

108TH CONGRESS  
1ST SESSION

# H. R. 958

To authorize certain hydrographic services programs, to name a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2003

Mr. YOUNG of Alaska introduced the following bill; which was referred to the Committee on Resources

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## A BILL

To authorize certain hydrographic services programs, to name a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hydrographic Services  
5 Amendments of 2003”.

1 **TITLE I—NOAA HYDROGRAPHIC**  
2 **SERVICES IMPROVEMENT**

3 **SEC. 101. REFERENCES.**

4 Except as otherwise expressly provided, whenever in  
5 this title an amendment or repeal is expressed in terms  
6 of an amendment to, or repeal of, a section or other provi-  
7 sion, the reference shall be considered to be made to a  
8 section or other provision of the Hydrographic Services  
9 Improvement Act of 1998 (33 U.S.C. 892 et seq.).

10 **SEC. 102. FUNCTIONS OF ADMINISTRATOR.**

11 (a) REGIONAL NAVIGATION RESPONSE TEAMS.—  
12 Section 303(a) (33 U.S.C. 892a(a)) is amended by strik-  
13 ing paragraphs (7) and (8) and inserting the following:

14 “(7) establish, equip, and maintain up to 10  
15 Regional Navigation Response teams in priority  
16 coastal areas identified by the Secretary, in con-  
17 sultation with the Commandant of the Coast Guard,  
18 to conduct activities related to navigational safety  
19 and the validation of hydrographic data;

20 “(8) to the greatest extent practicable and cost-  
21 effective, fulfill the requirements of paragraphs (1)  
22 and (7) through contracts or other agreements with  
23 private sector entities; and

24 “(9) participate in the development of, and im-  
25 plement for the United States in cooperation with

1 other appropriate Federal agencies, international  
2 standards for hydrographic data and hydrographic  
3 services.”.

4 (b) AUTHORITY TO ACCEPT VOLUNTEER SERV-  
5 ICES.—Section 303 (33 U.S.C. 892a) is amended by add-  
6 ing at the end the following:

7 “(d) AUTHORITY TO ACCEPT VOLUNTEER SERV-  
8 ICES.—

9 “(1) IN GENERAL.—To help fulfill the duties of  
10 the Administrator, including authorities under the  
11 Act of 1947 (33 U.S.C. 883a et seq.), this Act, or  
12 in response to a maritime emergency, the Adminis-  
13 trator may—

14 “(A) establish a volunteer program; and

15 “(B) enter into special agreements with  
16 qualified organizations to assist in the imple-  
17 mentation of a volunteer program.

18 “(2) LEGAL STATUS OF VOLUNTEERS.—

19 “(A) Paragraphs (1) through (5) of section  
20 7(e) of the Fish and Wildlife Act of 1956 (16  
21 U.S.C. 742f(e)) shall apply to volunteers who  
22 provide services to the Administrator under a  
23 volunteer program established under paragraph  
24 (1).

1           “(B) For purposes of subparagraph (A),  
2           any reference in section 7(c) of the Fish and  
3           Wildlife Act of 1956 (16 U.S.C. 742f(c)) to the  
4           Secretary of Interior or the Secretary of Com-  
5           merce is deemed to refer to the Administrator.

6           “(3) QUALIFIED ORGANIZATION.—In this sub-  
7           section, the term ‘qualified organization’ means a  
8           nongovernmental, not-for-profit organization, deter-  
9           mined by the Administrator to have demonstrated  
10          expertise in boating safety and a commitment to im-  
11          proving the quality of hydrographic services and re-  
12          lated oceanographic and meteorological information  
13          that is made available to mariners.

14          “(e) PARTICIPATION IN JOINT INSTITUTE.—The Sec-  
15          retary may participate in a joint institute that develops  
16          new hydrographic technology and conducts academic, edu-  
17          cational, and outreach activities that assist the Adminis-  
18          trator in fulfilling the functions of the Administrator  
19          under this section.”.

20       **SEC. 103. QUALITY ASSURANCE PROGRAM.**

21          (a) ACCEPTANCE AND RECOGNITION OF CERTIFI-  
22          CATIONS.—Section 304(b) (33 U.S.C. 892b(b)) is amend-  
23          ed by adding at the end the following:

24               “(3) ACCEPTANCE AND RECOGNITION OF CER-  
25          TIFICATIONS.—The Administrator shall, to the max-

1       imum extent practicable, assure that any inter-  
2       national organizations and agreements to which the  
3       United States is a party that affect hydrographic  
4       products and nautical charts accept or recognize, re-  
5       spectively, hydrographic products certified by the  
6       Administrator under this subsection.”.

7       (b) IMPLEMENTATION OF EXECUTIVE ORDER AND  
8       OMB CIRCULAR.—Section 304 (33 U.S.C. 892b) is  
9       amended by adding at the end the following:

10       “(f) ANNUAL STUDY AND REPORT REGARDING IM-  
11       PLEMENTATION OF EXECUTIVE ORDER AND OMB CIR-  
12       CULAR.—

13               “(1) IN GENERAL.—The Administrator shall  
14       annually conduct a study of, and report to the panel  
15       established under section 305 regarding, steps taken  
16       to comply with section 3(d) of Executive Order  
17       12906 and Office of Management and Budget Cir-  
18       cular A–16 with respect to the collection and pro-  
19       duction of new hydrographic data and products by  
20       the Administration.

21               “(2) CONSULTATION.—In carrying out the  
22       study and report, the Administrator shall consult  
23       with the Federal Geographic Data Committee.”.

1 **SEC. 104. PLAN REGARDING PHOTOGRAMMETRY AND RE-**  
2 **MOTE SENSING.**

3 (a) IN GENERAL.—Not later than 6 months after the  
4 date of enactment of this Act, the Administrator of the  
5 National Oceanic and Atmospheric Administration shall  
6 submit to the Congress a plan for increasing, consistent  
7 with this title, contracting with the private sector for pho-  
8 togrammetric, remote sensing, and other geospatial ref-  
9 erence services related to hydrographic data acquisition or  
10 hydrographic services activities performed by the National  
11 Ocean Service. In preparing the plan, the Administrator  
12 shall consult with private sector entities knowledgeable in  
13 photogrammetry and remote sensing.

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

15 (1) An assessment of which of the photo-  
16 grammetric, remote sensing, and other geospatial  
17 reference services related to hydrographic data ac-  
18 quisition or hydrographic services activities per-  
19 formed by the National Ocean Service can be per-  
20 formed adequately by private-sector entities.

21 (2) An evaluation of the relative cost-effective-  
22 ness of the Federal Government and private-sector  
23 entities in performing those activities.

24 (3) A strategy for enhancing and improving the  
25 acquisition and contract management capabilities of  
26 the National Oceanic and Atmospheric Administra-

1       tion to assist in the utilization of private sector enti-  
2       ties for photogrammetric, remote sensing, and other  
3       geospatial reference services related to hydrographic  
4       data acquisition or hydrographic services activities  
5       performed by the National Ocean Service, includ-  
6       ing—

7               (A) the transfer and retraining of per-  
8               sonnel to become contracting officer technical  
9               representatives;

10              (B) education in the use of contracting  
11              procedures in accordance with section 303(b)(3)  
12              of the Hydrographic Services Improvement Act  
13              of 1998, as amended by this Act; and

14              (C) the utilization of training, education,  
15              and acquisition and contract management capa-  
16              bilities of other Federal agencies that are expert  
17              and experienced in contracting for such serv-  
18              ices.

19 **SEC. 105. ACQUISITION OF HYDROGRAPHIC SURVEY VES-**  
20 **SEL.**

21       (a) IN GENERAL.—The Secretary of Commerce may,  
22 in accordance with this section, acquire, by purchase,  
23 lease, lease-purchase, or charter, and equip one hydro-  
24 graphic survey vessel.

1 (b) VESSEL REQUIREMENTS.—Any vessel acquired  
2 and equipped under this section must be capable of—

3 (1) staying at sea continuously for at least 30  
4 days;

5 (2) carrying at least 4 hydrographic survey  
6 launches;

7 (3) conducting hydrographic surveys; and

8 (4) conducting other work necessary to provide  
9 mariners with the accurate and timely data needed  
10 to conduct safe and efficient maritime commerce.

11 (c) PLAN.—No later than 6 months after the enact-  
12 ment of this Act, the Secretary of Commerce shall submit  
13 to the Committee on Resources of the House of Represent-  
14 atives and the Committee on Commerce, Science and  
15 Transportation of the Senate a detailed plan for imple-  
16 menting this section, including—

17 (1) a timetable and cost estimates for the ac-  
18 quisition and equipping of the vessel under sub-  
19 section (a);

20 (2) an explanation of what vessel or vessels  
21 would be retired when the vessel described in sub-  
22 section (a) becomes operational; and

23 (3) a comparison of the 10-year estimated costs  
24 of operation and maintenance of a new vessel versus  
25 the 2 vessels proposed for retirement.

1 (d) AUTHORIZATION.—To prepare the plan required  
2 under subsection (b), there is authorized to be appro-  
3 priated to the Secretary of Commerce \$1,000,000 for fis-  
4 cal year 2004.

5 **SEC. 106. KOSS COVE.**

6 (a) IN GENERAL.—Notwithstanding any other provi-  
7 sion of law or existing policy, the cove described in sub-  
8 section (b) shall be known and designated as “Koss Cove”,  
9 in honor of the late Able Bodied Seaman Eric Steiner  
10 Koss of the National Oceanic and Atmospheric Adminis-  
11 tration vessel RAINIER who died in the performance of  
12 a nautical charting mission off the Alaskan coast.

13 (b) COVE DESCRIBED.—The cove referred to in sub-  
14 section (a) is—

15 (1) adjacent to and southeast of Point  
16 Elrington, Alaska, and forms a portion of the south-  
17 ern coast of Elrington Island;

18 (2)  $\frac{3}{4}$  mile across the mouth;

19 (3) centered at 59 degrees 56.1 minutes North,  
20 148 degrees 14 minutes West; and

21 (4) 45 miles of Seaward, Alaska.

22 (c) REFERENCES.—Any reference in any law, regula-  
23 tion, document, record, map, or other paper of the United  
24 States to the cove described in subsection (b) is deemed  
25 to be a reference to Koss Cove.

1 **SEC. 107. DEPICTION OF SAME SHORELINES ON CHARTS**  
2 **AND MAPPING PRODUCTS.**

3 Not later than 6 months after the date of enactment  
4 of the Act, the Secretary of Commerce and the Secretary  
5 of the Interior, in consultation with the Federal Emer-  
6 gency Management Agency, shall provide to the Com-  
7 mittee on Resources of the House of Representatives and  
8 the Committee on Commerce, Science, and Transportation  
9 of the Senate a plan to depict the same shorelines on Na-  
10 tional Oceanic and Atmospheric Administration nautical  
11 charts and United States Geological Survey mapping  
12 products.

13 **TITLE II—FISHERY SURVEY**  
14 **VESSELS**

15 **SEC. 201. FISHERY SURVEY VESSELS.**

16 Section 302(c) of the Fisheries Survey Vessel Author-  
17 ization Act of 2000 (33 U.S.C. 891b note) is amended  
18 by striking “2002 and 2003” and inserting “2004, 2005,  
19 and 2006”.

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