

A BILL

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

1 *Be it enacted by the Senate and House of Representatives of the United States of*
2 *America in Congress assembled, That*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Hydrographic Services Improvement Act
5 Amendments of 2007”.

6 **SEC. 2. REDESIGNATIONS.**

7 The Hydrographic Services Improvement Act of 1998 is amended by redesignating
8 sections 302 through 306 (33 U.S.C. §§ 892 – 892d) as sections 303 through 307,
9 respectively.

10 **SEC. 3. ADDITION OF FINDINGS AND PURPOSES.**

11 The Hydrographic Services Improvement Act of 1998 (33 U.S.C. §§ 892 et seq.)
12 is amended by inserting a new section 302 as follows:

13 “SEC. 302. FINDINGS AND PURPOSES

14 “(a) FINDINGS - The Congress finds that—

15 “(1) In 2007, the Nation celebrates the 200th anniversary of its oldest
16 scientific agency, the Survey of the Coast, which was authorized by Congress and
17 created by President Thomas Jefferson in 1807 to conduct surveys of the coast
18 and provide nautical charts for safe passage through the Nation’s ports and along
19 its extensive coastline;

1 “(2) These mission requirements and capabilities, which today are located
2 in the National Oceanic and Atmospheric Administration, evolved over time to
3 include research, development, operations, products, and services associated with
4 hydrographic, geodetic, shoreline and baseline surveying; cartography, mapping,
5 and charting; tides, currents, and water level observations; maintenance of a
6 national spatial reference system, and associated products and services;

7 “(3) There is a need to maintain federal expertise and capability in
8 hydrographic data and services to support a safe and efficient marine
9 transportation system for the enhancement and promotion of international trade
10 and interstate commerce vital to the Nation’s economic prosperity and for myriad
11 other commercial and recreational activities;

12 “(4) The Nation’s marine transportation system is becoming increasingly
13 congested, the volume of international maritime commerce is expected to double
14 within the next 20 years, and nearly half of the cargo transiting U.S. waters is oil,
15 refined petroleum products, or other hazardous substances;

16 “(5) In addition to commerce, hydrographic data and services support
17 other national needs for the Great Lakes and coastal waters, the territorial sea, the
18 Exclusive Economic Zone, and the continental shelf of the United States,
19 including emergency response; homeland security; marine resource conservation;
20 coastal resiliency to sea-level rise, coastal inundation, and other hazards; ocean
21 and coastal science advancement; and improved and integrated ocean and coastal
22 mapping and observations for an integrated ocean observing system;

1 “(6) The National Oceanic and Atmospheric Administration, in
2 cooperation with other agencies and the States, serves as the Nation’s leading
3 civil authority for establishing and maintaining national standards and datums for
4 hydrographic data and services;

5 “(7) The Director of the National Oceanic and Atmospheric
6 Administration’s Office of Coast Survey serves as the U.S. National
7 Hydrographer and the primary U.S. representative to the international
8 hydrographic community, including the International Hydrographic Organization;

9 “(8) The hydrographic expertise, data, and services of the National
10 Oceanic and Atmospheric Administration provide the underlying and
11 authoritative basis for baseline and boundary demarcation, including the
12 establishment of marine and coastal territorial limits and jurisdiction, such as the
13 Exclusive Economic Zone; and

14 “(9) Research, development and application of new technologies will
15 further increase efficiency, promote the Nation’s competitiveness, provide social
16 and economic benefits, enhance safety and environmental protection, and reduce
17 risks.

18 “(b) PURPOSES - The purposes of this Act are to—

19 “(1) Augment the ability of the National Oceanic and Atmospheric
20 Administration to fulfill its responsibilities under this and other authorities;

21 “(2) Provide more accurate and up-to-date hydrographic data and services
22 in support of safe and efficient international trade and interstate commerce,
23 including hydrographic surveys; electronic navigational charts; real-time tide,

1 water level, and current information and forecasting; shoreline surveys; and
2 geodesy and three-dimensional positioning data;

3 “(3) Support homeland security, emergency response, ecosystem
4 approaches to marine management, and coastal resiliency by providing
5 hydrographic data and services with many other useful operational, scientific,
6 engineering, and management applications, including storm surge, tsunami,
7 coastal flooding, erosion, and pollution trajectory monitoring, predictions, and
8 warnings; marine and coastal geographic information systems; habitat restoration;
9 long-term sea-level trends; and more accurate environmental assessments and
10 monitoring;

11 “(4) Promote improved integrated ocean and coastal mapping and
12 observations through increased coordination and cooperation;

13 “(5) Provide for and support research and development in hydrographic
14 data, services and related technologies to enhance the efficiency, accuracy and
15 availability of hydrographic data and services and thereby promote the Nation’s
16 scientific and technological competitiveness; and

17 “(6) Provide national and international leadership for hydrographic and
18 related services, sciences, and technologies.”.

19 **SEC. 4. CHANGES IN DEFINITIONS.**

20 Section 303 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C.
21 § 892), as redesignated by section 2, is amended—

22 (1) by amending paragraph (3) to read as follows:

23 “(3) Hydrographic data.—The term “hydrographic data” means

1 information acquired through hydrographic, bathymetric, or shoreline surveying;
2 geodetic, geospatial, or geomagnetic measurements; tide, water level, and current
3 observations, or other methods, that is used in providing hydrographic services.”;

4 (2) by amending paragraph (4)(A) to read as follows:

5 “(A) the management, maintenance, interpretation, certification, and
6 dissemination of bathymetric, hydrographic, shoreline, geodetic, geospatial,
7 geomagnetic, and tide, water level, and current information, including the
8 production of nautical charts, nautical information databases, and other products
9 derived from hydrographic data;”; and

10 (3) by amending paragraph (5) to read as follows:

11 “(5) Coast and Geodetic Survey Act.— The term “Coast and Geodetic
12 Survey Act” means the Act entitled “An Act to define the functions and duties of
13 the Coast and Geodetic Survey, and for other purposes”, approved August 6, 1947
14 (33 U.S.C. §§ 883a et seq.).”.

15 **SEC. 5. CHANGES IN FUNCTIONS OF THE ADMINISTRATOR.**

16 Section 304 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C.
17 § 892a), as redesignated by section 2, is amended—

18 (1) in subsection (a)—

19 (A) in the stem by striking “To fulfill the data gathering and dissemination
20 duties of the Administration under the Act of 1947,” and inserting “To fulfill the
21 data gathering and dissemination duties of the Administration under the Coast and
22 Geodetic Survey Act, promote safe, efficient, and environmentally sound marine
23 transportation, and otherwise fulfill the purposes of this Act,”;

1 (B) in paragraph (1) by striking “data;” and inserting “data and provide
2 hydrographic services;”;

3 (2) by amending subsection (b) to read as follows:

4 “(b) Authorities. To fulfill the data gathering and dissemination duties of
5 the Administration under the Coast and Geodetic Survey Act, promote safe,
6 efficient, and environmentally sound marine transportation, and otherwise fulfill
7 the purposes of this Act, subject to the availability of appropriations—

8 “(1) The Administrator may procure, lease, evaluate, test, develop,
9 and operate vessels, equipment, and technologies necessary to ensure safe
10 navigation and maintain operational expertise in hydrographic data
11 acquisition and hydrographic services.

12 “(2) The Administrator shall design, install, maintain, and operate
13 real-time hydrographic monitoring systems to enhance navigation safety
14 and efficiency.

15 “(3) Where appropriate and to the extent that it does not detract
16 from the promotion of safe and efficient navigation, the Administrator
17 may acquire hydrographic data and provide hydrographic services to
18 support the conservation and management of coastal and ocean resources.

19 “(4) Where appropriate, the Administrator may acquire
20 hydrographic data and provide hydrographic services to save and protect
21 life and property and support the resumption of commerce in response to
22 emergencies, natural and man-made disasters, and homeland security and

1 maritime domain awareness needs, including obtaining Mission
2 Assignments as defined in section 741 of Title 6.

3 “(5) The Administrator shall have the authority to create, support
4 and maintain such joint centers, and to enter into and perform such
5 contracts, leases, grants, or cooperative agreements as may be necessary to
6 carry out the purposes of this Act.

7 “(6) Notwithstanding paragraph (5), the Administrator may award
8 contracts for the acquisition of hydrographic data in accordance with
9 title IX of the Federal Property and Administrative Services Act of 1949
10 (40 U.S.C. §§ 1101 et seq.).”.

11 **SEC. 6. CHANGES TO QUALITY ASSURANCE PROGRAM.**

12 Section 305 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C.
13 § 892b), as redesignated by section 2, is amended in subsections (b)(1)(A) and (b)(2) by
14 striking “303(a)(3)” and inserting “304(a)(3)”.

15 **SEC. 7. CHANGES IN HYDROGRAPHIC SERVICES REVIEW PANEL.**

16 Section 306 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. §
17 892c), as redesignated by section 2, is amended—

18 (1) in subsection (b)(1) by striking “303” and inserting “304”;

19 (2) by amending subsection (c)(1)(A) to read as follows:

20 “(A) The panel shall consist of 15 voting members who shall be appointed
21 by the Administrator. The Co-directors of the Joint Hydrographic Institute and no
22 more than two employees of the National Oceanic and Atmospheric
23 Administration appointed by the Administrator shall serve as nonvoting members

1 of the panel. The voting members of the panel shall be individuals who, by
2 reason of knowledge, experience, or training, are especially qualified in one or
3 more of the disciplines and fields relating to hydrographic data and hydrographic
4 services, as defined in this Act, and other disciplines as determined appropriate by
5 the Administrator.”;

6 (3) in subsections (c)(1)(C), (c)(3), and (e) by striking “Secretary” and inserting
7 “Administrator”; and

8 (4) by amending subsection (d) to read as follows:

9 “(d) COMPENSATION – Voting members of the panel shall be
10 reimbursed for actual and reasonable expenses, such as travel and per diem,
11 incurred in the performance of such duties.”.

12 **SEC. 8. CHANGES TO AUTHORIZATION OF APPROPRIATIONS.**

13 Section 307 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C.
14 § 892d), as redesignated by section 2, is amended to read as follows:

15 “There are authorized to be appropriated to the Administrator \$168,771,000 in
16 fiscal year 2008 and thereafter such sums as may be necessary for each of fiscal years
17 2009 through 2012 for the purposes of carrying out this Act.”.