

HYDROGRAPHIC SERVICES IMPROVEMENT AMENDMENTS  
ACT

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JUNE 12, 2018.—Committed to the Committee of the Whole House on the State of  
the Union and ordered to be printed

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Mr. BISHOP of Utah, from the Committee on Natural Resources,  
submitted the following

R E P O R T

[To accompany H.R. 221]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 221) to reauthorize the Hydrographic Services Improvement Act of 1998, 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 Improvement Amendments Act”.

**SEC. 2. REAUTHORIZATION OF HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998.**

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

(1) by inserting before “There are authorized” the following: “(a) IN GENERAL.—”;

(2) in subsection (a) (as designated by paragraph (1))—

(A) in paragraph (1), by striking “surveys—” and all that follows through the end of the paragraph and inserting “surveys, \$70,814,000 for each of fiscal years 2019 through 2023.”;

(B) in paragraph (2), by striking “vessels—” and all that follows through the end of the paragraph and inserting “vessels, \$25,000,000 for each of fiscal years 2019 through 2023.”;

(C) in paragraph (3), by striking “Administration—” and all that follows through the end of the paragraph and inserting “Administration, \$29,932,000 for each of fiscal years 2019 through 2023.”;

(D) in paragraph (4), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$26,800,000 for each of fiscal years 2019 through 2023.”; and

- (E) in paragraph (5), by striking “title—” and all that follows through the end of the paragraph and inserting “title, \$30,564,000 for each of fiscal years 2019 through 2023.”; and
- (3) by adding at the end the following new subsection:
- “(b) ARCTIC PROGRAMS.—Of the amount authorized by this section for each fiscal year—
- “(1) \$10,000,000 is authorized for use to acquire hydrographic data, provide hydrographic services, conduct coastal change analyses necessary to ensure safe navigation, and improve the management of coastal change in the Arctic; and
- “(2) \$2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.”.
- (b) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Section 306 of such Act (33 U.S.C. 892d) is further amended by adding at the end the following:
- “(c) LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.—Of amounts authorized by this section for each fiscal year for hydrographic surveys, not more than 5 percent is authorized for administrative costs.”.

**SEC. 3. GAO STUDY.**

The Comptroller General of the United States shall, by not later than 18 months after the date of enactment of this Act—

- (1) conduct a study comparing the unit costs of hydrographic surveys conducted by the National Oceanic and Atmospheric Administration and the unit costs of procuring performance of such surveys; and
- (2) report to the Congress on the findings of such study.

**PURPOSE OF THE BILL**

The purpose of H.R. 221 is to reauthorize the Hydrographic Services Improvement Act of 1998.

**BACKGROUND AND NEED FOR LEGISLATION**

The United States government began conducting ocean surveys as early as 1807 when Congress passed legislation authorizing the President “to cause a survey to be taken off the coasts of the United States” to improve maritime navigation.<sup>1</sup> This legislation resulted in the creation of the civilian-operated U.S. Coast Survey in 1838, the precursor to the National Ocean Service (NOS) within the National Oceanic Atmospheric Administration (NOAA).<sup>2</sup> NOS is one of six line offices under NOAA and is responsible for the collection of hydrographic data, among other duties.<sup>3</sup> Hydrographic services overseen by NOS broadly include data collection, tide and water level observations, and a variety of ocean- and coastal-related surveying techniques.<sup>4</sup> Hydrographic information is valuable to federal, State and local governments along with a wide variety of ocean-based economic activities.

Different agencies acting under different statutory authorities have conducted hydrographic surveys throughout U.S. history, and the federal resources committed to these efforts have also fluctuated over time. After World War II, due to strong economic growth and technological innovation in sonar technology, the federal government invested heavily in hydrographic surveying.<sup>5</sup> The federal government maintained a robust hydrographic data collection program through the 1940s into the 1970s.<sup>6</sup> However, support

<sup>1</sup>“An Act to provide for surveying the coasts of the United States”, 2 Stat. 413.

<sup>2</sup>“History of Coast Survey”, <https://www.nauticalcharts.noaa.gov/staff/hist.html>.

<sup>3</sup>“An Introduction to NOAA’s National Ocean Service”, can be accessed at: <https://oceanservice.noaa.gov/about/>.

<sup>4</sup>*Hydrographic Services Improvement Act of 1998*, 33 U.S.C. § 892(3)(a).

<sup>5</sup>Committee on Resources Report on H.R. 3164, H. Rept. 105–485, p. 4.

<sup>6</sup>Id at 5.

for hydrographic services withered between 1979 and 1994.<sup>7</sup> Concerned with the aging fleet of hydrographic survey ships and the threat the survey backlog posed to maritime safety and ocean-related economic activity, Rep. Jim Saxton (R–NJ) introduced H.R. 3164, the Hydrographic Services Improvement Act of 1998, in the 105th Congress. This legislation allowed NOAA to contract for hydrographic services, insure the quality of privately-gathered hydrographic data and maintain its own capacity to gather these data.<sup>8</sup>

The Hydrographic Services Improvement Act of 1998 was enacted as Title III of Public Law 105–384 and has been reauthorized twice, in 2002 and 2008,<sup>9</sup> with the current authorization of appropriations having expired in 2012.<sup>10</sup> As ordered reported, H.R. 221, the Hydrographic Services Improvement Amendments Act, would reauthorize appropriations for the program through 2023. Further, the bill would authorize the use of appropriated funds to acquire hydrographic data and conduct surveys in the Arctic. Finally, H.R. 221 directs the Comptroller General to conduct a study comparing the costs of federally and privately conducted hydrographic surveys and submit findings to Congress.

#### COMMITTEE ACTION

H.R. 221 was introduced on January 3, 2017, by Congressman Don Young (R–AK). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Water, Power and Oceans. On November 2, 2017, the Subcommittee held a hearing on the legislation. On May 8, 2018, the Natural Resources Committee met to consider the bill. The Subcommittee was discharged by unanimous consent. Congressman Don Young offered an amendment designated #1; it was adopted by unanimous consent. No further amendments were offered, and the bill, as amended, was ordered favorably reported to the House of Representatives by unanimous consent.

#### 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 Natural Resources’ oversight findings and recommendations are reflected in the body of this report.

#### COMPLIANCE WITH HOUSE RULE XIII AND CONGRESSIONAL BUDGET ACT

1. Cost of Legislation and the Congressional Budget Act. With respect to the requirements of clause 3(c)(2) and (3) of rule XIII of the Rules of the House of Representatives and sections 308(a) and 402 of the Congressional Budget Act of 1974, the Committee has received the following estimate for the bill from the Director of the Congressional Budget Office:

<sup>7</sup>Id.

<sup>8</sup>Id. at 6.

<sup>9</sup>*Hydrographic Services Improvement Act Amendments of 2002*, Public Law 107–372; *Hydrographic Services Improvement Act Amendments of 2008*, Public Law 110–386.

<sup>10</sup>33 U.S.C. § 892d.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
*Washington, DC, May 21, 2018.*

Hon. ROB BISHOP,  
*Chairman, Committee on Natural Resources,  
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 221, the Hydrographic Services Improvement Amendments Act.

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

Sincerely,

MARK P. HADLEY  
(For Keith Hall, Director).

Enclosure.

*H.R. 221—Hydrographic Services Improvement Amendments Act*

Summary: H.R. 221 would authorize the appropriation of \$183 million annually from 2019 to 2023 for the National Oceanic and Atmospheric Administration (NOAA) to conduct certain hydrographic activities (the measurement and description of features that affect maritime navigation).

CBO estimates that implementing H.R. 221 would cost \$811 million over the 2019–2023 period and \$104 million after 2023, assuming appropriation of the authorized amounts.

Enacting the bill would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 221 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

H.R. 221 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA).

Estimated cost to the Federal Government: The estimated budgetary effect of H.R. 221 is shown in the following table. The costs of the legislation fall within budget function 300 (natural resources and environment).

	By fiscal year, in millions of dollars—						
	2018	2019	2020	2021	2022	2023	2019– 2023
INCREASES IN SPENDING SUBJECT TO APPROPRIATION							
Authorization Level .....	0	183	183	183	183	183	915
Estimated Outlays .....	0	114	157	178	181	181	811

Basis of estimate: For this estimate, CBO assumes that H.R. 221 will be enacted near the end of 2018 and that the authorized amounts will be appropriated for each fiscal year beginning in 2019. Estimated outlays are based on historic spending patterns for the affected programs.

H.R. 221 would authorize the appropriation of \$183 million a year from 2019 through 2023 to carry out hydrographic activities, including nautical mapping and charting, collecting hydrographic data, maintaining a geodetic reference system (a worldwide coordinate system used for navigation), and measuring tides and currents. In 2018, NOAA allocated \$213 million to carry out similar

activities. CBO estimates that implementing H.R. 221 would cost \$811 million over the 2019–2023 period and \$104 million after 2023.

Pay-As-You-Go considerations: None.

Increase in long-term direct spending and deficits: CBO estimates that enacting H.R. 221 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2029.

Mandates: H.R. 221 contains no intergovernmental or private-sector mandates as defined in UMRA.

Previous CBO estimate: On March 3, 2017, CBO transmitted a cost estimate for S. 171, the National Oceanic and Atmospheric Administration Commissioned Officer Corps Amendments and Hydrographic Services Improvement Act Reauthorization Amendments Act of 2017, as ordered reported by the Senate Committee on Commerce, Science, and Transportation on January 24, 2017. Provisions of title V of S. 171 are similar to provisions of H.R. 221. The differences in CBO's estimates of those provisions' costs stem from differences in the fiscal years for which the bills would authorize appropriations.

Estimate prepared by: Federal Costs: Robert Reese; Mandates: Zach Byrum.

Estimate reviewed by: Kim P. Cawley, Chief, Natural and Physical Resources Cost Estimates Unit; H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.

2. 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 reauthorize the Hydrographic Services Improvement Act of 1998.

#### EARMARK STATEMENT

This bill does not contain any Congressional earmarks, limited tax benefits, or limited tariff benefits as defined under clause 9(e), 9(f), and 9(g) of rule XXI of the Rules of the House of Representatives.

#### COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

#### COMPLIANCE WITH H. RES. 5

Directed Rule Making. This bill does not contain any directed rule makings.

Duplication of Existing Programs. This bill does not establish or reauthorize a program of the federal government known to be duplicative of another program. Such program was not included in any report from the Government Accountability Office to Congress pursuant to section 21 of Public Law 111–139 or identified in the most recent Catalog of Federal Domestic Assistance published pursuant to the Federal Program Information Act (Public Law 95–220, as amended by Public Law 98–169) as relating to other programs.

#### 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, and existing law in which no change is proposed is shown in roman):

**HYDROGRAPHIC SERVICES IMPROVEMENT ACT OF 1998**

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**TITLE III—NOAA HYDROGRAPHIC SERVICES**

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**SEC. 306. AUTHORIZATION OF APPROPRIATIONS.**

(a) *IN GENERAL.*—There are authorized to be appropriated to the Administrator the following:

(1) To carry out nautical mapping and charting functions under sections 304 and 305, except for conducting hydrographic  **[surveys—] surveys**, *\$70,814,000 for each of fiscal years 2019 through 2023.*

**[(A) \$55,000,000 for fiscal year 2009;**

**[(B) \$56,000,000 for fiscal year 2010;**

**[(C) \$57,000,000 for fiscal year 2011; and**

**[(D) \$58,000,000 for fiscal year 2012.]**

(2) To contract for hydrographic surveys under section 304(b)(1), including the leasing or time chartering of  **[vessels—] vessels**, *\$25,000,000 for each of fiscal years 2019 through 2023.*

**[(A) \$32,130,000 for fiscal year 2009;**

**[(B) \$32,760,000 for fiscal year 2010;**

**[(C) \$33,390,000 for fiscal year 2011; and**

**[(D) \$34,020,000 for fiscal year 2012.]**

(3) To operate hydrographic survey vessels owned by the United States and operated by the  **[Administration—] Administration**, *\$29,932,000 for each of fiscal years 2019 through 2023.*

**[(A) \$25,900,000 for fiscal year 2009;**

**[(B) \$26,400,000 for fiscal year 2010;**

**[(C) \$26,900,000 for fiscal year 2011; and**

**[(D) \$27,400,000 for fiscal year 2012.]**

(4) To carry out geodetic functions under this  **[title—] title**, *\$26,800,000 for each of fiscal years 2019 through 2023.*

**[(A) \$32,640,000 for fiscal year 2009;**

**[(B) \$33,280,000 for fiscal year 2010;**

**[(C) \$33,920,000 for fiscal year 2011; and**

**[(D) \$34,560,000 for fiscal year 2012.]**

(5) To carry out tide and current measurement functions under this  **[title—] title**, *\$30,564,000 for each of fiscal years 2019 through 2023.*

**[(A) \$27,000,000 for fiscal year 2009;**

- [(B) \$27,500,000 for fiscal year 2010;
- [(C) \$28,000,000 for fiscal year 2011; and
- [(D) \$28,500,000 for fiscal year 2012.]

(6) To acquire a replacement hydrographic survey vessel capable of staying at sea continuously for at least 30 days \$75,000,000.

(b) *ARCTIC PROGRAMS.*—*Of the amount authorized by this section for each fiscal year—*

(1) *\$10,000,000 is authorized for use to acquire hydrographic data, provide hydrographic services, conduct coastal change analyses necessary to ensure safe navigation, and improve the management of coastal change in the Arctic; and*

(2) *\$2,000,000 is authorized for use to acquire hydrographic data and provide hydrographic services in the Arctic necessary to delineate the United States extended Continental Shelf.*

(c) *LIMITATION ON ADMINISTRATIVE EXPENSES FOR SURVEYS.*—*Of amounts authorized by this section for each fiscal year for hydrographic surveys, not more than 5 percent is authorized for administrative costs.*

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