

sonnel Management (except as otherwise specified), effective Jan. 1, 1979, as provided by section 1-102 of Ex. Ord. No. 12107, Dec. 28, 1978, 44 F.R. 1055, set out under section 1101 of Title 5.

Weather Bureau consolidated with Coast and Geodetic Survey to form new agency in Department of Commerce known as Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 311 of this title. Functions of Bureau and Chief of Bureau transferred to Secretary of Commerce by Reorg. Plan. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Weather Bureau changed to National Weather Service. For further details, see Codification note set out under section 311 of this title.

#### SIMILAR PROVISIONS

Section is from the Departments of State, Justice, and Commerce Appropriation Act, 1944. Similar provisions were contained in the following appropriation acts:

- July 2, 1942, ch. 472, title III, 56 Stat. 500.
- June 28, 1941, ch. 258, title II, 55 Stat. 289.
- June 25, 1940, ch. 421, 54 Stat. 539.
- June 30, 1939, ch. 253, title I, 53 Stat. 947.
- June 16, 1938, ch. 464, title I, 52 Stat. 718.
- June 29, 1937, ch. 404, 50 Stat. 403.

#### § 323. Repealed. July 25, 1947, ch. 327, § 1, 61 Stat. 449

Section, act Oct. 29, 1942, ch. 632, 56 Stat. 1012, related to scholarships for meteorological students in weather forecasting during World War II.

#### § 324. Omitted

#### CODIFICATION

Section, act June 3, 1948, ch. 400, title III, 62 Stat. 328, which related to extra compensation for certain employees in Alaska and other territorial possessions, was from the Department of Commerce Appropriation Act, 1949, and was not repeated in subsequent appropriations acts. See section 327 of this title.

#### SIMILAR PROVISIONS

Similar provisions were contained in the following appropriation acts:

- July 9, 1947, ch. 211, title III, 61 Stat. 301.
- July 5, 1946, ch. 541, title III, 60 Stat. 475.
- May 21, 1945, ch. 129, title III, 59 Stat. 195.
- June 28, 1944, ch. 294, title III, 58 Stat. 424.
- July 1, 1943, ch. 182, title III, 57 Stat. 301.

#### § 325. Authority for certain functions and activities

Appropriations now or hereafter provided for the National Weather Service shall be available for (a) furnishing food and shelter, without repayment therefor, to employees of the Government assigned to Arctic stations; (b) equipment and maintenance of meteorological offices and stations, and maintenance and operation of meteorological facilities outside the United States by contract or otherwise; (c) repairing, altering, and improving of buildings occupied by the National Weather Service, and care and preservation of grounds, including the construction of necessary outbuildings and sidewalks on public streets abutting National Weather Service grounds; (d) arranging for communication serv-

ices at rates to be fixed by the Secretary of Commerce by agreement with the companies performing the services when determined to be advantageous to the Government; and (e) purchasing tabulating cards and continuous form tabulating paper.

(June 2, 1948, ch. 373, § 1, 62 Stat. 286; 1965 Reorg. Plan No. 2, 1970 eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

#### TRANSFER OF FUNCTIONS

Weather Bureau consolidated with Coast and Geodetic Survey to form new agency in Department of Commerce known as Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 311 of this title. Functions of Bureau and Chief of Bureau transferred to Secretary of Commerce by Reorg. Plan. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Weather Bureau changed to National Weather Service. For further details, see Codification note set out under section 311 of this title.

#### COOPERATIVE WEATHER OBSERVER PROGRAM

Pub. L. 102-567, title I, § 101(c), Oct. 29, 1992, 106 Stat. 4270, provided that: "The Secretary of Commerce may use funds otherwise available for conducting weather observations to strengthen the Cooperative Weather Observer Program and encourage public participation in the program. The Secretary may—

- "(1) provide distinctive insignia or paraphernalia to Cooperative Weather Observers; and
- "(2) make awards of nominal value to recognize continued participation in the program by observers or to recognize outstanding achievements by such observers or groups of observers without regard to any law restricting expenditures for such purposes to Federal employees."

#### § 326. Maintenance of printing office in Washington, D.C.

When so specified in appropriation Acts, the National Weather Service is authorized to maintain a printing office in the city of Washington for the printing of weather maps, bulletins, circulars, forms, and other publications: *Provided*, That no printing shall be done by the National Weather Service which could be done at the Government Printing Office without impairing the service of said Service.

(June 2, 1948, ch. 373, § 2, 62 Stat. 286; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

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gated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Weather Bureau changed to National Weather Service. For further details, see Codification note set out under section 311 of this title.

**§ 327. Employees for conduct of meteorological investigations in Arctic region; appointment and compensation; extra compensation to other Government employees for taking observations**

The Secretary of Commerce is authorized to (a) appoint employees for the conduct of meteorological investigations in the Arctic region without regard to the civil service laws and fix their compensation without regard to chapter 51 and subchapter III of chapter 53 of title 5, and sections 5542, 5543, 5545, and 5546 of title 5, at base rates not to exceed the maximum scheduled rate for GS-12, and (b) grant extra compensation to employees of other Government agencies for taking and transmitting meteorological observations without regard to section 5533 of title 5.

(June 2, 1948, ch. 373, § 3, 62 Stat. 286; Pub. L. 86-397, § 2, Mar. 28, 1960, 74 Stat. 11; Pub. L. 88-448, title IV, § 401(m), Aug. 19, 1964, 78 Stat. 491.)

CODIFICATION

In this section, “chapter 51 and subchapter III of chapter 53 of title 5”, “sections 5542, 5543, 5545, and 5546 of title 5”, and “section 5533 of title 5” substituted for “the Classification Act of 1949, as amended (5 U.S.C. 1071 and the following)”, “titles II and III of the Federal Employees Pay Act of 1945, as amended (5 U.S.C. 911 and the following)”, and “section 301 of the Dual Compensation Act”, respectively, on authority of Pub. L. 89-554, § 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees.

AMENDMENTS

1964—Pub. L. 88-448 inserted “without regard to section 5533 of title 5”.

1960—Pub. L. 86-397 substituted “Secretary of Commerce” for “Weather Bureau”, authorized the Secretary to fix the compensation of the employees, and limited the base rates to not more than the maximum scheduled rate for GS-12.

EFFECTIVE DATE OF 1964 AMENDMENT

Amendment by Pub. L. 88-448 effective on first day of first month which begins later than ninetieth day following Aug. 19, 1964, see section 403 of Pub. L. 88-448.

**§ 328. Transfer from other Government Departments of surplus equipment and supplies for Arctic stations**

Subject to approval of the President, and without charge to the National Weather Service, the Secretary of the Army, the Secretary of the Air Force, and the Secretary of the Navy are authorized to transfer to the National Weather Service equipment and supplies which are surplus to the needs of their respective Departments and necessary for the establishment, maintenance, and operation of Arctic weather stations.

(June 2, 1948, ch. 373, § 4, 62 Stat. 286; 1965 Reorg. Plan No. 2, 1970 eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

TRANSFER OF FUNCTIONS

Functions vested by law (including reorganization plan) in Bureau of the Budget or Director of Bureau of the Budget transferred to President by section 101 of Reorg. Plan No. 2, of 1970, eff. July 1, 1970, 35 F.R. 7959, 84 Stat. 2085, set out in the Appendix to Title 5, Government Organization and Employees. Section 102 of 1970 Reorg. Plan No. 2, redesignated Bureau of the Budget as Office of Management and Budget.

Weather Bureau consolidated with Coast and Geodetic Survey to form new agency in Department of Commerce known as Environmental Science Services Administration by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 311 of this title. Functions of Bureau and Chief of Bureau transferred to Secretary of Commerce by Reorg. Plan. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Weather Bureau changed to National Weather Service. For further details, see Codification note set out under section 311 of this title.

**§ 329. Omitted**

CODIFICATION

Section, Pub. L. 85-469, title I, § 101, June 25, 1958, 72 Stat. 234; Pub. L. 86-88, title I, § 101, July 13, 1959, 73 Stat. 207, which prescribed the maximum base rate of pay for employees conducting meteorological investigations in the Arctic region, was from an appropriation act and was omitted in view of section 327 of this title which authorizes the Secretary of Commerce to establish the rates of compensation for such personnel. Provisions of this section were repeated in Pub. L. 86-451, title I, § 101, May 13, 1960, 74 Stat. 99.

**CHAPTER 9A—WEATHER MODIFICATION ACTIVITIES OR ATTEMPTS; REPORTING REQUIREMENT**

Sec.	Definitions.
330.	Report requirement; form; information; time of submission.
330a.	Duties of Secretary.
330b.	Authority of Secretary.
330c.	Violation; penalty.
330d.	Authorization of appropriations.
330e.	

**§ 330. Definitions**

As used in this chapter—

(1) The term “Secretary” means the Secretary of Commerce.

(2) The term “person” means any individual, corporation, company, association, firm, partnership, society, joint stock company, any State or local government or any agency thereof, or any other organization, whether commercial or nonprofit, who is performing weather modification activities, except where acting solely as an employee, agent, or independent contractor of the Federal Government.

(3) The term “weather modification” means any activity performed with the intention of producing artificial changes in the composition, behavior, or dynamics of the atmosphere.

(4) The term “United States” includes the several States, the District of Columbia, the Commonwealth of Puerto Rico, and any territory or insular possession of the United States.