

(3) On March 30, 1942, 227 Bainbridge Island residents were the first Japanese Americans in United States history to be forcibly removed from their homes by the U.S. Army and sent to internment camps. They boarded the ferry Kehloken from the former Eagledale Ferry Dock, located at the end of Taylor Avenue, in the city of Bainbridge Island, Washington State.

(4) The city of Bainbridge Island has adopted a resolution stating that this site should be a National Memorial, and similar resolutions have been introduced in the Washington State Legislature.

(5) Both the Minidoka National Monument and Manzanar National Historic Site can clearly tell the story of a time in our Nation's history when constitutional rights were ignored. These camps by design were placed in very remote places and are not easily accessible. Bainbridge Island is a short ferry ride from Seattle and the site would be within easy reach of many more people.

(6) This is a unique opportunity to create a site that will honor those who suffered, cherish the friends and community who stood beside them and welcomed them home, and inspire all to stand firm in the event our nation again succumbs to similar fears.

(7) The site should be recognized by the National Park Service based on its high degree of national significance, association with significant events, and integrity of its location and setting. This site is critical as an anchor for future efforts to identify, interpret, serve, and ultimately honor the Nikkei—persons of Japanese ancestry—influence on Bainbridge Island.

#### **SEC. 2. EAGLEDALE FERRY DOCK LOCATION AT TAYLOR AVENUE STUDY AND REPORT.**

(a) **STUDY.**—The Secretary of the Interior shall carry out a special resource study regarding the national significance, suitability, and feasibility of designating as a unit of the National Park System the property commonly known as the Eagledale Ferry Dock at Taylor Avenue and the historical events associated with it, located in the town of Bainbridge Island, Kitsap County, Washington.

(b) **REPORT.**—Not later than 1 year after funds are first made available for the study under subsection (a), the Secretary of the Interior shall submit to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate a report describing the findings, conclusions, and recommendations of the study.

(c) **REQUIREMENTS FOR STUDY.**—Except as otherwise provided in this section, the study under subsection (a) shall be conducted in accordance with section 8(c) of Public Law 91–383 (16 U.S.C. 1a–5(c)).

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

#### **CARIBBEAN NATIONAL FOREST WILDERNESS ACT OF 2002**

Mr. HANSEN. Mr. Speaker, I ask unanimous consent for the immediate consideration in the House of the bill (H.R. 3955) to designate certain National Forest System lands in the Commonwealth of Puerto Rico as components of the National Wilderness Preservation System, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the bill, as follows:

H.R. 3955

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

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Caribbean National Forest Wilderness Act of 2002”.

#### **SEC. 2. WILDERNESS DESIGNATION, CARIBBEAN NATIONAL FOREST, PUERTO RICO.**

(a) **EL TORO WILDERNESS.**—In furtherance of the purposes of the Wilderness Act (16 U.S.C. 113 et seq.), the approximately 10,000 acres of land in the Caribbean National Forest/Luquillo Experimental Forest in the Commonwealth of Puerto Rico that were proposed for wilderness classification in the revised land and resource management plan for the Caribbean National Forest/Luquillo Experimental Forest, approved April 17, 1997, are hereby designated as wilderness and, therefore, as a component of the National Wilderness Preservation System. The designated lands shall be known as the El Toro Wilderness.

(b) **WILDERNESS BOUNDARIES.**—The El Toro Wilderness shall consist of those lands that were proposed for wilderness classification in the management plan referred to in subsection (a), except that the Secretary of Agriculture shall locate the boundaries of the wilderness area so that existing municipal water intakes will not be within the wilderness boundaries and the boundaries shall be located at least 600 feet west of Highway PR 191 from Kilometer 6.5 to Kilometer 12.0.

#### **(c) MAP AND DESCRIPTION.—**

(1) **PREPARATION AND SUBMISSION.**—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall prepare a map and a boundary description of the El Toro Wilderness and submit the map and boundary description to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The map and boundary description shall be on file and available for public inspection in the office of the Chief of the Forest Service.

(2) **TREATMENT.**—The map and boundary description prepared under paragraph (1) shall have the same force and effect as if included in this Act. The Secretary may correct clerical and typographical errors in the map and description.

(d) **ADMINISTRATION.**—Subject to valid existing rights, the Secretary of Agriculture shall administer the El Toro Wilderness in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act. With respect to the El Toro Wilderness, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of the enactment of this Act.

(e) **SPECIAL MANAGEMENT CONSIDERATIONS.**—Designation of the El Toro Wilderness, and the applicability of the Wilderness Act to the wilderness area, shall not be construed to prevent any of the following activities, subject to such conditions as the Secretary of Agriculture considers desirable, within the boundaries of the wilderness area:

(1) Installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities, or any combination of such facilities, when the Secretary determines that such facilities are essential to the scientific research purposes of the Luquillo Experimental Forest.

(2) Construction and maintenance of nesting structures, observation blinds, and population monitoring platforms for threatened and endangered species.

(3) Construction and maintenance of trails to such facilities as necessary for research purposes and for the recovery of threatened and endangered species.

#### **COMMITTEE AMENDMENT**

The SPEAKER pro tempore. The Clerk will report the committee amendment.

Mr. HANSEN. Mr. Speaker, I ask unanimous consent that the committee amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The text of the committee amendment is as follows:

Strike out all after the enacting clause and insert:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Caribbean National Forest Wilderness Act of 2002”.

#### **SEC. 2. WILDERNESS DESIGNATION, CARIBBEAN NATIONAL FOREST, PUERTO RICO.**

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(b) **WILDERNESS BOUNDARIES.**—The El Toro Wilderness shall consist of those lands that were proposed for wilderness classification in the management plan referred to in subsection (a), except that the Secretary of Agriculture shall locate the boundaries of the wilderness area so that existing municipal water intakes will not be within the wilderness boundaries and the boundaries shall be located at least 600 feet west of Highway PR 191 from Kilometer 6.5 to Kilometer 12.0.

#### **(c) MAP AND DESCRIPTION.—**

(1) **PREPARATION AND SUBMISSION.**—As soon as practicable after the date of the enactment of this Act, the Secretary of Agriculture shall prepare a map and a boundary description of the El Toro Wilderness and submit the map and boundary description to the Committee on Resources of the House of Representatives and the Committee on Energy and Natural Resources of the Senate. The map and boundary description shall be on file and available for public inspection in the office of the Chief of the Forest Service.

(2) **TREATMENT.**—The map and boundary description prepared under paragraph (1) shall have the same force and effect as if included in this Act. The Secretary may correct clerical and typographical errors in the map and description.

(d) **ADMINISTRATION.**—Subject to valid existing rights, the Secretary of Agriculture shall administer the El Toro Wilderness in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.) and this Act. With respect to the El Toro Wilderness, any reference in the Wilderness Act to the effective date of the Wilderness Act shall be deemed to be a reference to the date of the enactment of this Act.

(e) **SPECIAL MANAGEMENT CONSIDERATIONS.**—Designation of the El Toro Wilderness, and the applicability of the Wilderness

Act to the wilderness area, shall not be construed to prevent any of the following activities, subject to such conditions as the Secretary of Agriculture considers desirable, within the boundaries of the wilderness area:

(1) Installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities, or any combination of such facilities, when the Secretary determines that—

(A) such facilities are essential to the scientific research purposes of the Luquillo Experimental Forest; and

(B) the scale and scope of the facility development are not detrimental to the wilderness characteristics of the wilderness area.

(2) Construction and maintenance of nesting structures, observation blinds, and population monitoring platforms for threatened and endangered species.

(3) Construction and maintenance of trails to such facilities as necessary for research purposes and for the recovery of threatened and endangered species.

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

## HYDROGRAPHIC SERVICES IMPROVEMENT ACT AMENDMENTS OF 2002

Mr. HANSEN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 4883) to reauthorize the Hydrographic Services Improvement Act of 1998, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Utah?

There was no objection.

The Clerk read the bill, as follows:

H.R. 4883

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

### SECTION 1. SHORT TITLE.

This title may be cited as the "Hydrographic Services Improvement Act Amendments of 2002".

### SEC. 2. DEFINITIONS.

Section 302 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892) is amended—

(1) in paragraph (3) by inserting "geospatial or geomagnetic" after "geodetic"; and

(2) in paragraph (4) by inserting "geospatial, geomagnetic," after "geodetic."

### SEC. 3. FUNCTIONS OF ADMINISTRATOR.

(a) HYDROGRAPHIC MONITORING SYSTEMS.—Section 303(b)(4) of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892a(b)(4)) is amended to read as follows:

"(4) shall design, install, maintain, and operate real-time hydrographic monitoring systems to enhance navigation safety and efficiency."

(b) CONSERVATION AND MANAGEMENT OF COASTAL AND OCEAN RESOURCES.—Section 303 of such Act (33 U.S.C. 892a) is further amended by adding at the end the following:

"(c) CONSERVATION AND MANAGEMENT OF COASTAL AND OCEAN RESOURCES.—Where appropriate and to the extent that it does not detract from the promotion of safe and efficient navigation, the Secretary may use hy-

drographic data and services to support the conservation and management of coastal and ocean resources."

### SEC. 4. QUALITY ASSURANCE PROGRAM.

(a) IN GENERAL.—Section 304(b)(1) of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892b(1)) is amended to read as follows:

"(1) IN GENERAL.—The Administrator—

"(A) by not later than 2 years after the date of enactment of the Hydrographic Services Improvement Act Amendments of 2002, shall, subject to the availability of appropriations, develop and implement a quality assurance program that is equally available to all applicants, under which the Administrator may certify hydrographic products that satisfy the standards promulgated by the Administrator under section 303(a)(3) of this Act;

"(B) may authorize the use of the emblem or any trademark of the Administration on a hydrographic product certified under subparagraph (A); and

"(C) may charge a fee for such certification and use."

(b) ACCEPTANCE AND RECOGNITION OF CERTIFICATIONS.—Section 304(b) of such Act (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 which affect hydrographic products and nautical charts accept or recognize, respectively, hydrographic products certified by the Administrator under this subsection."

### SEC. 5. HYDROGRAPHIC SERVICES REVIEW PANEL.

Section 305 of the Hydrographic Services Improvement Act of 1998 (33 U.S.C. 892c) is amended to read as follows:

#### "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 shall establish the Hydrographic Services Review Panel.

"(b) DUTIES.—

"(1) IN GENERAL.—The panel shall advise the Administrator on matters related to the responsibilities and authorities set forth in section 303 of this Act and such other appropriate matters as the Administrator refers to the panel for review and advice.

"(2) ADMINISTRATIVE RESOURCES.—The Administrator shall make available to the panel such information, personnel, and administrative services and assistance as it may reasonably require to carry out its duties.

"(c) MEMBERSHIP.—

"(1) IN GENERAL.—

"(A) The panel shall consist of 15 voting members who shall be appointed by the Administrator. The Director of the Joint Hydrographic Institute and no more than 2 employees of the National Oceanic and Atmospheric Administration appointed by the Administrator shall serve as nonvoting members of the panel. The voting members of the panel shall be individuals who, by reason of knowledge, experience, or training, are especially qualified in one or more of the disciplines and fields relating to hydrographic surveying, tide, current geodetic and geospatial measurement, marine transportation, port administration, vessel pilotage, and coastal and fishery management.

"(B) An individual may not be appointed as a voting member of the panel if the individual is a full-time officer or employee of the United States.

"(C) Any voting member of the panel who is an applicant for, or beneficiary (as deter-

mined by the Secretary) of, any assistance under this Act shall disclose to the panel that relationship, and may not vote on any matter pertaining to that assistance.

"(2) TERMS.—

"(A) The term of office of a voting member of the panel shall be 4 years, except that of the original appointees, five shall be appointed for a term of 2 years, five shall be appointed for a term of 3 years, and five shall be appointed for a term of 4 years, as specified by the Administrator at the time of appointment.

"(B) Any individual appointed to a partial or full term may be reappointed for one additional full term. A voting member may serve after the date of the expiration of the term of office for which appointed until his or her successor has taken office.

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

"(4) CHAIRMAN AND VICE CHAIRMAN.—

"(A) The panel shall select one voting member to serve as the Chairman and another voting member to serve as the Vice Chairman.

"(B) The Vice Chairman shall act as Chairman in the absence or incapacity of the Chairman.

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

"(1) receive compensation at a rate established by the Secretary, 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

"(2) be reimbursed for actual and reasonable expenses incurred in the performance of such duties.

"(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.

"(f) POWERS.—The panel may exercise such powers as are reasonably necessary in order to carry out its duties under subsection (b)."

### SEC. 6. PLAN REGARDING PHOTOGRAMMETRY AND REMOTE SENSING.

(a) IN GENERAL.—Not later than 6 months after the date of enactment of this Act, the Administrator of the National Oceanic and Atmospheric Administration shall submit to the Congress a plan for increasing, consistent with this Act, contracting with the private sector for photogrammetric, remote sensing, and other geospatial reference services related to hydrographic data acquisition or hydrographic services activities performed by the National Ocean Service. In preparing the plan, the Administrator shall consult with private sector entities knowledgeable in photogrammetry and remote sensing.

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

(1) An assessment of which of the photogrammetric, remote sensing, and other geospatial reference services related to hydrographic data acquisition or hydrographic services activities performed by the National Ocean Service can be performed adequately by private-sector entities.

(2) An evaluation of the relative cost-effectiveness of the Federal Government and private-sector entities in performing those activities.

(3) A strategy for enhancing and improving the acquisition and contract management capabilities of the National Oceanic and Atmospheric Administration to assist in the utilization of private sector entities for photogrammetric, remote sensing and other geospatial reference services related to hydrographic data acquisition or hydrographic