

NATIONAL INTEGRATED DROUGHT INFORMATION
SYSTEM REAUTHORIZATION ACT OF 2013

—————
FEBRUARY 6, 2014.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed
—————

Mr. SMITH of Texas, from the Committee on Science, Space, and
Technology, submitted the following

R E P O R T

[To accompany H.R. 2431]

[Including cost estimate of the Congressional Budget Office]

The Committee on Science, Space, and Technology, to whom was referred the bill (H.R. 2431) to reauthorize the National Integrated Drought Information System, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

CONTENTS

	Page
I. Amendment	2
II. Purpose and Summary	3
III. Background and Need for the Legislation	3
IV. Hearing Summary	4
V. Committee Consideration	4
VI. Committee Votes	5
VII. Summary of Major Provisions of the Bill	7
VIII. Committee Views	7
IX. Committee Oversight Findings	7
X. Statement on General Performance Goals and Objectives	8
XI. New Budget Authority, Entitlement Authority, and Tax Expenditures	8
XII. Advisory on Earmarks	8
XIII. Committee Cost Estimate	8
XIV. Congressional Budget Office Cost Estimate	8
XV. Federal Mandates Statement	10
XVI. Compliance with House Resolution 5	10
XVII. Federal Advisory Committee Statement	10
XVIII. Applicability to Legislative Branch	10
XIX. Section-by-Section Analysis of the Legislation	10
XX. Changes in Existing Law Made by the Bill, As Reported	11
XXI. Proceedings of the Full Committee Markup	14

I. AMENDMENT

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “National Integrated Drought Information System Reauthorization Act of 2013”.

SEC. 2. NIDIS PROGRAM AMENDMENTS.

Section 3 of the National Integrated Drought Information System Act of 2006 (15 U.S.C. 313d) is amended—

(1) in subsection (a), by inserting before the period at the end the following: “to better inform and provide for more timely decisionmaking to reduce drought related impacts and costs”;

(2) by striking subsection (b) and inserting the following:

“(b) **SYSTEM FUNCTIONS.**—The National Integrated Drought Information System shall—

“(1) provide an effective drought early warning system that—

“(A) collects and integrates information on the key indicators of drought and drought impacts in order to make usable, reliable, and timely forecasts of drought, including assessments of the severity of drought conditions and impacts; and

“(B) provides such information, forecasts, and assessments on both national and regional levels;

“(2) communicate drought forecasts, drought conditions, and drought impacts on an ongoing basis to public and private entities engaged in drought planning and preparedness, including—

“(A) decisionmakers at the Federal, regional, State, tribal, and local levels of government;

“(B) the private sector; and

“(C) the public;

“(3) provide timely data, information, and products that reflect local, regional, and State differences in drought conditions;

“(4) coordinate, and integrate as practicable, Federal research and monitoring in support of a drought early warning system;

“(5) build upon existing forecasting and assessment programs and partnerships, including through the designation of one or more cooperative institutes to assist with National Integrated Drought Information System functions; and

“(6) continue ongoing research and monitoring activities related to drought, including research activities relating to length, severity, and impacts of drought and the role of extreme weather events and climate variability in drought.”; and

(3) by adding at the end the following:

“(e) **REPORT.**—

“(1) **IN GENERAL.**—Not later than 18 months after the date of enactment of the National Integrated Drought Information System Reauthorization Act of 2013, the Under Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains—

“(A) an analysis of the implementation of the National Integrated Drought Information System program, including how the information, forecasts, and assessments are utilized in drought policy planning and response activities;

“(B) specific plans for continued development of such program, including future milestones; and

“(C) an identification of research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings that include—

“(i) the length and severity of droughts;

“(ii) the contribution of weather events to reducing the severity or ending drought conditions; and

“(iii) regionally specific drought impacts.

“(2) **CONSULTATION.**—In developing the report under paragraph (1), the Under Secretary shall consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.”.

SEC. 3. AUTHORIZATION OF APPROPRIATIONS.

Section 4 of such Act (15 U.S.C. 313d note) is amended to read as follows:

“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out this Act \$13,500,000 for each of fiscal years 2014 through 2018.”.

II. PURPOSE AND SUMMARY

The purpose of H.R. 2431, sponsored by Rep. Ralph Hall, is to reauthorize the National Integrated Drought Information System Act (NIDIS). H.R. 2431 modifies existing language to distinguish between the function of the NIDIS program in general and the early warning system. It also requires the Undersecretary to submit a report detailing the implementation of the NIDIS program.

III. BACKGROUND AND NEED FOR THE LEGISLATION

Drought has afflicted portions of North America for thousands of years, and continues to impact substantial portions of the United States. As of January 28, 2014, more than 35 percent of the contiguous U.S. was experiencing moderate to exceptional drought conditions. For significant periods in 2012 and 2013, more than half of the country was in a drought.¹ Consequently, the coordination of resources to effectively manage drought is critical. In a 2013 report by the Congressional Research Service, drought’s impact on North America is described:

Drought often results in agricultural losses, which can have local, regional, and national effects. It also can affect other industries and services, including power and energy resource production, navigation, recreation, municipal water supplies, and natural resources such as fisheries, aquatic species, and water quality. How to address these impacts is an often recurring issue for Congress. Addressing drought on an emergency basis is costly to individuals, communities, and businesses. Additionally, millions and sometimes billions of dollars in federal assistance can be expended in response to drought’s social consequences. Thus, another recurrent policy issue is how to prepare and mitigate future drought impacts and how to do so efficiently across the many federal agencies with various and sometimes overlapping drought responsibilities.²

The NIDIS program is housed within the Office of Oceanic and Atmospheric Research at the National Oceanic and Atmospheric Administration (NOAA). The goal of NIDIS is to “improve the nation’s capacity to proactively manage drought-related risks, by providing those affected with the best available information and tools to assess the potential impacts of drought, and to better prepare for and mitigate the effects of drought.”³ In support of these goals, NOAA conducted workshops with federal, state, and local agencies, academic researchers, and other stakeholders to solicit input on how to develop a path forward. This culminated in the 2007 NIDIS Implementation Plan, which outlined the governance structure, pri-

¹ <http://droughtmonitor.unl.edu/DataArchive/Tables.aspx>.

² Congressional Research Service. Drought in the United States: Causes and Issues for Congress. RL34580. April 22, 2013.

³ The National Integrated Drought Information System Implementation Plan: A Pathway for National Resilience,” June 2007. Accessible at: <http://www.drought.gov/pdf/NIDIS-IPFinal-June07.pdf>.

orities, and operational requirements needed to meet the Program’s objectives.

In support of the overall program goals, the NIDIS Program is engaged in the collection, consolidation, and dissemination of drought-related data and information on an ongoing basis. The Program develops “a suite of usable drought decision support tools focused on critical management indicators, thresholds and triggers, and engages and enables proactive planning by those affected by drought.”⁴ In this function, NIDIS acts as a data clearinghouse, and works to develop and actively support a collaborative framework between researchers and managers. The Program also conducts knowledge assessments to “determine where major drought-information gaps occur and where research improvements are needed” as well as to “coordinate capabilities among those conducting research and research activities.”⁵

The NIDIS Program developed and currently operates the U.S. Drought Portal, a website that features a range of services related to drought, including historical data on past droughts, current data from climate observations, early warnings about emerging and potential droughts, decision support services for managing droughts, and a forum for stakeholders to discuss drought-related issues.⁶

IV. HEARING SUMMARY

The Environment Subcommittee held a roundtable on H.R. 2431 and NIDIS on October 2, 2013. The purpose of the roundtable was to examine the state of drought forecasting, monitoring, and decision-making and the role of the National Integrated Drought Information System (NIDIS) in drought planning.

The Subcommittee received testimony from: Mr. J.D. Strong, Executive Director, Oklahoma Water Resources Board; and Dr. Donald Wilhite, Professor, School of Natural Resources, University of Nebraska.

The Committee also held a hearing reviewing the NIDIS program on July 25, 2012, on drought forecasting, monitoring, and decision-making at which witnesses discussed substantially similar draft legislation. The Committee heard testimony from: Dr. Roger S. Pulwarty, the Director of the National Integrated Drought Information System at the National Oceanic and Atmospheric Administration; The Honorable Gregory A. Ballard, the Mayor of Indianapolis; Mr. J.D. Strong, the Executive Director of the Oklahoma Water Resources Board; Dr. James Famiglietti, Professor and Director of Earth System Science at the University of California, Irvine; and Ms. Patricia Langenfelder, President of the Maryland Farm Bureau.

V. COMMITTEE CONSIDERATION

On June 19, 2013, H.R. 2431, the “National Integrated Drought Information System Reauthorization Act of 2013” was introduced

⁴ Roger Pulwarty, Fall 2011 NIDIS Drought Research Special Issue, “Coping with Drought: Research in Support of NIDIS” Volume 2, Issue 2. Accessible at: http://drought.gov/imageserver/NIDIS/newsletter/Fall_2011_Research_Special_Issue.pdf.

⁵ *Ibid.*

⁶ NOAA Climate Program Office, National Integrated Drought Information System. Accessible at: http://www.cpo.noaa.gov/cpo_pa/nidis/pdf/NIDIS_Feb17.pdf.

by Rep. Ralph Hall and referred to the Committee on Science, Space, and Technology.

On December 5, 2013, the Committee on Science, Space, and Technology met in open markup session and adopted H.R. 2431, as amended, by voice vote. Further, the Committee ordered H.R. 2431 favorably reported to the House, as amended, by voice vote.

VI. COMMITTEE VOTES

Clause 3(b) of rule XIII of the Rules of the House of Representatives requires the Committee to list the record votes on the motion to report legislation and amendments thereto. A motion to order H.R. 2431 favorably reported to the House, as amended, was agreed to by voice vote.

During Full Committee consideration of H.R. 2431, the following amendments were considered:

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
Full Committee Markup
December 5, 2013

AMENDMENT ROSTER

H.R. 2431, the "National Integrated Drought Information System Reauthorization Act of 2013"

No.	Amendment	Summary	
1	Amendment to H.R. 2431 Offered by Mr. Swalwell (CA) Ms. Wilson (FL) (025)	Includes activities relating to length, severity, and impacts of drought and the role of extreme weather events and climate variability as part of the ongoing NIDIS research activities.	Agreed to by Voice Vote
2	Amendment to H.R. 2431 Offered by Ms. Bonamici (OR) (001)	Increasing the authorization amounts by \$1 million from \$13.5 million to \$14.5 million	Not Agreed to by Voice Vote

VII. SUMMARY OF MAJOR PROVISIONS OF THE BILL

NIDIS Program Amendments: The bill modifies existing language to distinguish between the function of the NIDIS program in general and the early warning system specifically. It also adds a new subsection (e) which requires the Undersecretary of Commerce to provide the Committee with a report 18 months after enactment. This report is required to: (1) include an analysis of the implementation of NIDIS, including how the information, forecasts, and assessments are utilized in drought planning policy and response activities; (2) describe specific plans, including future milestones, for continued development of such programs; and (3) identify research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings.

Authorization: H.R. 2431 amends Section 4 of the 2006 NIDIS Act to authorize appropriations for each of fiscal years 2014 through 2018.

VIII. COMMITTEE VIEWS

H.R. 2431 would help prioritize and protect important investments that improve the development and dissemination of useful drought information. As NOAA implements these improvements to the National Integrated Drought Information System, the Committee expects NOAA to continue leveraging existing information, systems and expertise to provide accurate forecasts and early warnings for the United States. The Committee intends the bill's coordination provisions to streamline and enhance NIDIS' inter-agency, intergovernmental, and public-private collaboration, including through codifying existing partnerships with cooperative institutes.

Not later than 18 months after the date of enactment of this Act, the legislation requires NOAA, in consultation with federal, regional, state, tribal, and local government agencies, research institutions, and the private sector, to produce a report, that includes an analysis of the implementation of NIDIS, including specifically how forecasts and assessments are utilized in drought planning policy and response activities. The report will also help to inform specific plans and milestones for continued development. Finally, the report will identify research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings, as well as the severity and length of present droughts. The report shall be made widely available to stakeholders and the public, as well as be provided to the House Committee on Science, Space, and Technology and the Senate Committee on Commerce, Science, and Transportation.

IX. COMMITTEE OVERSIGHT FINDINGS

Pursuant to clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee held an oversight hearing and made findings that are reflected in the descriptive portions of this report.

X. STATEMENT ON GENERAL PERFORMANCE GOALS AND OBJECTIVES

In accordance with clause 3(c)(4) of rule XIII of the Rules of the House of Representatives, the performance goals and objectives of the Committee are reflected in the descriptive portions of this report, including the goal to prioritize and protect important investments that improve the development and dissemination of useful drought information.

XI. NEW BUDGET AUTHORITY, ENTITLEMENT AUTHORITY, AND TAX EXPENDITURES

In compliance with clause 3(c)(2) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the estimate of new budget authority, entitlement authority, or tax expenditures or revenues contained in the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

XII. ADVISORY ON EARMARKS

In compliance with clause 9(e), 9(f), and 9(g) of rule XXI, the Committee finds that H.R. 2431, the “National Integrated Drought Information System Reauthorization Act of 2013”, contains no earmarks.

XIII. COMMITTEE COST ESTIMATE

The Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974.

XIV. CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

Pursuant to clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the following is the cost estimate provided by the Congressional Budget Office pursuant to section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, December 20, 2013.

Hon. LAMAR SMITH,
*Chairman, Committee on Science, Space, and Technology,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 2431, the National Integrated Drought Information System Reauthorization Act of 2013.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jeff LaFave.

Sincerely,

DOUGLAS W. ELMENDORF.

Enclosure.

H.R. 2431—National Integrated Drought Information System Reauthorization Act of 2013

Summary: H.R. 2431 would amend the National integrated Drought information System Act of 2006. The bill, would authorize the appropriation of \$13.5 million annually over the 2014–2018 period for the National Oceanic and Atmospheric Administration (NOAA) to maintain a system to provide early warnings of droughts by collecting and disseminating information and coordinating research on drought conditions.

Assuming appropriation of the authorized amounts, CBO estimates that implementing the legislation would cost \$60 million over the 2014–2018 period and \$8 million after 2018. Enacting H.R. 2431 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

H.R. 2431 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 2431 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—					
	2014	2015	2016	2017	2018	2014–2018
CHANGES IN SPENDING SUBJECT TO APPROPRIATION.						
Authorization Level	14	14	14	14	14	68
Estimated Outlays	9	11	13	14	14	60

Note: Amounts may not sum to totals because of rounding.

Basis of estimate: For this estimate, CBO assumes that the legislation will be enacted early in 2014 and that the authorized amounts will be appropriated for each fiscal year. Estimated outlays are based on historical spending patterns for this program. Although funds have probably been appropriated through January 15, 2014, to conduct activities authorized under the bill, CBO cannot identify those amounts because NOAA has not yet allocated its 2014 appropriations for those activities.

Pay-As-You-Go Considerations: None.

Intergovernmental and private-sector impact: H.R. 2431 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments.

Previous CBO estimate: On September 5, 2013, CBO transmitted a cost estimate for S. 376, the Drought Information Act of 2013, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on July 30, 2013. The two bills are similar; however, the Senate version of the bill would authorize the appropriation of \$14.5 million a year over the 2014–2018 period. The CBO cost estimates reflect that difference.

Estimate prepared by: Federal costs: Jeff LaFave; Impact on state, local, and tribal governments: Melissa Merrell; Impact on the private sector: Amy Petz.

Estimate approved by: Theresa Gullo, Deputy Assistant Director for Budget Analysis.

XV. FEDERAL MANDATES STATEMENT

The Committee adopts as its own the estimate of Federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the Unfunded Mandates Reform Act.

XVI. COMPLIANCE WITH H. RES. 5

A. Directed Rule Making. This bill does not direct any executive branch official to conduct any specific rule-making proceedings.

B. Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

XVII. FEDERAL ADVISORY COMMITTEE STATEMENT

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

XVIII. APPLICABILITY TO LEGISLATIVE BRANCH

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act.

XIX. SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This section establishes the short title of the bill as “The National Integrated Drought Information System Reauthorization Act of 2013”.

Section 2. NIDIS Program amendments

This section adds to the purpose of the NIDIS program “to better inform and provide for more timely decision making to reduce drought related impacts and costs.”

Section 2 modifies existing language to distinguish between the function of the NIDIS program in general and the early warning system specifically. The functions are largely the same as those in existing law, reorganized to reflect the distinction. The only additional function is to allow NIDIS to “continue ongoing research activities related to drought.” Section 2 reestablishes NIDIS system functions including building upon forecasting and assessment partnerships and the designation of one or more cooperative institutes to assist with NIDIS functions.

Section 2 also adds a new subsection (e) which requires the Undersecretary of Commerce to provide the Committee with a report 18 months after enactment. This report should (i) include an analysis of the implementation of NIDIS, including how the information, forecasts, and assessments are utilized in drought planning policy and response activities; (ii) describe specific plans, including

future milestones, for continued development of such programs; and (iii) identify research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings, the length and severity of droughts, and the contribution of weather events to reducing or ending drought conditions. In developing this report, the Undersecretary is also required to consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.

Section 3. Authorization of appropriations

Section 3 amends Section 4 of the 2006 Act to authorize appropriations for each of fiscal years 2014 through 2018.

XX. CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

**NATIONAL INTEGRATED DROUGHT INFORMATION
SYSTEM ACT OF 2006**

* * * * *

SEC. 3. NIDIS PROGRAM.

(a) **IN GENERAL.**—The Under Secretary, through the National Weather Service and other appropriate weather and climate programs in the National Oceanic and Atmospheric Administration, shall establish a National Integrated Drought Information System *to better inform and provide for more timely decisionmaking to reduce drought related impacts and costs.*

[(b) SYSTEM FUNCTIONS.—The National Integrated Drought Information System shall—

[(1) provide an effective drought early warning system that—

[(A) is a comprehensive system that collects and integrates information on the key indicators of drought in order to make usable, reliable, and timely drought forecasts and assessments of drought, including assessments of the severity of drought conditions and impacts;

[(B) communicates drought forecasts, drought conditions, and drought impacts on an ongoing basis to—

[(i) decisionmakers at the Federal, regional, State, tribal, and local levels of government;

[(ii) the private sector; and

[(iii) the public,

in order to engender better informed and more timely decisions thereby leading to reduced impacts and costs; and

[(C) includes timely (where possible real-time) data, information, and products that reflect local, regional, and State differences in drought conditions;

[(2) coordinate, and integrate as practicable, Federal research in support of a drought early warning system; and

[(3) build upon existing forecasting and assessment programs and partnerships.]

(b) *SYSTEM FUNCTIONS.*—*The National Integrated Drought Information System shall—*

(1) *provide an effective drought early warning system that—*

(A) *collects and integrates information on the key indicators of drought and drought impacts in order to make usable, reliable, and timely forecasts of drought, including assessments of the severity of drought conditions and impacts; and*

(B) *provides such information, forecasts, and assessments on both national and regional levels;*

(2) *communicate drought forecasts, drought conditions, and drought impacts on an ongoing basis to public and private entities engaged in drought planning and preparedness, including—*

(A) *decisionmakers at the Federal, regional, State, tribal, and local levels of government;*

(B) *the private sector; and*

(C) *the public;*

(3) *provide timely data, information, and products that reflect local, regional, and State differences in drought conditions;*

(4) *coordinate, and integrate as practicable, Federal research and monitoring in support of a drought early warning system;*

(5) *build upon existing forecasting and assessment programs and partnerships, including through the designation of one or more cooperative institutes to assist with National Integrated Drought Information System functions; and*

(6) *continue ongoing research and monitoring activities related to drought, including research activities relating to length, severity, and impacts of drought and the role of extreme weather events and climate variability in drought.*

* * * * *

(e) *REPORT.*—

(1) *IN GENERAL.*—*Not later than 18 months after the date of enactment of the National Integrated Drought Information System Reauthorization Act of 2013, the Under Secretary shall transmit to the Committee on Science, Space, and Technology of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report that contains—*

(A) *an analysis of the implementation of the National Integrated Drought Information System program, including how the information, forecasts, and assessments are utilized in drought policy planning and response activities;*

(B) *specific plans for continued development of such program, including future milestones; and*

(C) *an identification of research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings that include—*

(i) *the length and severity of droughts;*

(ii) *the contribution of weather events to reducing the severity or ending drought conditions; and*

(iii) *regionally specific drought impacts.*

(2) *CONSULTATION.*—*In developing the report under paragraph (1), the Under Secretary shall consult with relevant Fed-*

eral, regional, State, tribal, and local government agencies, research institutions, and the private sector.

[SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

[There are authorized to be appropriated to carry out this Act—

- [(1) \$11,000,000 for fiscal year 2007;**
- [(2) \$12,000,000 for fiscal year 2008;**
- [(3) \$13,000,000 for fiscal year 2009;**
- [(4) \$14,000,000 for fiscal year 2010;**
- [(5) \$15,000,000 for fiscal year 2011; and**
- [(6) \$16,000,000 for fiscal year 2012.]**

SEC. 4. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to carry out this Act \$13,500,000 for each of fiscal years 2014 through 2018.

XXI. PROCEEDINGS OF THE FULL COMMITTEE MARKUP ON H.R. 2431, THE NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM REAUTHORIZATION ACT OF 2013

THURSDAY, DECEMBER 5, 2013

HOUSE OF REPRESENTATIVES,
COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY,
WASHINGTON, DC.

The Committee met, pursuant to call, at 9:08 a.m., in Room 2318 of the Rayburn House Office Building, Hon. Lamar Smith [Chairman of the Committee] presiding.

Chairman SMITH. The Committee on Science, Space and Technology will come to order. Without objection, the Chair is authorized to declare recesses of the Committee at any time. Pursuant to Committee Rule 2F and House Rule 112(h)(4), the Chair announces that he may postpone roll call votes. Now, I will recognize myself in opening statement.

The Science, Space and Technology Committee today meets to mark up four bills, H.R. 2413, the Weather Forecasting Improvement Act of 2013 offered by Mr. Bridenstine of Oklahoma, H.R. 2431, the National Integrated Drought Information System Reauthorization Act of 2013, sponsored by Mr. Hall of Texas, H.R. 2981, the Technology and Research Accelerating National Security and Future Economic Resiliency Act of 2013, or TRANSFER Act, sponsored by Mr. Collins of New York, and H.R. 3625, offered by Mr. Brooks of Alabama, which provides for termination liability costs for certain high priority NASA projects. Each of the bill sponsors will explain their bill in more detail shortly. But let me offer my views on each very briefly.

Mr. Bridenstine's weather forecasting bill protects lives and property through improved weather research to better forecast warnings of tornadoes and hurricanes. Now, I want to compliment Mr. Bridenstine for working with Environment Subcommittee Chairman Chris Stewart and Ranking Member Suzanne Bonamici in drafting a bipartisan amendment which strengthens this bill.

Our second bill is H.R. 2431, the National Integrated Drought Information System Reauthorization Act of 2013 by Mr. Hall. And I thank the gentleman for his persistent leadership over the years on this issue. Droughts in Texas and elsewhere had been severe, and the NIDIS program has helped state and local governments, farm-

ers, ranchers and others both monitor and predict drought conditions. A companion bill has already been reported by the Senate Commerce Committee. The goal is to reach an agreement with our Senate counterparts so we can put this bipartisan bill on the President's desk early next year.

Our third bill, the TRANSFER Act, sponsored by Mr. Collins of New York, has bipartisan co-sponsors and many endorsements. The bill accelerates the transition of technology developed at universities, Federal laboratories and non-profit research institutions to the private sector. Mr. Collins has himself started several small businesses and currently chairs the Small Business Health and Technology Subcommittee. His personal experience has made him a champion for small businesses.

Finally, our fourth bill sponsored by Mr. Brooks of Alabama protects funding for key NASA programs. It also frees up over half a billion dollars in funding that Congress already provided the agency toward the development of the space launch system, an Orion crew vehicle and space station operations. Unfortunately, NASA's chief financial officer decided to change NASA's rules on termination liability three years ago from the way NASA managed termination liability for over 50 years. We need to fix this situation with this bill. These funds will be freed up to do what Congress intended, develop these high priority NASA programs. With an amendment to be sponsored by Ms. Edwards that I support, we have bipartisan support for Mr. Brooks' bill to address NASA termination liability. And I want to thank Mr. Brooks for his initiative on this issue, along with Space Subcommittee Chairman Steve Palazzo who also sought to address this issue with the NASA reauthorization bill.

All four bills provide bipartisan commonsense solutions that will keep America competitive and on the forefront of innovation. So I urge my colleagues to support all the bills.

[The prepared statement of Mr. Smith follows:]

PREPARED STATEMENT OF CHAIRMAN LAMAR SMITH

The Science, Space, and Technology Committee meets today to mark-up four bills:

- H.R. 2413, the "Weather Forecasting Improvement Act of 2013," offered by Mr. Bridenstine of Oklahoma;
- H.R. 2431, the "National Integrated Drought Information System Reauthorization Act of 2013," sponsored by Mr. Hall of Texas;
- H.R. 2981, the "Technology and Research Accelerating National Security and Future Economic Resiliency Act of 2013," or TRANSFER Act, sponsored by Mr. Collins of New York; and
- H.R. 3625, offered by Mr. Brooks of Alabama, which provides for termination liability costs for certain hi-priority NASA projects.

Each of the bills' sponsors will explain their bill in more detail shortly, but let me offer my views on each.

Mr. Bridenstine's weather forecasting bill protects lives and property through improved weather research to better forecast warnings of tornadoes and hurricanes.

I want to compliment Mr. Bridenstine for working with Environment Subcommittee Chairman Chris Stewart and Ranking Member Suzanne Bonamici in drafting a bipartisan amendment that strengthens this bill.

Our second bill today is H.R. 2431, The National Integrated Drought Information System Reauthorization Act of 2013, offered by Mr. Hall of Texas. I thank the gentleman for his persistent leadership over the years on this issue.

Droughts in Texas have been severe, and the NIDIS [pronounced NEYE-Diss] program has helped state and local governments, farmers, ranchers, and others both monitor and predict drought conditions.

A companion bill has already been reported by the Senate Commerce Committee. The goal is to reach an agreement with our Senate counterparts so we can put this bipartisan bill on the President's desk early next year.

Our third bill, the TRANSFER Act, sponsored by Mr. Collins of New York has bipartisan cosponsors and many endorsements.

This bill accelerates the transition of technology developed at universities, federal laboratories and non-profit research institutions to the private sector. Mr. Collins has himself started several small businesses and currently chairs the Small Business Health and Technology Subcommittee. His personal experiences make him a champion for small businesses.

Finally, our fourth bill, sponsored by Mr. Brooks of Alabama, protects funding for key NASA programs. It also frees up over half a billion dollars in funding that Congress already provided the agency toward the development of the Space Launch System and Orion Crew Vehicle and Space Station operations.

Unfortunately, NASA's Chief Financial Officer decided to change NASA's rules on termination liability three years ago from the way NASA managed termination liability for over 50 years. We seek to fix this situation with this bill.

These funds will be freed up to do what Congress intended—develop these high-priority NASA programs.

With an amendment to be sponsored by Ms. Edwards that I support, we have bipartisan support for Mr. Brooks' bill to address NASA termination liability.

I want to thank Mr. Brooks for his initiative on this issue, along with Space Subcommittee Chairman Steve Palazzo, who also sought to address this issue with the NASA authorization bill.

All four bills provide bipartisan common-sense solutions that will keep America competitive and on the forefront of innovation. I urge my colleagues to support all four bills.

Chairman SMITH. I now recognize the Ranking Member, the gentlewoman from Texas, Ms. Johnson, for her opening statement.

Ms. JOHNSON. Thank you very much, Mr. Chairman. And I do apologize for whatever this voice may come out to be this morning. Today, we are marking up four relatively bipartisan bills, and it is my hope that they will be even more bipartisan after today's markup.

First, we have H.R. 2413, the Weather Forecasting Improvement Act of 2013. Weather forecasting and weather research are issues that should be truly bipartisan. And I am very pleased that with the addition of the Manager's Amendment, we now have a bill that we can receive bipartisan support. As amended, this will be a strong bill, and it will improve weather forecasting at NOAA. And I urge my colleagues to support it. One of the things that we learned as we received expert advice on this legislation is that weather research can be strengthened but that we cannot do it at the expense of ocean or climate research. These are all pieces of the same puzzle. The progress in all of these areas is necessary for progress in any single area. This bill would improve weather research at NOAA and better integrate that research within the forecasting community. And it accomplishes this without harming the other important work that NOAA does. I want to especially commend environmental—Environment Subcommittee Chairman Mr. Stewart, Ranking Member Ms. Bonamici, and the bill's sponsor, Mr. Bridenstine, for their cooperative spirit and hard work that got us to where we are today. I hope that we can use this process as a model for future bipartisan legislative action.

Next, we have 2431, the National Integrated Drought Information System Reauthorization Act of 2013. This vital program was originated by my friend and former Chairman, Mr. Ralph Hall, in

2006. The program provides critical draft—drought information to communities all across our nation. Over the past three decades, it is estimated that droughts have cost our country hundreds of billions of dollars in economic impacts. Loss estimates from the 2012 drought alone amount upwards of \$17 billion. Moreover, the effects of climate change are anticipated to exacerbate this problem in many parts of our country, including in our home State of Texas. In the light of the scope of the economic impacts of drought and the potential of the NIDIS programs that lessen these impacts, I am concerned that we are cutting the program's authorization level. My colleague from Oregon has an amendment to modestly increase the authorization levels, and I plan on supporting that amendment and urge my others to do as well.

The next bill being considered is H.R. 2981, the TRANSFER Act, a bipartisan bill introduced by Mr. Collins and Mr. Kilmer that will help accelerate the commercialization of federally funded research. Our investment in basic research has led to incredible discoveries that improve our lives. But identifying and moving those ideas into the marketplace is not an easy task. In today's economy, private capital is even harder to come by, especially for unproven technologies. This is where the TRANSFER Act can make an impact. It can move good ideas and technologies further along the path toward commercialization. It can help spur the creation of new startups and spinoffs, and help those new businesses succeed by providing resources, and maybe even more importantly, advice and services. I would like to commend my colleagues for their hard work to improve technology transfer.

Now, just recently, the small business community has raised some concerns over how the TRANSFER Act is funded. While I strongly support the thrust of this bill, I do want to emphasize that these concerns will need to be addressed in order for this bill to move forward. I am a little concerned that we are rushing to mark this bill up without having first identified a viable path forward on this issue. This bill was crafted by a committee, and it also was referred to this Small Business Committee. Kicking this bill over to the Small Business Committee without having identified a funding fix seems like a recipe for inaction. I hope we can continue to work on this issue and ultimately get this bill enacted. But I am concerned that rushing the bill to markup today will not make this any easier.

Finally, we consider H.R. 3625, to provide for termination liability costs for certain National Aeronautic and Space Administration projects. This bill makes necessary changes to the way in which NASA accounts for termination costs in their flagship programs. When Congress funds spacecraft development, we want the funding to go to spacecraft development. We don't want sufficient portions of the funding to be aside—set aside for just in case money for potential termination costs. Unfortunately, this requires a legislative fix because the Anti-Deficiency Act requires some reserves. And, frankly, NASA is unable to float these reserves anymore due to the tight budgetary times we are in. I look forward to a productive markup today. And I yield back. Thank you. [The prepared statement of Ms. Johnson follows:]

PREPARED STATEMENT OF RANKING MEMBER EDDIE BERNICE JOHNSON

Thank you Mr. Chairman. Today we are marking up four relatively bipartisan bills, and it is my hope that they will be even more bipartisan after today's markup.

First we have H.R. 2413, the Weather Forecasting Improvement Act of 2013.

Weather forecasting and weather research are issues that should truly be bipartisan, and I'm very pleased that with the addition of the manager's amendment, we now have a bill that will receive bipartisan support. As amended, this will be a strong bill, and it will improve weather forecasting at NOAA, and I urge my colleagues to support it.

One of the things that we learned as we received expert advice on this legislation is that weather research can be strengthened, but that we cannot do it at the expense of ocean or climate research. These are all pieces of the same puzzle, and progress in all of these areas is necessary for progress in any single area.

This bill will improve weather research at NOAA and better integrate that research with the forecasting community, and it accomplishes this without harming the other important work that NOAA does.

I want to especially commend Environment Subcommittee Chairman Stewart, Ranking Member Bonamici, and the bill sponsor Mr. Bridenstine for their cooperative spirit and hard work that got us to where we are today. I hope that we can use this process as a model for future bipartisan legislative action.

Next we have H.R. 2431, the National Integrated Drought Information System Reauthorization Act of 2013.

This vital program was originated by my friend and former Committee Chairman Ralph Hall in 2006. The program provides critical drought information to communities all across our Nation.

Over the past three decades it is estimated that droughts have cost our country hundreds of billions of dollars in economic impacts. Loss estimates from the 2012 drought alone run upwards of 70 billion dollars. Moreover, the effects of climate change are anticipated to exacerbate this problem in many parts of our country, including in my home state of Texas.

In light of the scope of the economic impacts of drought, and the potential of the NIDIS program to lessen these impacts, I am concerned that we are cutting the program's authorization level. My colleague from Oregon has an amendment to modestly increase the authorization levels, and I plan on supporting that amendment, and urge others to do so as well.

The next bill being considered is H.R. 2981, the TRANSFER Act, a bipartisan bill introduced by Mr. Collins and Mr. Kilmer that would help accelerate the commercialization of federally funded research.

Our investment in basic research has led to incredible discoveries that improve our lives, but identifying and moving those ideas into the marketplace is not an easy task. In today's economy private capital is even harder to come by, especially for unproven technologies.

This is where the TRANSFER Act can make an impact. It can move good ideas and technologies further along the path toward commercialization. It can help spur the creation of new start-ups and spin-offs and help those new businesses succeed by providing resources-and maybe even more importantly- advice and services. I'd like to commend my colleagues for their hard work to improve technology transfer.

Now, just recently the small business community has raised some concerns over how the TRANSFER Act is funded. While I strongly support the thrust of this bill, I do want to emphasize that these concerns will need to be addressed in order for this bill to move forward. I'm a little concerned that we are rushing to mark up this bill without having first identified a viable path forward on this issue.

This bill was crafted by our Committee, but it also was referred to the Small Business Committee. Kicking this bill over to the Small Business Committee without having identified a funding fix seems like a recipe for inaction. I hope we can continue to work on this issue and ultimately get this bill enacted, but I'm concerned that rushing the bill to markup today will not make this any easier.

Finally, we will consider H.R. 3625, To provide for termination liability costs for certain National Aeronautics and Space Administration projects. This bill makes necessary changes to the way in which NASA accounts for termination costs in their flagship programs.

When Congress funds spacecraft development, we want the funding to go to spacecraft development. We don't want significant portions of the funding to be set aside as "just in case" money for potential termination costs. Unfortunately, this requires a legislative fix because the Anti-Deficiency Act requires some reserves, and frankly, NASA is unable to float these reserves anymore due to the tight budgetary times we are in.

I look forward to a productive markup today, and I yield back.

Chairman SMITH. Okay. Next bill, pursuant to notice, I now call up H.R. 2431, introduced by Mr. Hall, the National Integrated Drought Information System Reauthorization Act of 2013. And the Clerk will report the bill.

The CLERK. H.R. 2431 to reauthorize the National Integrated Drought Information System in the—

[H.R. 2431 appears in Appendix I]

Chairman SMITH. Without objection, the bill will be considered as read, and the gentleman from Texas, the Chairman Emeritus is recognized to explain the bill.

Mr. HALL. Thank you, Mr. Chairman, and thank you for holding today's markup of H.R. 2431. As others have designated their bills, this is a bipartisan bill to reauthorize the National Integrated Drought Information System, or NIDIS.

On October the 2nd, the Committee held a roundtable discussion with NIDIS experts in lieu of a subcommittee hearing due to the temporary government shutdown. I would like to take this opportunity to briefly provide some background about NIDIS for those members who were unable to participate. In 1998, Congress passed the National Drought Policy Act, establishing the National Drought Policy Commission to provide advice and recommendations on Federal policies relating to droughts. The concept of creating a national drought monitoring and information system was proposed by the commission in its 2000 report.

In 2004, the Western Governors' Association released its report envisioning establishment of NIDIS. The Western Governors' Association continues to be one of the program's strongest advocates. With the Chairman's permission, I have a letter of support for H.R. 2431 from Mr. James Ogsbury, the Association's Executive Director, that I would like to submit for the record. Without objection, I am sure.

Chairman SMITH. I am sorry, Mr. Hall. Without objection, sir.

[The information appears in Appendix II]

Mr. HALL. Good. Thank you. I knew almost you were going to say that. And I have a letter of support from Todd Sando, President of the Association of Western State Engineers, and a resolution of support from the Western States Water Counsel. With the Chairman's permission, I would like to submit these letter for the record.

Chairman SMITH. Without—

Mr. HALL. Did I hear objection?

Chairman SMITH. Without objection, so ordered.

[The information appears in Appendix II]

Mr. HALL. All right, sir. I was pleased to work with the Western Governors' Association, along with former Congressman and now with Senator Mark Udall to introduce a NIDIS Act of 2006, which Congress passed and became public law. Rather than creating a new government bureaucracy, NIDIS represented a collaborative framework between Federal states and academic partners. NIDIS is administered within the Office of Oceanic and Atmospheric Research at NOAA.

The NIDIS plan included developing U.S. drought portal www.drought.gov. This website has become a valuable resource for decision makers at the federal, state and local level. The website

provides current data from climate observations, early warnings about emerging and potential droughts, and support services for managing droughts.

One of the features of the drought portal is the U.S. drought monitor, a map that blends drought measurements with expert's best judgments. This map is updated every week. The monitor is produced by a rotating group of authors from the U.S. Department of Agriculture, NOAA and the National Drought Mitigation Center. I have a slide to be displayed on the committee screen of the most recent drought monitor map dated November 26. This is a map that local officials and stakeholders use for the most up to date information on drought conditions. Supporting data indicate that 56 percent of the U.S. is currently experiencing abnormally dry to exceptionally dry conditions. Through NIDIS, NOAA also is building a network of early warning systems, and is continuing to work with local research managers. NIDIS is an example of a program that is working effectively, and it has broad support.

The NIDIS authorization expired last year. And this bipartisan bill, H.R. 2431, reauthorizes the program from 2014 through 2018 in the amount of 13.5 million per year, reflecting current program costs and funding levels. This bill encourages further development of regional early warning systems and research, monitoring and forecasting needs. It builds upon existing partnerships and designates one or more cooperative institutions to assist with NIDIS, and it calls for a thorough analysis of NIDIS.

Mr. Chairman, reauthorizing NIDIS will strengthen this important program and help ensure its continued success. I urge the Committee's support, and I yield back, sir.

Chairman SMITH. Thank you, Mr. Hall. Is there any further discussion of the bill? And if not, we will go to the two amendments we have listed in our roster.

Does the gentleman from California, Mr. Swalwell, seek recognition?

Mr. SWALWELL. Yes, Mr. Chairman, I do have an amendment at the desk.

Chairman SMITH. The Clerk will report the amendment.

The CLERK. Amendment to H.R. 2431, offered by Mr. Swalwell of California, and—

[The amendment of Mr. Swalwell and Ms. Wilson appears in Appendix I]

Mr. SWALWELL. And, Mr. Chair, I ask for unanimous consent that the reading of the amendment be dispersed with.

Chairman SMITH. Without objection, the amendment will be considered as read. And before I recognize the gentleman from California, let me say that I do support his amendment, and he is recognized to explain it.

Mr. SWALWELL. Mr. Chairman, my amendment is a simple one, intended to ensure that the most accurate, up to date science is being used to help keep us safe and plan for natural disasters like drought. This amendment simply includes the language that was passed out of the Senate Committee on Commerce, Science and Transportation.

Being from California, I understand the damage prolonged drought can do to our local agriculture and economies. Drought im-

pacts not only agricultural communities and, in my Congressional district, we have 55 wineries, but also the larger surrounding economies. We must make sure we are using our resources wisely in working with full information. My amendment does just that by specifying that ongoing research related to drought should include the role of extreme weather events and climate variability in drought.

Just last month, Lawrence Livermore National Laboratory climate scientists and scientists from 16 other organizations announced that they have found that changes in precipitation patterns are clearly related to human activities. I would like to submit for the record the scientific article identifying external influences on global precipitation which appeared in the journal article proceedings of the National Academy of Sciences. Thank you, Mr. Chair.

And finally, the language I am proposing did pass out of the Senate Committee by voice vote. And if that Committee, which has both members, Senator Boxer and Senator Cruz, can voice vote and agree on that language, I am very optimistic about the chances of that—this amendment passing through our Committee. So I want to thank the Chair again for accepting this amendment. And I would like to thank my colleague from Florida, Ms. Wilson, for joining me as a co-sponsor, and yield back the balance of my time.

Chairman SMITH. Thank you, Mr. Swalwell. Is there any further discussion on the amendment? If not, all in favor say aye. Opposed, nay. And through the Chair, the ayes have it, and the amendment is agreed to. We will now go to the next amendment, and the gentlewoman from Oregon is recognized for her amendment.

Ms. BONAMICI. Thank you. Mr. Chairman, I have an amendment at the desk.

Chairman SMITH. The clerk will report the amendment.

The CLERK. Amendment to H.R. 2431, offered by Ms.—

[The amendment of Ms. Bonamici appears in Appendix I]

Chairman SMITH. Without objection, the amendment will be considered as read, and the gentlewoman from Oregon is recognized to explain her amendment.

Ms. BONAMICI. Thank you, Mr. Chairman. And thank you to Mr. Hall for your effort to reauthorize the National Integrated Drought Information System. This is an important program, and the reauthorization represents an opportunity for us to do something in this Committee that will tangibly benefit our constituents.

The amendment I am offering today is a straightforward attempt to increase slightly the funding authorized for NIDIS under the bill. This amendment would raise the funding level by just \$1 million per year from \$13.5 to \$14.5 for the fiscal years authorized under the bill. Currently, the Senate has moved its version of legislation to reauthorize NIDIS through Committee. And their bill authorizes \$14.5 million. Bringing the funding level in our bill in line with that will speed passage of a final bill.

The initial legislation to establish NIDIS was authorized by our former Chairman, Mr. Hall. It authorized \$11 million for Fiscal Year 2007, with a prescribed increase of \$1 million in the authorization for each following year. By the final year in 2012, the program was reauthorized—was authorized at \$16 million. Realizing

of course that we find ourselves in a difficult budget climate presently, I see no reason why we hinder a program that is functioning well and helping constituents by reducing the authorized funding level to below Fiscal Year 2010 levels.

Severe drought conditions can cause farmers in our country to lose billions of dollars. In many cases, the Federal Government bears a large share of that financial burden through crop insurance expenditures and disaster declarations. If we don't adequately fund a program that helps farmers prepare for and mitigate the effects of severe drought, we are simply opening up the government for deeper expenditures in the long term on the backend.

One million dollars today pales in comparison to the billions that the government and small farmers will pay to recover from damage done by drought. I urge passage of this commonsense amendment, which we hope will speed passage of the final bill. And I yield back the balance of my time.

Chairman SMITH. Thank you, Ms. Bonamici. And I will recognize myself in opposition to the amendment. Now, this amendment would increase the authorization levels of the legislation from \$13.5 million to \$14.5 million for each Fiscal Year from 2014 to 2018. I oppose the amendment which raises the authorization amount far above what the Administration itself has requested. Now, I yield the balance of my time to the Chairman of the Environment Subcommittee, Mr. Stewart.

Mr. STEWART. Thank you, Mr. Chairman, for yielding. And, unfortunately, I must also oppose this amendment. And when I say unfortunately, it is because I have made my respect for the Ranking Member no secret, but there would be no surprise that we come from slightly different views when it comes to what is considered adequate levels of funding.

The authorization level in Mr. Hall's bill reflects an adequate funding level that has enabled NIDIS program to work effectively and efficiently. And the bottom line I think is simply this, the authorization is nearly identical to the President's 2014 request for this program, which is \$13.6 million. This authorization is almost at the highest level at which the administration has actually spent on NIDIS. I think that we recognize all of us in this room that we live in a new fiscal reality, and I believe this authorization should reflect that reality. And that is the reason, Mr. Chairman, why I would oppose this amendment.

Chairman SMITH. Okay. Thank you, Mr. Stewart. Is there any further discussion on the amendment? And the gentlewoman from Texas, Ms. Johnson, is recognized.

Ms. JOHNSON. I would strike the last word, Mr. Chairman, I would like to speak on behalf of the amendment as I mentioned in the opening statement, as well just a couple more examples.

If you look at the top five most expensive disasters in the U.S. since 1980, three of those are due to drought. And these staggering economic costs directly and indirectly affect the government. For instance, in the two-year period from 2011 and 2012, the Federal Government expended \$28 billion in crop insurance as a direct result of drought. The NIDIS program is intended to help alleviate some of the economic impacts of drought.

Notably, one of the program goals is to improve drought early warning. Better early warning and impeding drought would allow states, localities and farmers to better plan their activities so that the economic costs related to droughts could be reduced or mitigated. Every witness who has ever testified or spoken to our Committee about this program has highlighted the need to improve this early warning capacity.

The Administration has recognized the value of this, and the Fiscal Year 2014 budget request included additional monies for this purpose. This isn't a goal that can be accomplished for free. It will take a sustained investment of additional monies to achieve the results we need. Unfortunately, the authorization numbers in the majority bill will preclude this work from occurring as they lock the agency into a funding cap that is below Fiscal Year 2014 budget requests.

Moreover, they cap the agency's funding at this level for the next five years, thus precluding any chance that the program could do this important work during this timeframe. Ms. Bonamici's amendment would raise the funding levels by \$1 million per year for the life of the authorization. I think this is a reasonable increase to help accomplish the goal that everyone seems to endorse.

Moreover, this aligns our bill with the bipartisan senate companion bill, which has already been reported out of Committee. I would like to take an additional moment to make a brief comment about the nature of these budget numbers. Normally, in a long term authorization of this sort, once expert witnesses or stakeholders have identified their important goals to be achieved by the program, we would ask the agency how much money would be required to meet these goals. In this case, we have not. And our haste to markup this bill. We have not taken the time to get the information from the agency. The only witness I can recall who gave specific testimony on authorization levels advised us that we should start the authorization at \$16 million and ramp up funding to \$24 million after five years.

So I think the gentlelady's amendment is pretty reasonable. It will certainly align more closely with what the Senate is doing, which might make enactment of this bill more likely. That is, after all, what we are supposed to be doing here. And when the Federal Government is spending tens of billions of dollars per year to mitigate the effects of drought, I think it makes sense to expend a couple of million dollars to try and reduce those massive costs to our taxpayers and our communities.

It is pretty clear that in this instance, our ounce of prevention will get us a pound—a pound of cure. I support this amendment and yield back.

Chairman SMITH. Okay. Thank you, Ms. Johnson. Is there any further discussion on the Bonamici amendment? If not, all in favor say aye. Those opposed, say nay. In the opinion of the Chair, the nays have it, and the amendment is not agreed to. If there are no further amendments, then the next item of business is reporting the bill, H.R. 2431, a reporting quorum being present, the question is on the bill, H.R. 2431, as amended, those in favor say aye. Opposed, nay. The ayes have it. And the bill, as amended, is ordered reported favorably. Without objection, the Motion to Reconsider is

laid upon the table, and I move that the bill, H.R. 2431, as amended, be favorably reported to the House and the staff be authorized to make any necessary technical and conforming changes. Without objection, so ordered.

Appendix I

H.R. 2431, THE NATIONAL INTEGRATED DROUGHT
INFORMATION SYSTEM REAUTHORIZATION ACT OF 2013

SECTION-BY-SECTION ANALYSIS, AMENDMENTS

AMENDMENT ROSTER



113TH CONGRESS
1ST SESSION

H. R. 2431

To reauthorize the National Integrated Drought Information System.

IN THE HOUSE OF REPRESENTATIVES

JUNE 19, 2013

Mr. HALL (for himself, Mr. SMITH of Texas, and Mr. BEN RAY LUJÁN of New Mexico) introduced the following bill; which was referred to the Committee on Science, Space, and Technology

A BILL

To reauthorize the National Integrated Drought Information System.

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 “National Integrated
5 Drought Information System Reauthorization Act of
6 2013”.

7 **SEC. 2. NIDIS PROGRAM AMENDMENTS.**

8 Section 3 of the National Integrated Drought Infor-
9 mation System Act of 2006 (15 U.S.C. 313d) is amend-
10 ed—

1 (1) in subsection (a), by inserting before the pe-
2 riod at the end the following: “to better inform and
3 provide for more timely decisionmaking to reduce
4 drought related impacts and costs”;

5 (2) by striking subsection (b) and inserting the
6 following:

7 “(b) SYSTEM FUNCTIONS.—The National Integrated
8 Drought Information System shall—

9 “(1) provide an effective drought early warning
10 system that—

11 “(A) collects and integrates information on
12 the key indicators of drought and drought im-
13 pacts in order to make usable, reliable, and
14 timely forecasts of drought, including assess-
15 ments of the severity of drought conditions and
16 impacts; and

17 “(B) provides such information, forecasts,
18 and assessments on both national and regional
19 levels;

20 “(2) communicate drought forecasts, drought
21 conditions, and drought impacts on an ongoing basis
22 to public and private entities engaged in drought
23 planning and preparedness, including—

1 “(A) decisionmakers at the Federal, re-
2 gional, State, tribal, and local levels of govern-
3 ment;

4 “(B) the private sector; and

5 “(C) the public;

6 “(3) provide timely data, information, and
7 products that reflect local, regional, and State dif-
8 ferences in drought conditions;

9 “(4) coordinate, and integrate as practicable,
10 Federal research and monitoring in support of a
11 drought early warning system;

12 “(5) build upon existing forecasting and assess-
13 ment programs and partnerships, including through
14 the designation of one or more cooperative institutes
15 to assist with National Integrated Drought Informa-
16 tion System functions; and

17 “(6) continue ongoing research and monitoring
18 activities related to drought.”; and

19 (3) by adding at the end the following:

20 “(e) REPORT.—

21 “(1) IN GENERAL.—Not later than 18 months
22 after the date of enactment of the National Inte-
23 grated Drought Information System Reauthorization
24 Act of 2013, the Under Secretary shall transmit to
25 the Committee on Science, Space, and Technology of

1 the House of Representatives and the Committee on
2 Commerce, Science, and Transportation of the Sen-
3 ate a report that contains—

4 “(A) an analysis of the implementation of
5 the National Integrated Drought Information
6 System program, including how the informa-
7 tion, forecasts, and assessments are utilized in
8 drought policy planning and response activities;

9 “(B) specific plans for continued develop-
10 ment of such program, including future mile-
11 stones; and

12 “(C) an identification of research, moni-
13 toring, and forecasting needs to enhance the
14 predictive capability of drought early warnings
15 that include—

16 “(i) the length and severity of
17 droughts;

18 “(ii) the contribution of weather
19 events to reducing the severity or ending
20 drought conditions; and

21 “(iii) regionally specific drought im-
22 pacts.

23 “(2) CONSULTATION.—In developing the report
24 under paragraph (1), the Under Secretary shall con-
25 sult with relevant Federal, regional, State, tribal,

1 and local government agencies, research institutions,
2 and the private sector.”.

3 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

4 Section 4 of such Act is amended to read as follows:

5 **“SEC. 4. AUTHORIZATION OF APPROPRIATIONS.**

6 “There are authorized to be appropriated to carry out
7 this Act \$13,500,000 for each of fiscal years 2014 through
8 2018.”.

○

SECTION-BY-SECTION ANALYSIS OF

H.R. 2431, THE NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM
REAUTHORIZATION ACT OF 2013

Purpose: To reauthorize the National Integrated Drought Information System.

Section 1.

Short Title. This section establishes the short title of the bill as the National Integrated Drought Information System Reauthorization Act of 2013.

Section 2. NIDIS Program Amendments.

Section 2 modifies the purpose of the NIDIS program “to better inform and provide for more timely decision making to reduce drought related impacts and costs.”

Section 2 modifies existing language by reorganizing in order to distinguish between the function of the NIDIS program in general and the early warning system specifically. The functions are largely the same as those in existing law, reorganized to reflect the distinction. The only additional function added is to allow NIDIS to “continue ongoing research activities related to drought.” Section 2 reestablishes NIDIS system functions including building upon forecasting and assessment partnerships and the designation of one or more cooperative institutes to assist with NIDIS functions.

Section 2 also adds a new subsection (e) which requires the Undersecretary of Commerce to provide the Committee with a report 18 months after enactment. This report should (i) include an analysis of the implementation of NIDIS, including how the information, forecasts, and assessments are utilized in drought planning policy and response activities; (ii) describe specific plans, including future milestones, for continued development of such programs; and (iii) identify research, monitoring, and forecasting needs to enhance the predictive capability of drought early warnings, the length and severity of droughts, and the contribution of weather events to reducing or ending drought conditions. In developing this report, the Undersecretary is also required to consult with relevant Federal, regional, State, tribal, and local government agencies, research institutions, and the private sector.

Section 3. Authorization of Appropriations.

Section 3 amends Section 4 of the 2006 Act to authorize appropriations for each of fiscal years 2014 through 2018 in the amount of \$13.5 per year.

AMENDMENTS

F:\M13\SWALWESWALWE_025.XML

AMENDMENT TO H.R. 2431

**OFFERED BY MR. SWALWELL OF CALIFORNIA AND
MS. WILSON OF FLORIDA**

Page 3, line 18, insert “, including research activities relating to length, severity, and impacts of drought and the role of extreme weather events and climate variability in drought” after “related to drought”.



AMENDMENT ROSTER

COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY
Full Committee Markup
December 5, 2013

AMENDMENT ROSTER

H.R. 2431, the "National Integrated Drought Information System Reauthorization Act of 2013"

No.	Amendment	Summary	
1	Amendment to H.R. 2431 Offered by Mr. Swalwell (CA) Ms. Wilson (FL) (025)	Includes activities relating to length, severity, and impacts of drought and the role of extreme weather events and climate variability as part of the ongoing NIDIS research activities.	Agreed to by Voice Vote
2	Amendment to H.R. 2431 Offered by Ms. Bonamici (OR) (001)	Increasing the authorization amounts by \$1 million from \$13.5 million to \$14.5 million	Not Agreed to by Voice Vote

FATBASCNEDIS13_001.XML

AMENDMENT TO H.R. 2431
OFFERED BY *Ms. Bonamici*

Page 5, line 7, strike "\$13,500,000" and insert
"\$14,500,000".



Appendix II

LETTERS FOR THE RECORD

LETTERS SUBMITTED BY COMMITTEE CHAIRMAN EMERITUS,
RALPH M. HALL



**WESTERN
GOVERNORS'
ASSOCIATION**

John Hickenlooper
Governor of Colorado
Chairman

Brian Sandoval
Governor of Nevada
Vice Chairman

James D. Ogsbury
Executive Director

Headquarters:
1600 Broadway
Suite 1700
Denver, CO 80202

303-623-9378
Fax 303-534-7309

Washington, D.C. Office:
400 N. Capitol Street, N.W.
Suite 376
Washington, D.C. 20001

202-624-5402
Fax 202-624-7707

www.westgov.org

July 23, 2013

Honorable Lamar Smith
Chairman
Committee on Science, Space and Technology
U.S. House of Representatives
2321 Rayburn House Office Building
Washington, D.C. 20515

Dear Chairman Smith:

The purpose of this letter is to communicate the support of the Western Governors' Association (WGA) for H.R. 2431, legislation to reauthorize the National Integrated Drought Information System (NIDIS). WGA commends you for co-sponsoring this legislation and encourages the committee to proceed with its expeditious consideration.

As you may know, Western Governors promoted the creation of NIDIS in 2006, and WGA has since worked with NOAA and other partners to champion the system's deployment. Western Governors are well-acquainted with the significant impacts that drought has on the West. Drought contributes to forest and rangeland fires, degrades growing conditions for farmers, and poses threats to municipal and industrial water supplies.

NIDIS provides the kind of authoritative, objective and timely drought information that farmers, water managers, decision-makers, and local governments require to prepare for and respond to drought. NIDIS has established a "drought portal" at drought.gov where information from state, federal, and academic partners is integrated into a single online source of information. Through the NIDIS mechanism, NOAA is building an emerging network of early warning systems for drought, working with local resource managers to identify and address unique regional drought information needs.

Western Governors value the approach used to build and improve NIDIS. Rather than creating a new NIDIS bureaucracy, the system draws from existing capacity in states, universities and multiple federal agencies, as called for in the original authorizing legislation. Given our shared fiscal challenges, we regard this as a model for federal-state collaboration in shared information services.

Honorable Lamar Smith
July 23, 2013
Page 2

For these reasons, Western Governors support reauthorization of NIDIS and urge passage of H.R. 2431. Furthermore, WGA looks forward to continuing to work with you on this legislation in order to ensure that the productive partnership that NIDIS has fostered between states and federal agencies can be further developed. In the meantime, with appreciation for your leadership, I am

Respectfully,



James D. Ogsbury
Executive Director

cc: Members of the House Science, Space and Technology Committee

Similar letter sent to Representatives Eddie Bernice Johnson, Ralph Hall, and Ray Luján

**POSITION
of the
WESTERN STATES WATER COUNCIL
regarding
REAUTHORIZATION OF
THE NATIONAL INTEGRATED DROUGHT INFORMATION SYSTEM (NIDIS) ACT
San Antonio, Texas
October 12, 2012**

WHEREAS, the Western States Water Council is a policy advisory body representing eighteen states, and has long been involved in western water conservation, development, protection, and management issues, and the member states and political subdivisions have long been partners in cooperative federal water and climate data collection and analysis programs; and

WHEREAS, drought has been, is, and will be an ongoing fact of life in the relatively arid West; and

WHEREAS, in 2012 drought conditions existed throughout much of the western and central parts of the U.S., covering an area amounting to about two-thirds of the Nation; and

WHEREAS, the NIDIS Act of 2006, Public Law 109-430, was enacted to provide an effective drought early warning system, coordinate federal research in support of a drought early warning system, and build upon existing forecasting and assessment programs; and

WHEREAS, the authorization of appropriations in the 2006 Act extended from fiscal year 2007 through fiscal year 2012; and

WHEREAS, there is a need for maintaining and improving existing monitoring networks that help provide drought early warning as well as tracking impacts of drought; and

WHEREAS, there is a need for developing new monitoring technologies, such as remote sensing, that provide more timely data availability and better spatial coverage for assessing drought impacts; and

WHEREAS, present approaches for intraseasonal to interannual weather/climate forecasting are not capable of providing early warning of drought, a capability that would be immensely useful for managing water resources to lessen drought impacts; and

WHEREAS, the only factor now providing limited understanding of drought prediction is the El Niño-Southern Oscillation (ENSO), and continuing federal research to develop new predictive capability at intraseasonal to interannual time scales – such as research on the influence of other ocean-atmosphere interactions on ENSO – is sorely needed; and

WHEREAS, there is a continuing need for a federal role in coordination of research programs related to drought early warning and prediction;

NOW THEREFORE BE IT RESOLVED, that the Western States Water Council supports legislation to reauthorize the National Integrated Drought Information System (NIDIS) Act.



ASSOCIATION OF WESTERN STATE ENGINEERS

2013 POSITION STATEMENT

DROUGHT ASSISTANCE

The federal government has a role in providing financial and technical assistance to states with severe to extreme drought impacts, much the same as it does when other natural disasters (hurricanes, floods, and tornados) cause tremendous hardship and financial burden on local economies that are otherwise unable to cope. Since drought conditions continue to persist across the western United States, it is still necessary to plan for and respond to drought emergencies and climate variability.

The Association of Western State Engineers supports the efforts of the Western Governors' Association to encourage federal agencies to develop long-term drought management plans for federal projects and to support the state efforts to develop plans for non-federal projects. The Association of Western State Engineers urges the federal government to continue working with the states in the implementation of the National Integrated Drought Information System (NIDIS). Congress should reauthorize and fund full implementation of the NIDIS implementation plan to enable the National Oceanic and Atmospheric Administration to provide better information to decision makers at every level of government.

The Association of Western State Engineers believes that its implementation must not insert federal authority into state water law issues or water administration practices. Each state has retained its sovereign authority over water use and administration issues, and the receipt of federal aid does not in any way reduce or abrogate that authority. The crafting of federal drought legislation cannot be seen as an opportunity on the part of the federal government to dictate how individual state's water administration systems should function.

Adopted September 25, 2013.

Association of Western State Engineers

Todd Sando, P.E., President