

109TH CONGRESS
1ST SESSION

S. 517

To establish the Weather Modification Operations and Research Board, and
for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2005

Mrs. HUTCHISON introduced the following bill; which was read twice and
referred to the Committee on Commerce, Science, and Transportation

A BILL

To establish the Weather Modification Operations and
Research Board, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Weather Modification
5 Research and Technology Transfer Authorization Act of
6 2005”.

7 **SEC. 2. PURPOSE.**

8 It is the purpose of this Act to develop and implement
9 a comprehensive and coordinated national weather modi-
10 fication policy and a national cooperative Federal and

1 State program of weather modification research and devel-
2 opment.

3 **SEC. 3. DEFINITIONS.**

4 In this Act:

5 (1) BOARD.—The term “Board” means the
6 Weather Modification Advisory and Research Board.

7 (2) EXECUTIVE DIRECTOR.—The term “Execu-
8 tive Director” means the Executive Director of the
9 Weather Modification Advisory and Research Board.

10 (3) RESEARCH AND DEVELOPMENT.—The term
11 “research and development” means theoretical anal-
12 ysis, exploration, experimentation, and the extension
13 of investigative findings and theories of scientific or
14 technical nature into practical application for experi-
15 mental and demonstration purposes, including the
16 experimental production and testing of models, de-
17 vices, equipment, materials, and processes.

18 (4) WEATHER MODIFICATION.—The term
19 “weather modification” means changing or control-
20 ling, or attempting to change or control, by artificial
21 methods the natural development of atmospheric
22 cloud forms or precipitation forms which occur in
23 the troposphere.

1 **SEC. 4. WEATHER MODIFICATION ADVISORY AND RE-**
2 **SEARCH BOARD ESTABLISHED.**

3 (a) IN GENERAL.—There is established in the De-
4 partment of Commerce the Weather Modification Advisory
5 and Research Board.

6 (b) MEMBERSHIP.—

7 (1) IN GENERAL.—The Board shall consist of
8 11 members appointed by the Secretary of Com-
9 merce, of whom—

10 (A) at least 1 shall be a representative of
11 the American Meteorological Society;

12 (B) at least 1 shall be a representative of
13 the American Society of Civil Engineers;

14 (C) at least 1 shall be a representative of
15 the National Academy of Sciences;

16 (D) at least 1 shall be a representative of
17 the National Center for Atmospheric Research
18 of the National Science Foundation;

19 (E) at least 2 shall be representatives of
20 the National Oceanic and Atmospheric Admin-
21 istration of the Department of Commerce;

22 (F) at least 1 shall be a representative of
23 institutions of higher education or research in-
24 stitutes; and

1 (G) at least 1 shall be a representative of
2 a State that is currently supporting operational
3 weather modification projects.

4 (2) TENURE.—A member of the Board serves
5 at the pleasure of the Secretary of Commerce.

6 (3) VACANCIES.—Any vacancy on the Board
7 shall be filled in the same manner as the original ap-
8 pointment.

9 (b) ADVISORY COMMITTEES.—The Board may estab-
10 lish advisory committees to advise the Board and to make
11 recommendations to the Board concerning legislation, poli-
12 cies, administration, research, and other matters.

13 (c) INITIAL MEETING.—Not later than 30 days after
14 the date on which all members of the Board have been
15 appointed, the Board shall hold its first meeting.

16 (d) MEETINGS.—The Board shall meet at the call of
17 the Chair.

18 (e) QUORUM.—A majority of the members of the
19 Board shall constitute a quorum, but a lesser number of
20 members may hold hearings.

21 (f) CHAIR AND VICE CHAIR.—The Board shall select
22 a Chair and Vice Chair from among its members.

23 **SEC. 5. DUTIES OF THE BOARD.**

24 (a) PROMOTION OF RESEARCH AND DEVELOP-
25 MENT.—In order to assist in expanding the theoretical

1 and practical knowledge of weather modification, the
2 Board shall promote and fund research and development,
3 studies, and investigations with respect to—

4 (1) improved forecast and decision-making tech-
5 nologies for weather modification operations, includ-
6 ing tailored computer workstations and software and
7 new observation systems with remote sensors; and

8 (2) assessments and evaluations of the efficacy
9 of weather modification, both purposeful (including
10 cloud-seeding operations) and inadvertent (including
11 downwind effects and anthropogenic effects).

12 (b) FINANCIAL ASSISTANCE.—Unless the use of the
13 money is restricted or subject to any limitations provided
14 by law, the Board shall use amounts in the Weather Modi-
15 fication Research and Development Fund—

16 (1) to pay its expenses in the administration of
17 this Act, and

18 (2) to provide for research and development
19 with respect to weather modifications by grants to,
20 or contracts or cooperative arrangements, with pub-
21 lic or private agencies.

22 (c) REPORT.—The Board shall submit to the Sec-
23 retary biennially a report on its findings and research re-
24 sults.

1 **SEC. 6. POWERS OF THE BOARD.**

2 (a) STUDIES, INVESTIGATIONS, AND HEARINGS.—

3 The Board may make any studies or investigations, obtain
4 any information, and hold any hearings necessary or prop-
5 er to administer or enforce this Act or any rules or orders
6 issued under this Act.

7 (b) PERSONNEL.—The Board may employ, as pro-
8 vided for in appropriations Acts, an Executive Director
9 and other support staff necessary to perform duties and
10 functions under this Act.

11 (c) COOPERATION WITH OTHER AGENCIES.—The
12 Board may cooperate with public or private agencies to
13 promote the purposes of this Act.

14 (d) COOPERATIVE AGREEMENTS.—The Board may
15 enter into cooperative agreements with the head of any
16 department or agency of the United States, an appropriate
17 official of any State or political subdivision of a State, or
18 an appropriate official of any private or public agency or
19 organization for conducting weather modification activities
20 or cloud-seeding operations.

21 (e) CONDUCT AND CONTRACTS FOR RESEARCH AND
22 DEVELOPMENT.—The Executive Director, with the ap-
23 proval of the Board, may conduct and may contract for
24 research and development activities relating to the pur-
25 poses of this section.

1 **SEC. 7. COOPERATION WITH THE WEATHER MODIFICATION**
2 **OPERATIONS AND RESEARCH BOARD.**

3 The heads of the departments and agencies of the
4 United States and the heads of any other public or private
5 agencies and institutions that receive research funds from
6 the United States shall, to the extent possible, give full
7 support and cooperation to the Board and to initiate inde-
8 pendent research and development programs that address
9 weather modifications.

10 **SEC. 8. FUNDING.**

11 (a) IN GENERAL.—There is established within the
12 Treasury of the United States the Weather Modification
13 Research and Development Fund, which shall consist of
14 amounts appropriated pursuant to subsection (b) or re-
15 ceived by the Board under subsection (c).

16 (b) AUTHORIZATION OF APPROPRIATIONS.—There is
17 authorized to be appropriated to the Board for the pur-
18 poses of carrying out the provisions of this Act
19 \$10,000,000 for each of fiscal years 2005 through 2014.
20 Any sums appropriated under this subsection shall remain
21 available, without fiscal year limitation, until expended.

22 (c) GIFTS.—The Board may accept, use, and dispose
23 of gifts or donations of services or property.

24 **SEC. 9. EFFECTIVE DATE.**

25 This Act shall take effect on October 1, 2005.