

107TH CONGRESS
2D SESSION

H. R. 4883

To reauthorize the Hydrographic Services Improvement Act of 1998, and
for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2002

Mr. YOUNG of Alaska (for himself, Mr. HANSEN, Mr. GILCHREST, and Mr. SAXTON) introduced the following bill; which was referred to the Committee on Resources

A BILL

To reauthorize the Hydrographic Services Improvement Act
of 1998, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This title may be cited as the “Hydrographic Services
5 Improvement Act Amendments of 2002”.

6 **SEC. 2. DEFINITIONS.**

7 Section 302 of the Hydrographic Services Improve-
8 ment Act of 1998 (33 U.S.C. 892) is amended—

9 (1) in paragraph (3) by inserting “geospatial or
10 geomagnetic” after “geodetic”; and

1 (2) in paragraph (4) by inserting “geospatial,
2 geomagnetic,” after “geodetic.”.

3 **SEC. 3. FUNCTIONS OF ADMINISTRATOR.**

4 (a) HYDROGRAPHIC MONITORING SYSTEMS.—Sec-
5 tion 303(b)(4) of the Hydrographic Services Improvement
6 Act of 1998 (33 U.S.C. 892a(b)(4)) is amended to read
7 as follows:

8 “(4) shall design, install, maintain, and operate
9 real-time hydrographic monitoring systems to en-
10 hance navigation safety and efficiency.”.

11 (b) CONSERVATION AND MANAGEMENT OF COASTAL
12 AND OCEAN RESOURCES.—Section 303 of such Act (33
13 U.S.C. 892a) is further amended by adding at the end
14 the following:

15 “(c) CONSERVATION AND MANAGEMENT OF COASTAL
16 AND OCEAN RESOURCES.—Where appropriate and to the
17 extent that it does not detract from the promotion of safe
18 and efficient navigation, the Secretary may use hydro-
19 graphic data and services to support the conservation and
20 management of coastal and ocean resources.”.

21 **SEC. 4. QUALITY ASSURANCE PROGRAM.**

22 (a) IN GENERAL.—Section 304(b)(1) of the Hydro-
23 graphic Services Improvement Act of 1998 (33 U.S.C.
24 892b(1)) is amended to read as follows:

25 “(1) IN GENERAL.—The Administrator—

1 “(A) by not later than 2 years after the
2 date of enactment of the Hydrographic Services
3 Improvement Act Amendments of 2002, shall,
4 subject to the availability of appropriations, de-
5 velop and implement a quality assurance pro-
6 gram that is equally available to all applicants,
7 under which the Administrator may certify hy-
8 drographic products that satisfy the standards
9 promulgated by the Administrator under section
10 303(a)(3) of this Act;

11 “(B) may authorize the use of the emblem
12 or any trademark of the Administration on a
13 hydrographic product certified under subpara-
14 graph (A); and

15 “(C) may charge a fee for such certifi-
16 cation and use.”.

17 (b) ACCEPTANCE AND RECOGNITION OF CERTIFI-
18 CATIONS.—Section 304(b) of such Act (33 U.S.C.
19 892b(b)) is amended by adding at the end the following:

20 “(3) ACCEPTANCE AND RECOGNITION OF CER-
21 TIFICATIONS.—The Administrator shall, to the max-
22 imum extent practicable, assure that any inter-
23 national organizations and agreements to which the
24 United States is a party which affect hydrographic
25 products and nautical charts accept or recognize, re-

1 spectively, hydrographic products certified by the
2 Administrator under this subsection.”.

3 **SEC. 5. HYDROGRAPHIC SERVICES REVIEW PANEL.**

4 Section 305 of the Hydrographic Services Improve-
5 ment Act of 1998 (33 U.S.C. 892c) is amended to read
6 as follows:

7 **“SEC. 305. HYDROGRAPHIC SERVICES REVIEW PANEL.**

8 “(a) ESTABLISHMENT.—No later than 1 year after
9 the date of enactment of the Hydrographic Services Im-
10 provement Act Amendments of 2002, the Secretary shall
11 establish the Hydrographic Services Review Panel.

12 “(b) DUTIES.—

13 “(1) IN GENERAL.—The panel shall advise the
14 Administrator on matters related to the responsibil-
15 ities and authorities set forth in section 303 of this
16 Act and such other appropriate matters as the Ad-
17 ministrator refers to the panel for review and advice.

18 “(2) ADMINISTRATIVE RESOURCES.—The Ad-
19 ministrator shall make available to the panel such
20 information, personnel, and administrative services
21 and assistance as it may reasonably require to carry
22 out its duties.

23 “(c) MEMBERSHIP.—

24 “(1) IN GENERAL.—

1 “(A) The panel shall consist of 15 voting
2 members who shall be appointed by the Admin-
3 istrator. The Director of the Joint Hydro-
4 graphic Institute and no more than 2 employees
5 of the National Oceanic and Atmospheric Ad-
6 ministration appointed by the Administrator
7 shall serve as nonvoting members of the panel.
8 The voting members of the panel shall be indi-
9 viduals who, by reason of knowledge, experi-
10 ence, or training, are especially qualified in one
11 or more of the disciplines and fields relating to
12 hydrographic surveying, tide, current geodetic
13 and geospatial measurement, marine transpor-
14 tation, port administration, vessel pilotage, and
15 coastal and fishery management.

16 “(B) An individual may not be appointed
17 as a voting member of the panel if the indi-
18 vidual is a full-time officer or employee of the
19 United States.

20 “(C) Any voting member of the panel who
21 is an applicant for, or beneficiary (as deter-
22 mined by the Secretary) of, any assistance
23 under this Act shall disclose to the panel that
24 relationship, and may not vote on any matter
25 pertaining to that assistance.

1 “(2) TERMS.—

2 “(A) The term of office of a voting mem-
3 ber of the panel shall be 4 years, except that of
4 the original appointees, five shall be appointed
5 for a term of 2 years, five shall be appointed
6 for a term of 3 years, and five shall be ap-
7 pointed for a term of 4 years, as specified by
8 the Administrator at the time of appointment.

9 “(B) Any individual appointed to a partial
10 or full term may be reappointed for one addi-
11 tional full term. A voting member may serve
12 after the date of the expiration of the term of
13 office for which appointed until his or her suc-
14 cessor has taken office.

15 “(3) NOMINATIONS.—At least once each year,
16 the Secretary shall publish a notice in the Federal
17 Register soliciting nominations for membership on
18 the panel.

19 “(4) CHAIRMAN AND VICE CHAIRMAN.—

20 “(A) The panel shall select one voting
21 member to serve as the Chairman and another
22 voting member to serve as the Vice Chairman.

23 “(B) The Vice Chairman shall act as
24 Chairman in the absence or incapacity of the
25 Chairman.

1 “(d) COMPENSATION.—Voting members of the panel
2 shall—

3 “(1) receive compensation at a rate established
4 by the Secretary, not to exceed the maximum daily
5 rate payable under section 5376 of title 5, United
6 States Code, when actually engaged in the perform-
7 ance of duties for such panel; and

8 “(2) be reimbursed for actual and reasonable
9 expenses incurred in the performance of such duties.

10 “(e) MEETINGS.—The panel shall meet on a biannual
11 basis and, at any other time, at the call of the Chairman
12 or upon the request of a majority of the voting members
13 or of the Secretary.

14 “(f) POWERS.—The panel may exercise such powers
15 as are reasonably necessary in order to carry out its duties
16 under subsection (b).”.

17 **SEC. 6. PLAN REGARDING PHOTOGRAMMETRY AND RE-**
18 **MOTE SENSING.**

19 (a) IN GENERAL.—Not later than 6 months after the
20 date of enactment of this Act, the Administrator of the
21 National Oceanic and Atmospheric Administration shall
22 submit to the Congress a plan for increasing, consistent
23 with this Act, contracting with the private sector for pho-
24 togrammetric, remote sensing, and other geospatial ref-
25 erence services related to hydrographic data acquisition or

1 hydrographic services activities performed by the National
2 Ocean Service. In preparing the plan, the Administrator
3 shall consult with private sector entities knowledgeable in
4 photogrammetry and remote sensing.

5 (b) CONTENTS.—The plan shall include the following:

6 (1) An assessment of which of the photo-
7 grammetric, remote sensing, and other geospatial
8 reference services related to hydrographic data ac-
9 quisition or hydrographic services activities per-
10 formed by the National Ocean Service can be per-
11 formed adequately by private-sector entities.

12 (2) An evaluation of the relative cost-effective-
13 ness of the Federal Government and private-sector
14 entities in performing those activities.

15 (3) A strategy for enhancing and improving the
16 acquisition and contract management capabilities of
17 the National Oceanic and Atmospheric Administra-
18 tion to assist in the utilization of private sector enti-
19 ties for photogrammetric, remote sensing and other
20 geospatial reference services related to hydrographic
21 data acquisition or hydrographic services activities
22 performed by the National Ocean Service,
23 including—

1 (A) the transfer and retraining of per-
2 sonnel to become contracting officer technical
3 representatives;

4 (B) education in the use of the procedures
5 described in section 303(b)(3) of the Hydro-
6 graphic Services Improvement Act of 1998, as
7 amended by this Act; and

8 (C) the utilization of training, education,
9 and acquisition and contract management capa-
10 bilities of other Federal agencies that are expert
11 and experienced in contracting for such serv-
12 ices.

13 **SEC. 7. AUTHORIZATION OF APPROPRIATIONS.**

14 Section 306 of such Act (33 U.S.C. 892d) is amended
15 to read as follows:

16 **“SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

17 “There are authorized to be appropriated to the Ad-
18 ministrator the following:

19 “(1) To carry out nautical mapping and chart-
20 ing functions under sections 303 and 304 of this
21 Act, except for conducting hydrographic surveys—

22 “(A) \$50,000,000 for fiscal year 2003;

23 “(B) \$55,000,000 for fiscal year 2004;

24 “(C) \$60,000,000 for fiscal year 2005;

1 “(D) \$65,000,000 for fiscal year 2006;

2 and

3 “(E) \$70,000,000 for fiscal year 2007.

4 “(2) To contract for hydrographic surveys
5 under section 303(d)(1), including the leasing or
6 time chartering of vessels—

7 “(A) \$40,000,000 for fiscal year 2003;

8 “(B) \$42,500,000 for fiscal year 2004;

9 “(C) \$45,000,000 for fiscal year 2005;

10 “(D) \$47,500,000 for fiscal year 2006;

11 and

12 “(E) \$50,000,000 for fiscal year 2007.

13 “(3) To carry out geodetic functions under this
14 title—

15 “(A) \$27,500,000 for fiscal year 2003;

16 “(B) \$30,000,000 for fiscal year 2004;

17 “(C) \$32,500,000 for fiscal year 2005;

18 “(D) \$35,000,000 for fiscal year 2006;

19 and

20 “(E) \$35,500,000 for fiscal year 2007.

21 “(4) To carry out tide and current measure-
22 ment functions under this title—

23 “(A) \$25,000,000 for fiscal year 2003;

24 “(B) \$27,500,000 for fiscal year 2004;

25 “(C) \$30,000,000 for fiscal year 2005;

1 “(D) \$32,500,000 for fiscal year 2006;

2 and

3 “(E) \$35,000,000 for fiscal year 2007.

4 “(5) To carry out activities authorized under
5 this title that enhance homeland security, including
6 electronic navigation charts, hydrographic surveys,
7 real time tide and current measurements, and geo-
8 detic functions, in addition to other amounts author-
9 ized by this section, \$50,000,000.”.

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