

Calendar No. 645

117TH CONGRESS
2^D SESSION

S. 3533

To amend the John D. Dingell, Jr. Conservation, Management, and Recreation Act to improve the National Volcano Early Warning and Monitoring System, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 20, 2022

Mr. SCHATZ (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

DECEMBER 14, 2022

Reported by Ms. CANTWELL, with an amendment

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the John D. Dingell, Jr. Conservation, Management, and Recreation Act to improve the National Volcano Early Warning and Monitoring System, 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Volcanic Ash and
3 Fumes Act of 2022”.

4 **SEC. 2. MODIFICATIONS TO NATIONAL VOLCANO EARLY**
5 **WARNING AND MONITORING SYSTEM.**

6 (a) DEFINITIONS.—Subsection (a) of section 5001 of
7 the John D. Dingell, Jr. Conservation, Management, and
8 Recreation Act (43 U.S.C. 31k) is amended—

9 (1) by redesignating paragraph (2) as para-
10 graph (3);

11 (2) by inserting after paragraph (1) the fol-
12 lowing:

13 “(2) SECRETARY OF COMMERCE.—The term
14 ‘Secretary of Commerce’ means the Secretary of
15 Commerce, acting through the Under Secretary of
16 Commerce for Oceans and Atmosphere.”; and

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

18 “(4) VOLCANIC ASH ADVISORY CENTER.—The
19 term ‘Volcanic Ash Advisory Center’ means an enti-
20 ty designated by the International Civil Aviation Or-
21 ganization that is responsible for informing aviation
22 interests about the presence of volcanic ash in the
23 airspace.”.

24 (b) PURPOSES.—Subsection (b)(1)(B) of such section
25 is amended—

26 (1) in clause (i), by striking “and” at the end;

1 (2) in clause (ii), by striking the period at the
 2 end and inserting “; and”; and

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

4 “(iii) to strengthen the warning and
 5 monitoring systems of volcano observ-
 6 atories in the United States by integrating
 7 relevant capacities of the National Oceanic
 8 and Atmospheric Administration, including
 9 with the Volcanic Ash Advisory Centers lo-
 10 cated in Anchorage, Alaska, and Wash-
 11 ington, DC, to observe and model emis-
 12 sions of gases, aerosols, and ash, atmos-
 13 pheric dynamics and chemistry, and ocean
 14 chemistry resulting from volcanic erup-
 15 tions.”.

16 (c) SYSTEM COMPONENTS.—Subsection (b)(2) of
 17 such section is amended—

18 (1) in subparagraph (B)—

19 (A) by striking “and” before “spectrom-
 20 etry”; and

21 (B) by inserting “, and unoccupied aerial
 22 vehicles” after “emissions”; and

23 (2) by adding at the end the following:

24 “(C) MEMORANDUM OF UNDER-
 25 STANDING.—The Secretary and the Secretary

of Commerce shall develop and execute a memorandum of understanding to establish cooperative support for the activities of the System from the National Oceanic and Atmospheric Administration, including environmental observations, modeling, and temporary duty assignments of personnel to support emergency activities, as necessary or appropriate.”.

(d) MANAGEMENT.—Subsection (b)(3) of such section is amended—

(1) in subparagraph (A), by adding at the end the following:

“(iii) UPDATE.—

“(I) NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION COST ESTIMATES.—The Secretary of Commerce shall submit to the Secretary annual cost estimates for modernization activities and support of the System for the National Oceanic and Atmospheric Administration.

“(II) UPDATE OF MANAGEMENT PLAN.—The Secretary shall update the management plan submitted under clause (i) to include the cost es-

1 timates submitted under subclause
 2 (I).”; and

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

4 “(E) COLLABORATION.—The Secretary of
 5 Commerce shall collaborate with the Secretary
 6 to implement activities carried out under this
 7 section related to the expertise of the National
 8 Oceanic and Atmospheric Administration, in-
 9 cluding observations and modeling of emissions
 10 of gases, aerosols, and ash, atmospheric dynam-
 11 ics and chemistry, and ocean chemistry result-
 12 ing from volcanic eruptions.”.

13 (e) FUNDING.—Subsection (c) of such section is
 14 amended—

15 (1) in paragraph (1)—

16 (A) in the paragraph heading, by inserting
 17 “, UNITED STATES GEOLOGICAL SURVEY” after
 18 “APPROPRIATIONS”; and

19 (B) by inserting “to the United States Ge-
 20 ological Survey” after “appropriated”;

21 ~~(2) by redesignating paragraph (2) as para-~~
 22 ~~graph (3);~~

23 ~~(3) by inserting after paragraph (1) the fol-~~
 24 ~~lowing:~~

1 ~~“(2) AUTHORIZATION OF APPROPRIATIONS, NA-~~
 2 ~~TIONAL OCEANIC AND ATMOSPHERIC ADMINISTRA-~~
 3 ~~TION.—~~There is authorized to be appropriated to the
 4 National Oceanic and Atmospheric Administration
 5 to carry out this section such sums as may be nec-
 6 essary for the period of fiscal years 2022 through
 7 2023.”; and

8 (4) in paragraph (3), as redesignated by para-
 9 graph (2)—

10 (A) by striking “United States Geological
 11 Survey”; and

12 (B) by inserting “of the United States Ge-
 13 ological Survey and the National Oceanic and
 14 Atmospheric Administration” after “programs”.

15 (f) *IMPLEMENTATION PLAN.*—

16 (1) *DEVELOPMENT OF PLAN.*—*Not later than 180*
 17 *days after the date of the enactment of this Act, the*
 18 *Secretary of Commerce, in consultation with the Sec-*
 19 *retary of the Interior, shall develop a plan to imple-*
 20 *ment the amendments made by this Act during the 5-*
 21 *year period beginning on the date on which the plan*
 22 *is developed.*

23 (2) *ELEMENTS.*—*The plan developed under*
 24 *paragraph (1) shall include an estimate of the cost*

1 *and schedule required for the implementation de-*
2 *scribed in such paragraph.*

3 (3) *PUBLIC AVAILABILITY.*—*Upon completion of*
4 *the plan developed under paragraph (1), the Sec-*
5 *retary of Commerce shall make the plan publicly*
6 *available.*

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