

HYDROGRAPHIC SERVICES AMENDMENTS OF 2003

NOVEMBER 21, 2003.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 958]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (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, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

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

TITLE I—NOAA HYDROGRAPHIC SERVICES IMPROVEMENT

SEC. 101. REFERENCES.

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

SEC. 102. FUNCTIONS OF ADMINISTRATOR.

(a) REGIONAL NAVIGATION RESPONSE TEAMS.—Section 303(a) (33 U.S.C. 892a(a)) is amended by striking paragraphs (7) and (8) and inserting the following:

“(7) establish, equip, and maintain up to 10 Regional Navigation Response teams in priority coastal areas identified by the Secretary, in consultation with the Commandant of the Coast Guard, to conduct activities related to navigational safety and the validation of hydrographic data;

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

“(9) participate in the development of, and implement for the United States in cooperation with other appropriate Federal agencies, international standards for hydrographic data and hydrographic services.”.

(b) **AUTHORITY TO ACCEPT VOLUNTEER SERVICES.**—Section 303 (33 U.S.C. 892a) is amended by adding at the end the following:

“(d) **AUTHORITY TO ACCEPT VOLUNTEER SERVICES.**—

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

“(A) establish a volunteer program; and

“(B) enter into special agreements with qualified organizations to assist in the implementation of a volunteer program.

“(2) **LEGAL STATUS OF VOLUNTEERS.**—

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

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

“(3) **QUALIFIED ORGANIZATION.**—In this subsection, the term ‘qualified organization’ means a nongovernmental, not-for-profit organization, determined by the Administrator to have demonstrated expertise in boating safety and a commitment to improving the quality of hydrographic services and related oceanographic and meteorological information that is made available to mariners.

“(e) **PARTICIPATION IN JOINT INSTITUTE.**—The Secretary may participate in a joint institute that develops new hydrographic technology and conducts academic, educational, and outreach activities that assist the Administrator in fulfilling the functions of the Administrator under this section.”.

SEC. 103. QUALITY ASSURANCE PROGRAM.

(a) **ACCEPTANCE AND RECOGNITION OF CERTIFICATIONS.**—Section 304(b) (33 U.S.C. 892b(b)) is amended by adding at the end the following:

“(3) **ACCEPTANCE AND RECOGNITION OF CERTIFICATIONS.**—The Administrator shall, to the maximum extent practicable, assure that any international organizations and agreements to which the United States is a party that affect hydrographic products and nautical charts accept or recognize, respectively, hydrographic products certified by the Administrator under this subsection.”.

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

“(f) **ANNUAL STUDY AND REPORT REGARDING IMPLEMENTATION OF EXECUTIVE ORDER AND OMB CIRCULAR.**—

“(1) **IN GENERAL.**—The Administrator shall annually conduct a study of, and report to the panel established under section 305 regarding, steps taken to comply with section 3(d) of Executive Order 12906 and Office of Management and Budget Circular A–16 with respect to the collection and production of new hydrographic data and products by the Administration.

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

SEC. 104. ACQUISITION OF HYDROGRAPHIC SURVEY VESSEL.

(a) **IN GENERAL.**—The Secretary of Commerce may, in accordance with this section, acquire, by purchase, lease, lease-purchase, or charter, and equip one hydrographic survey vessel.

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

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

(2) carrying at least 4 hydrographic survey launches;

(3) conducting hydrographic surveys; and

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

(c) **PLAN.**—No later than 6 months after the enactment of this Act, the Secretary of Commerce shall submit to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science and Transportation of the Senate a detailed plan for implementing this section, including—

(1) a timetable and cost estimates for the acquisition and equipping of the vessel under subsection (a);

- (2) an explanation of what vessel or vessels would be retired when the vessel described in subsection (a) becomes operational; and
- (3) a comparison of the 10-year estimated costs of operation and maintenance of a new vessel versus the 2 vessels proposed for retirement.
- (d) **AUTHORIZATION.**—To prepare the plan required under subsection (c), there is authorized to be appropriated to the Secretary of Commerce \$1,000,000 for fiscal year 2004.

SEC. 105. KOSS COVE.

(a) **IN GENERAL.**—Notwithstanding any other provision of law or existing policy, the cove described in subsection (b) shall be known and designated as “Koss Cove”, in honor of the late Able Bodied Seaman Eric Steiner Koss of the National Oceanic and Atmospheric Administration vessel RAINIER who died in the performance of a nautical charting mission off the Alaskan coast.

(b) **COVE DESCRIBED.**—The cove referred to in subsection (a) is—

- (1) adjacent to and southeast of Point Elrington, Alaska, and forms a portion of the southern coast of Elrington Island;
- (2) $\frac{3}{4}$ mile across the mouth;
- (3) centered at 59 degrees 56.1 minutes North, 148 degrees 14 minutes West; and
- (4) 45 miles of Seward, Alaska.

(c) **REFERENCES.**—Any reference in any law, regulation, document, record, map, or other paper of the United States to the cove described in subsection (b) is deemed to be a reference to Koss Cove.

SEC. 106. DEPICTION OF SAME SHORELINES ON CHARTS AND MAPPING PRODUCTS.

Not later than 6 months after the date of enactment of the Act, the Secretary of Commerce and the Secretary of the Interior, in consultation with the Federal Emergency Management Agency, shall provide to the Committee on Resources of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a plan to depict the same shorelines on National Oceanic and Atmospheric Administration nautical charts and United States Geological Survey mapping products.

SEC. 107. AMENDMENTS TO THE HYDROGRAPHIC SERVICES PANEL.

Section 305 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892c) is amended—

- (1) in subsection (a), by striking “Secretary” and inserting “Secretary of Commerce”; and
- (2) in subsection (c)(3), subsection (d), and subsection (e), by striking “Secretary” each place it appears and inserting “Administrator”.

SEC. 108. GREAT LAKES WATER LEVEL MEASUREMENTS.

Section 306(5) of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d(5)) is amended—

- (1) by redesignating subparagraphs (A) through (E) as clauses (i) through (v), respectively;
- (2) by striking “(5)” and inserting “(5)(A)”; and
- (3) by adding at the end the following new subparagraph:
“(B) Of the amounts authorized under subparagraph (A), \$2,000,000 in each fiscal year is authorized for the Great Lakes Water Level Observation Network.”.

TITLE II—FISHERY SURVEY VESSELS

SEC. 201. FISHERY SURVEY VESSELS.

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

PURPOSE OF THE BILL

The purpose of H.R. 958 is to authorize certain hydrographic services programs, and to name a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss, and for other purposes.

BACKGROUND AND NEED FOR LEGISLATION

Part of the Department of Commerce, the National Oceanic and Atmospheric Administration (NOAA) is responsible for the United States navigation services programs. These include the collection of hydrographic data for, and the production and distribution of, nautical charts, the maintenance of the geodetic reference system and the measurement and prediction of tides and currents.

By the mid-1990s, 20 years of severe budget cuts and a revolution in geospatial reference technology left this program decades behind in meeting its mission goals, and technologically unable to provide the up-to-date products needed to assure safe and efficient marine transportation. In response to this problem, Congress enacted the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892 et seq.). The 1998 Act encouraged contracting for services. Coupled with increased appropriations, the changes made by the 1998 Act have reduced the nautical charting backlog for areas critical to navigation (about 1% of the Exclusive Economic Zone) and modernized NOAA hydrographic, geodetic, and tide and current measurement programs.

A bill to reauthorize the Hydrographic Services Improvement Act of 1998 passed in the waning days of the 107th Congress (Public Law 107-372). However, there were a number of provisions that were not addressed in that reauthorization and H.R. 958 attempts to resolve those issues.

As ordered reported, the Hydrographic Services Amendments Act of 2003 authorizes the establishment of regional navigation response teams, authorizes the use of volunteer services, provides a mechanism by which hydrographic products certified by the NOAA Administrator are accepted by international organizations, requires an annual study and report regarding the implementation of Executive Order 12906 and Office of Management and Budget circular A-16, authorizes the Secretary of Commerce to acquire a hydrographic survey vessel, requires a report to Congress on progress made to depict the same shorelines on charts by NOAA and the U.S. Geological Survey, names a cove in Alaska in honor of the late Able Bodied Seaman Eric Steiner Koss (who was killed on a nautical charting mission), makes clarifying changes to the Hydrographic Services Review Panel established by the Hydrographic Services Improvement Act of 1998, earmarks funds for the Great Lakes Water Level Observation Network, and reauthorizes appropriations for fishery survey vessels in the Fisheries Survey Vessel Authorization Act of 2000 for fiscal years 2004–2006.

COMMITTEE ACTION

H.R. 958 was introduced on February 27, 2003, by Congressman Don Young (R-AK). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on Fisheries Conservation, Wildlife and Oceans. On March 27, 2003, the Subcommittee held a hearing on the bill. On July 17, 2003, the Subcommittee met to mark up the bill. Congressman Mark E. Souder (R-IN) offered an amendment to clarify that the Secretary of Commerce would establish the Hydrographic Services Review panel and the Administrator of NOAA would oversee the operations of the panel. The amendment also clarified that \$2 million

of the authorized appropriations be used to modernize the Great Lakes stations of the National Water Level Observation Network. It was adopted by voice vote. The bill as amended was then forwarded to the Full Committee by voice vote. On October 29, 2003, the Full Resources Committee met to consider the bill. Congressman Wayne T. Gilchrest (R-MD) offered an amendment to strike section 104 of the bill, which required the Administrator of NOAA to submit a plan to Congress for increasing contracting with the private sector for photogrammetric, remote sensing and other geospatial reference services relating to hydrographic data acquisition or hydrographic services performed by the National Ocean Service. It was adopted by unanimous consent. The bill as amended was then ordered favorably reported to the House of Representatives by unanimous consent.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title

This Act may be cited as the Hydrographic Services Amendments of 2003.

TITLE I—NOAA HYDROGRAPHIC SERVICES IMPROVEMENT

Section 101. References

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

Section 102. Functions of Administrator

This section authorizes Regional Navigation Response Teams which would be located in major ports, and could survey areas quickly after accidents, storms or other events. It also allows NOAA to accept volunteer services for hydrographic programs.

This section provides the same coverage for hydrographic volunteers if they participate in a volunteer program approved by NOAA as current law provides to NOAA volunteers participating in fish and wildlife related activities. Under these provisions, volunteers are not considered federal employees for pay or benefits, but are considered federal employees for purposes of tort claims protections and medical care due to job-related injuries.

This section gives NOAA general authority to enter into agreements with qualified organizations to provide volunteer services. It also authorizes the NOAA Administrator to provide funding under the special agreements to the qualified organization for the purposes of assisting in the administration of the volunteer programs. The use of the funds by the qualified organization can include the procurement of insurance or other coverage for the organization and its members when conducting volunteer activities.

Section 103. Quality assurance program

This section directs NOAA, to the maximum extent possible, to assure that international organizations accept contractor-produced NOAA-certified hydrographic products. NOAA is tasked by Public Law 107-372 to complete the long-overdue certification program for

contractor-produced hydrographic products within two years. This section encourages NOAA to support international acceptance of certified products.

This section also requires NOAA to report each year on efforts to use contractors to carry out the collection of hydrographic data, and the production of the hydrographic products.

Section 104. Acquisition of hydrographic survey vessel

This section authorizes NOAA to acquire a new vessel to conduct hydrographic survey to replace two aging vessels.

Section 105. Koss Cove

This section names a cove in Prince William Sound after a NOAA employee who died in a work-related accident there in the summer of 2003. Able Bodied Seaman Eric Steiner Koss died while conducting a nautical charting mission for NOAA. The cove is currently unnamed.

Section 106. Depiction of same shorelines on charts and mapping products

This section directs the Secretaries of Commerce and the Interior to report to Congress on development of a single shoreline for use on NOAA navigation charts and U.S. Geological Survey topographic maps.

Section 107. Amendments to the hydrographic services panel

This section amends section 305 of the Hydrographic Services Improvement Act of 1998 (33 U.S. 892c) to make clarifying corrections regarding the duties of the Secretary of Commerce and the duties of the Administrator of NOAA.

Section 108. Great Lakes water level measurements

This section amends section 306(5) of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892d(5)) to clarify that \$2 million of the authorized appropriations be used to modernize the Great Lakes stations of the National Water Level Observation Network.

TITLE II—FISHERY SURVEY VESSELS

Section 201. Fishery survey vessels

This section amends the Fishery Survey Vessel Authorization Act (33 U.S.C. 891b note) to authorize funding for the next three DYSON-class fishery survey vessels in Fiscal Years 2004, 2005 and 2006.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

FEDERAL ADVISORY COMMITTEE STATEMENT

The bill does not create a new advisory committee but clarifies the duties of an existing one, the Hydrographic Services Review Panel.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. General Performance Goals and Objectives. As required by clause 3(c)(4) of rule XIII, the general performance goal or objective of this bill is 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.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, November 21, 2003.

Hon. RICHARD W. POMBO,
Chairman, Committee on Resources,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 958, the Hydrographic Services Amendments of 2003.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

ELIZABETH M. ROBINSON
(For Douglas Holtz-Eakin, Director).

Enclosure.

H.R. 958—Hydrographic Services Amendments of 2003

Summary: H.R. 958 would make several amendments to the Hydrographic Services Improvement Act of 1998. Specifically, the bill would:

- Direct the National Oceanic and Atmospheric Administration (NOAA) to establish, equip, and maintain up to 10 regional navigation response teams;
- Authorize the appropriation of \$60 million for each of fiscal years 2004 through 2006 to acquire fishery survey vessels; and
- Authorize NOAA to acquire a hydrographic survey vessel, and authorize the appropriation of \$1 million in 2004 for the preparation of an acquisition plan.

Assuming appropriation of the necessary amounts, CBO estimates that implementing the bill would cost \$316 million over the 2004–2008 period and \$25 million a year thereafter. Enacting H.R. 958 would have no effect on direct spending or revenues.

The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would have no significant impact on the budgets of state, local, or tribal governments.

Estimated cost to the Federal Government: The estimated budgetary impact of H.R. 958 is shown in the following table. The costs of this legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—				
	2004	2005	2006	2007	2008
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
Navigational response teams:					
Estimated authorization level	5	5	5	5	5
Estimated outlays	4	5	5	5	5
Acquisition of fishery survey vessels:					
Authorization level	60	60	60	0	0
Estimated outlays	2	30	75	55	20
Planning and acquisition of hydrographic survey vessel:					
Estimated authorization level	1	110	0	0	0
Estimated outlays	1	30	35	35	9
Total changes:					
Estimated authorization level	66	175	65	5	5
Estimated outlays	7	65	115	95	34

Basis of estimate: For this estimate, CBO assumes that the amounts authorized or estimated to be necessary to carry out H.R. 958 will be appropriated for each fiscal year. The authorization levels not specified by the bill are estimated on the basis of information provided by NOAA and other federal agencies. Estimated outlays are based on historical spending patterns for the acquisition programs and other affected activities.

For each year, the authorization levels include an estimated \$5 million to establish, equip, and operate 10 navigational response teams. The teams would conduct navigational safety projects and validate hydrographic data. Through fiscal year 2006, the annual authorization levels also include \$60 million that would be specifically authorized by the bill for acquiring fishery survey vessels. Finally, the authorization levels in the table reflect the estimated costs of acquiring one hydrographic survey vessel: \$1 million spe-

cifically authorized for 2004 for the required vessel acquisition plan; and \$110 million in 2005 for the estimated cost of purchasing the new ship.

In addition to the amounts shown in the table and also assuming appropriation of the necessary amounts, CBO estimates that NOAA would spend about \$25 million a year after 2008. Of this amount, we estimate that about \$5 million would be used to continue operating the navigation response teams. The remaining funds would be used to operate the fishery and hydrographic survey vessels to be acquired under the bill.

Intergovernmental and private-sector impact: H.R. 958 contains no intergovernmental or private-sector mandates as defined in UMRA and would have no significant impact on the budgets of state, local, or tribal governments.

Estimate prepared by: Federal Costs: Deborah Reis. Impact on State, Local, and Tribal Governments: Marjorie Miller. Impact on the Private Sector: Cecil McPherson.

Estimate approved by: Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in *italic*, existing law in which no change is proposed is shown in roman):

HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998

* * * * *

SEC. 303. FUNCTIONS OF THE ADMINISTRATOR.

(a) RESPONSIBILITIES.—To fulfill the data gathering and dissemination duties of the Administration under the Act of 1947, the Administrator shall—

(1) * * *

* * * * *

[(7) participate in the development of, and implement for the United States in cooperation with other appropriate Federal agencies, international standards for hydrographic data and hydrographic services; and

[(8) to the greatest extent practicable and cost-effective, fulfill the requirements of paragraphs (1) and (6) through contracts or other agreements with private sector entities.]]

(7) establish, equip, and maintain up to 10 Regional Navigation Response teams in priority coastal areas identified by the Secretary, in consultation with the Commandant of the Coast Guard, to conduct activities related to navigational safety and the validation of hydrographic data;

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

(9) participate in the development of, and implement for the United States in cooperation with other appropriate Federal agencies, international standards for hydrographic data and hydrographic services.

* * * * *

(d) **AUTHORITY TO ACCEPT VOLUNTEER SERVICES.**—

(1) **IN GENERAL.**—To help fulfill the duties of the Administrator, including authorities under the Act of 1947 (33 U.S.C. 883a et seq.), this Act, or in response to a maritime emergency, the Administrator may—

(A) establish a volunteer program; and

(B) enter into special agreements with qualified organizations to assist in the implementation of a volunteer program.

(2) **LEGAL STATUS OF VOLUNTEERS.**—

(A) Paragraphs (1) through (5) of section 7(c) of the Fish and Wildlife Act of 1956 (16 U.S.C. 742f(c)) shall apply to volunteers who provide services to the Administrator under a volunteer program established under paragraph (1).—

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

(3) **QUALIFIED ORGANIZATION.**—In this subsection, the term “qualified organization” means a nongovernmental, not-for-profit organization, determined by the Administrator to have demonstrated expertise in boating safety and a commitment to improving the quality of hydrographic services and related oceanographic and meteorological information that is made available to mariners.

(e) **PARTICIPATION IN JOINT INSTITUTE.**—The Secretary may participate in a joint institute that develops new hydrographic technology and conducts academic, educational, and outreach activities that assist the Administrator in fulfilling the functions of the Administrator under this section.

SEC. 304. QUALITY ASSURANCE PROGRAM.

(a) * * *

(b) **PROGRAM.**—

(1) * * *

* * * * *

(3) **ACCEPTANCE AND RECOGNITION OF CERTIFICATIONS.**—The Administrator shall, to the maximum extent practicable, assure that any international organizations and agreements to which the United States is a party that affect hydrographic products and nautical charts accept or recognize, respectively, hydrographic products certified by the Administrator under this subsection.

* * * * *

(f) **ANNUAL STUDY AND REPORT REGARDING IMPLEMENTATION OF EXECUTIVE ORDER AND OMB CIRCULAR.**—

(1) *IN GENERAL.*—The Administrator shall annually conduct a study of, and report to the panel established under section 305 regarding, steps taken to comply with section 3(d) of Executive Order 12906 and Office of Management and Budget Circular A-16 with respect to the collection and production of new hydrographic data and products by the Administration.

(2) *CONSULTATION.*—In carrying out the study and report, the Administrator shall consult with the Federal Geographic Data Committee.

SEC. 305. HYDROGRAPHIC SERVICES REVIEW PANEL.

(a) *ESTABLISHMENT.*—No later than 1 year after the date of enactment of the Hydrographic Services Improvement Act Amendments of 2002, the Secretary of Commerce shall establish the Hydrographic Services Review Panel.

* * * * *

(c) *MEMBERSHIP.*—

(1) * * *

* * * * *

(3) *NOMINATIONS.*—At least once each year, the [Secretary] Administrator shall publish a notice in the Federal Register soliciting nominations for membership on the panel.

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(d) *COMPENSATION.*—Voting members of the panel shall—

(1) receive compensation at a rate established by the [Secretary] Administrator, not to exceed the maximum daily rate payable under section 5376 of title 5, United States Code, when actually engaged in the performance of duties for such panel; and

* * * * *

(e) *MEETINGS.*—The panel shall meet on a biannual basis and, at any other time, at the call of the Chairman or upon the request of a majority of the voting members or of the [Secretary] Administrator.

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SEC. 306. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated to the Administrator the following:

(1) * * *

* * * * *

(5)(A) To carry out tide and current measurement functions under this title—

[(A)] (i) \$25,000,000 for fiscal year 2003;

[(B)] (ii) \$27,500,000 for fiscal year 2004;

[(C)] (iii) \$30,000,000 for fiscal year 2005;

[(D)] (iv) \$32,500,000 for fiscal year 2006; and

[(E)] (v) \$35,000,000 for fiscal year 2007.

(B) Of the amounts authorized under subparagraph (A), \$2,000,000 in each fiscal year is authorized for the Great Lakes Water Level Observation Network.

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**SECTION 302 OF THE FISHERIES SURVEY VESSEL
AUTHORIZATION ACT OF 2000**

SEC. 302. ACQUISITION OF FISHERY SURVEY VESSELS.

(a) * * *

* * * * *

(c) AUTHORIZATION.—To carry out this section there are authorized to be appropriated to the Secretary \$60,000,000 for each of fiscal years **【2002 and 2003】** *2004, 2005, and 2006*.

