

108TH CONGRESS
2D SESSION

H. R. 958

IN THE SENATE OF THE UNITED STATES

MARCH 24, 2004

Received; read twice and referred to the Committee on Commerce, Science,
and Transportation

AN ACT

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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Hydrographic Services
3 Amendments of 2004”.

4 **TITLE I—NOAA HYDROGRAPHIC**
5 **SERVICES IMPROVEMENT**

6 **SEC. 101. REFERENCES.**

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

13 **SEC. 102. FUNCTIONS OF ADMINISTRATOR.**

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

17 “(7) establish, equip, and maintain up to 4 Re-
18 gional Navigation Response teams in priority coastal
19 areas identified by the Secretary, in consultation
20 with the Commandant of the Coast Guard, to con-
21 duct activities related to navigational safety and the
22 validation of hydrographic data;

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

1 “(9) participate in the development of, and im-
2 plement for the United States in cooperation with
3 other appropriate Federal agencies, international
4 standards for hydrographic data and hydrographic
5 services.”.

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

9 “(d) AUTHORITY TO ACCEPT VOLUNTEER SERV-
10 ICES.—

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

16 “(A) establish a volunteer program; and

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

20 “(2) LEGAL STATUS OF VOLUNTEERS.—

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

1 volunteer program established under paragraph
2 (1).

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

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

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

22 **SEC. 103. KOSS COVE.**

23 (a) IN GENERAL.—Notwithstanding any other provi-
24 sion of law or existing policy, the cove described in sub-
25 section (b) shall be known and designated as “Koss Cove”,

1 in honor of the late Able Bodied Seaman Eric Steiner
2 Koss of the National Oceanic and Atmospheric Adminis-
3 tration vessel RAINIER who died in the performance of
4 a nautical charting mission off the Alaskan coast.

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

7 (1) adjacent to and southeast of Point
8 Elrington, Alaska, and forms a portion of the south-
9 ern coast of Elrington Island;

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

11 (3) centered at 59 degrees 56.1 minutes North,
12 148 degrees 14 minutes West; and

13 (4) 45 miles of Seward, Alaska.

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

18 **SEC. 104. DEPICTION OF SAME SHORELINES ON CHARTS**

19 **AND MAPPING PRODUCTS.**

20 Not later than 6 months after the date of enactment
21 of the Act, the Secretary of Commerce and the Secretary
22 of the Interior, in consultation with the Federal Emer-
23 gency Management Agency, shall provide to the Com-
24 mittee on Resources of the House of Representatives and
25 the Committee on Commerce, Science, and Transportation

1 of the Senate a plan to depict the same shorelines on Na-
2 tional Oceanic and Atmospheric Administration nautical
3 charts and United States Geological Survey mapping
4 products.

5 **SEC. 105. AMENDMENTS TO THE HYDROGRAPHIC SERVICES**

6 **PANEL.**

7 Section 305 of the Hydrographic Services Improve-
8 ment Act of 1998 (33 U.S.C. 892c) is amended—

9 (1) in subsection (a), by striking “Secretary”
10 and inserting “Secretary of Commerce”; and

11 (2) in subsection (c)(3), subsection (d), and
12 subsection (e), by striking “Secretary” each place it
13 appears and inserting “Administrator”.

14 **SEC. 106. GREAT LAKES WATER LEVEL MEASUREMENTS.**

15 Section 306(5) of the Hydrographic Services Im-
16 provement Act of 1998 (33 U.S.C. 892d(5)) is amended—

17 (1) by redesignating subparagraphs (A) through
18 (E) as clauses (i) through (v), respectively;

19 (2) by striking “(5)” and inserting “(5)(A)”;
20 and

21 (3) by adding at the end the following new sub-
22 paragraph:

23 “(B) Of the amounts authorized under subpara-
24 graph (A), \$2,000,000 in each fiscal year is author-

1 ized for the Great Lakes Water Level Observation
2 Network.”.

3 **TITLE II—FISHERY SURVEY**
4 **VESSELS**

5 **SEC. 201. FISHERY SURVEY VESSELS.**

6 Section 302(c) of the Fisheries Survey Vessel Author-
7 ization Act of 2000 (33 U.S.C. 891b note) is amended
8 by striking “\$60,000,000 for each of fiscal years 2002 and
9 2003” and inserting “\$51,000,000 for fiscal year 2005
10 and \$39,000,000 for fiscal year 2006.

11 **SEC. 202. ACQUISITION OF HYDROGRAPHIC SURVEY VES-**
12 **SEL.**

13 No later than 6 months after the date of the enact-
14 ment of this Act, the Secretary of Commerce shall submit
15 to the Committee on Resources of the House of Represent-
16 atives and the Committee on Commerce, Science, and
17 Transportation of the Senate—

18 (1) a detailed requirements package and cost
19 estimate for the construction and equipping of a hy-
20 drographic survey vessel that is capable of—

21 (A) staying at sea continuously for at least
22 30 days;

23 (B) carrying at least 4 hydrographic sur-
24 vey launches;

25 (C) conducting hydrographic surveys; and

1 (D) conducting other work necessary to
2 provide mariners with the accurate and timely
3 data needed to conduct safe and efficient mari-
4 time commerce;

5 (2) an explanation of what vessel or vessels
6 would be retired if a vessel described in paragraph
7 (1) were to become operational; and

8 (3) a comparison of the 10-year estimated costs
9 of operation and maintenance of a new vessel de-
10 scribed in paragraph (1) versus such costs for a ves-
11 sel or vessels proposed for retirement under para-
12 graph (2).

Passed the House of Representatives March 23,
2004.

Attest:

JEFF TRANDAHL,

Clerk.

By GERASIMOS C. VANS,

Deputy Clerk.