.6
<i>NOAA Research (OAR)</i>	368.9	338.3	368.9	358.4
<i>National Weather Service (NWS)</i>	735.8	783.4	735.8	807.8
<i>NOAA Satellites (NESDIS)</i>	177.0	149.6	177.0	157.8
Program Support	351.8	364.0	351.8	389.5
ORF BA Total	2,794.3	2,678.8	2,796.5	2,854.9
BA Offsets (transfers/deobligations)	(66.1)	(91.0)	(94.0)	(93.0)
Adjustments (P.L. 109-148) <sup>f</sup>	20.0	—	11.0	2.0
ORF Discretionary	<b>2,748.2</b>	<b>2,587.8</b>	<b>2,713.5</b>	<b>2,763.9</b>
Procurement, Acquisition, & Construction	1,095.7	1,024.5	1,092.0	979.9
Adjustments (P.L. 109-148) <sup>f</sup>	37.4	—	17.0	—
PAC Discretionary	<b>1,133.1</b>	<b>1,024.5</b>	<b>1,109.0</b>	<b>979.9</b>
Other Accounts/PCSRF/CZMF	<b>69.0</b>	<b>60.8</b>	<b>57.0</b>	<b>71.6</b>
Subtotal Discretionary	<b>\$3,950.3</b>	<b>\$3,673.1</b>	<b>\$3,879.5</b>	<b>\$3,815.4</b>
Other Adjustments <sup>g</sup> (P.L. 109-234)	150.0	—	—	—
<b>NOAA Discretionary Approps.</b>	<b>\$4,100.3</b>	<b>\$3,673.1</b>	<b>\$3,879.5</b>	<b>\$3,815.4</b>

**Sources:** Compiled from sources as noted below.

**Notes:**

- a. “House Recommendations,” July 5, 2006, includes emergency appropriations of \$54 million for NOAA provided for FY2006 in P.L. 109-148, i.e., \$17.2 million for ORF and \$37.4 million for PAC for Hurricane Katrina recovery. An additional emergency appropriation of \$150 million was provided for NOAA in P.L. 109-234 for FY2006, but was not included in the FY2007 or FY2008 request or P. L. 110-5 totals.
- b. FY2006 appropriations (P.L. 109-108) totals include an OMB cut of 1% for NOAA (P.L. 109-148), or \$40.1 million, i.e., \$28.3 million for ORF, \$0.6 million for PCSRF, \$11.2 million for PAC, and \$300,000 for fisheries finance programs. Together with Sec. 638 of P.L. 109-272, NOAA rescissions for FY2006 were 1.28%.
- c. FY2007 NOAA line office budget request details figures from NOAA, *FY2008 Budget Summary*, February 8, 2007, available at [[http://www.corporateservices.noaa.gov/%7Enbo/07bluebook\\_highlights.html](http://www.corporateservices.noaa.gov/%7Enbo/07bluebook_highlights.html)].
- d. P.L. 110-5, *Revised Continuing Appropriations Resolution, 2007*, February 15, 2007, Ch 9., Science, State, Justice, Commerce and Related Agencies (121 Stat. 41).
- e. NOAA, *FY2008 Budget Summary*, February 8, 2007
- f. Figures for P.L. 110-5 are scored as Homeland Security funding for NOAA (Congressional Budget Office, “2007 Continuing Resolution — Commerce, Justice,” April 5, 2007).
- g. Included in Senate Appropriations Committee Recommendation for FY2007.

**Summary of the FY2008 Request.** NOAA’s Administrator, Vice Admiral Conrad C. Lautenbacher, Jr. (Ret. Navy), also the Under Secretary of Commerce for Oceans and Atmosphere, stated that the FY2008 request of \$3.82 billion for NOAA represents a “national consensus” of what would be required to fund ongoing activities at the agency.<sup>2</sup> That amount is \$130 million, or 3.3%, less than the \$3.95 billion appropriated for NOAA in FY2006. The FY2008 budget proposed \$30.2 million in savings from certain programs that were either “unrequested” by the Administration or “performing poorly.”<sup>3</sup>

Of the FY2008 total, \$2.76 billion would be for NOAA’s Operations, Research, and Facilities (ORF) account and almost \$980 million for the Procurement, Acquisitions, and Construction (PAC) account. For NOAA’s “Other Accounts” a total of \$71.6 million is requested, including \$66.8 million for the Pacific Coastal Salmon Recovery Fund (PCSRF); \$3 million for the Coastal Zone Management Fund (CZMF); and a net \$4.8 million for Fishery Financing and the Promote and Develop Fishery Products Fund (PDAFF).

Some in Congress may take issue with the FY2008 request because of the following.

- Criticism by international ocean advocacy groups about the amount of NOAA funding requested for FY2008 to fund the Joint Oceans Commission Initiative (JOCI) aimed at preventing over fishing and alleviating ocean pollution. The Administration requested \$123 million to implement the President’s 2004 *Ocean Action Plan*; however, some argue that an earnest response would be about \$750 million.

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<sup>2</sup> U.S. Department of Commerce, NOAA, “2008 President’s Budget Rollout,” presentation of Vice Admiral Conrad C. Lautenbacher, Jr., U.S. Navy (Ret.), Under Secretary of Commerce for Oceans and Atmosphere, Feb. 8, 2007. The slide presentation is available at [[http://www.corporateservices.noaa.gov/%7Enbo/FY08%20Rollout%20Materials/1\\_31\\_07\\_ROLLOUT/VADM\\_Presentation/FY08\\_VADM\\_Constituents%20Brief\\_FINAL\\_2\\_7\\_07.pdf](http://www.corporateservices.noaa.gov/%7Enbo/FY08%20Rollout%20Materials/1_31_07_ROLLOUT/VADM_Presentation/FY08_VADM_Constituents%20Brief_FINAL_2_7_07.pdf)].

<sup>3</sup> See for example performance ratings for NOAA’s “National Marine Fisheries Service,” at [<http://www.whitehouse.gov/omb/expectmore/summary/10000036.2002.html>].

- Proposal for an organic act that would authorize all of NOAA's programs and activities under a single law. The Administration has urged Congress to enact such a law. Although the House Science Committee reported legislation, H.R. 5450, at the end of the 109<sup>th</sup> Congress (H.Rept. 109-545), the Administration differs with Congress over agency flexibility and budget autonomy.<sup>4</sup>
- NOAA's is attempting to correct chronic problems with its satellite programs (e.g., launch schedule slippages and contractor performance). For FY2008 the President's budget prioritizes funding for Nunn-McCurdy satellite program certification, which requires reconfiguration of systems architecture and payloads so as to ensure future continuity of global weather and environmental observations. Appropriations for NOAA satellite programs may be contingent on NOAA's responsiveness and success in addressing Government Accountability Office (GAO) and others' recommendations delivered to the 109<sup>th</sup> Congress in 2006.

**NOAA Budget Priorities for FY2008.** In his FY2008 NOAA budget presentation, Administrator Lautenbacher also discussed how the President's requested funding would be prioritized at the agency. The following summarizes his statement.

***Personnel and Core Mission.*** Most administrative, custodial, and mission support-related functions are funded by NOAA Program Support (see **Table 2** below). The Administrator indicated that a total of \$51.5 million in budget adjustments would be required to cover salaries, personnel expenses, and other "core mission" requirements for FY2008, including a presidentially proposed pay increase of 3% for federal employees.

The Administrator stated that budget increases would be made possible, in part, after terminating "items of interest to Congress" that were proposed for FY2007 appropriations, or about \$30 million. To foster personnel safety at NOAA, \$1.7 million was requested for pay differential to cover expenses of rotating NOAA maritime crews more frequently (OMAO). Currently, crews are required to serve 140-day tours of duty at sea. An increase in new billets filled since FY2004 would help make this possible.

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<sup>4</sup> NOAA was created in the Department of Commerce by President Nixon with Reorganization Plan No. 4 in 1970. The plan consolidated programs from different agencies across the federal government; however, those programs have maintained their respective authorizing laws.

**Table 2. NOAA Program Support Funding Detailed**  
(\$ in millions)

NOAA PROGRAM SUPPORT	FY2006 Approp. <sup>a</sup>	FY2007 Req.	P.L. 110-5 <sup>b</sup>	FY2008 Req.
<b>Corporate Services (CS)<sup>c</sup></b>	<b>176.6</b>	<b>191.9</b>	<b>176.6</b>	<b>195.6</b>
<b>Educational Pgms. (Ed)</b>	<b>37.5</b>	<b>19.3</b>	<b>37.5</b>	<b>19.4</b>
<b>Marine &amp; Aviation Ops. (OMAO) Subtotal</b>	<b>196.1</b>	<b>150.6</b>	<b>196.1</b>	<b>160.0</b>
ORF Marine Services	95.5	93.5	95.5	112.6
Fleet Planning & Maint.	15.0	17.2	15.0	17.2
Aviation Ops.	20.9	19.2	20.9	25.8
Officers Health Care Benefits	2.0	0.0	2.0	0.0
PAC Fleet Replace/Acq.	58.7	20.7	58.7	4.4
Aircraft Replacement	4.0	0.0	4.0	0.0
<b>Facilities (FAC) Subtotal</b>	<b>57.3</b>	<b>23.5</b>	<b>57.3</b>	<b>42.2</b>
ORF Enviro. Compliance	2.4	4.5	2.4	4.1
Maint./Construction/Safety	8.5	19.0	8.5	14.8
PAC Construction	46.4	0.0	46.4	23.3
<b>Integr. Ocean Obs. Sys. (IOOS)<sup>d</sup></b>	<b>17.7</b>	<b>0.0</b>	<b>17.7</b>	<b>0.0</b>
<b>Total PS ORF</b>	<b>358.4</b>	<b>364.6</b>	<b>358.4</b>	<b>389.5</b>
<b>Total PS PAC</b>	<b>126.8</b>	<b>20.7</b>	<b>126.8</b>	<b>27.7</b>
<b>Grand Total Program Support</b>	<b>485.2</b>	<b>385.3</b>	<b>485.2</b>	<b>417.2</b>

**Source:** Compiled by CRS from NOAA, *FY2008 Budget Summary*, February 5, 2007.

a. FY2006 total includes a 1.28% rescission from P.L. 109-108 and P.L. 109-148. See Notes, **Table 1**.

b. At the subactivity level, funding for PS under P.L. 110-5 is essentially the same as that for FY2006.

c. Funding for Corporate Services (CS) includes the Offices of the Under Secretary for Commerce for Oceans and Atmosphere (USAO) and the division of Policy Formulation and Development (PFD). (All ORF.)

d. For FY2006 a PS-PAC budget subactivity was created to fund development of an Integrated Ocean Observation System (IOOS). For FY2008, funding for IOOS is requested in NOS.

**Satellites.** For FY2008, NOAA's GOES-R geostationary satellite budget would be reduced by \$80.3 million. Together with a \$26.8 million reduction from the POES-N satellites budget, a net increase of \$25 million would help prioritize launch of the POES-N Prime (N') — the last of the POES-polar orbiting satellite series — for 2009. The United States forged an agreement with the European Union's MetOp satellite program to ensure uninterrupted critical meteorological observations.

Currently, there are three GOES satellites in geostationary orbit. Two are poised over the Atlantic and Pacific Oceans for the 2007 hurricane season, while GOES-13, launched in 2006, is in "On-Orbit" storage over South America and will relieve GOES-12, deployed in 2004. Redundancy has reduced the priority of next generation GOES-R satellite deployment. The first launch of a GOES-R satellite is planned for 2014, which will provide time for advanced instrument development and testing. The NPOESS polar orbiting satellite program that replaces the POES program is back on track after "Nunn-McCurdy" certification for redesign. The United States is also gearing up for a NPOESS

Preparatory Project (NPP) and the launch of a NPP satellite at the end of 2009. The NPP satellite will test environmental data collection, management, and ground components' capabilities to support the first NPOESS-C1 satellite, whose launch is scheduled for 2013.

***Ocean Activities.*** For FY2008, a line in NOAA's budget was established for the International Ocean Observation System (IOOS) under NOS (ORF) and \$14 million was requested. The IOOS budget would fund grants for developing regional networks of remote ocean sensors, including biological sensors, that would monitor the general health of the ocean. For the first time, President Bush requested \$15 million for the Coastal, Estuarine, Land Conservation and Acquisition Program (CELCP). CELCP was funded by Congress in FY2003 as a national effort at preserving coastal natural resources and protecting marine ecosystems. In addition, NOAA would implement fisheries research and management requirements of the 2006 Magnuson-Stevens Fisheries Reauthorization Act, for which \$17.5 million is requested. The President requested \$8 million to map the extended continental shelf in the U.S. Exclusive Economic Zone (EEZ) as part of NOAA's ocean exploration efforts to identify marine resources potential in those areas. Under Program Support, \$20.3 million is requested in construction funding for renovation of the Pacific Regional Fisheries Center in Honolulu, HI. Additionally, funding of \$123 million was requested for NOAA to implement the President's 2004 *Ocean Action Plan* and would be for ocean research and U.S. fisheries management and marine conservation.

***Weather.*** In addition to priorities previously discussed concerning weather and environmental satellite continuity, NOAA would receive \$5.5 million for the operations and maintenance (O&M) of a third WP-3 Orion "hurricane hunter" that was funded by post-Katrina emergency supplemental appropriations (P.L. 109-234). This same funding source enabled the National Weather Service in FY2006 to deploy a total of 15 hurricane buoys in the Western Atlantic Basin to improve detection and characterization of tropical storms. Finally, for FY2008 the President requested funding to bring the 19 remaining tsunami detection (DART) buoys online in U.S. Pacific waters.