

AUTHORIZATION OF FUNDS FOR ARCTIC HYDROGRAPHIC
ACTIVITIES

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JULY 13, 2010.—Committed to the Committee of the Whole House on the State of
the Union and ordered to be printed
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Mr. RAHALL, from the Committee on Natural Resources,
submitted the following

R E P O R T

[To accompany H.R. 2864]

[Including cost estimate of the Congressional Budget Office]

The Committee on Natural Resources, to whom was referred the bill (H.R. 2864) to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes, 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. AUTHORIZATION OF APPROPRIATIONS.

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

(1) by inserting before the text the following: “(a) IN GENERAL.—”; and

(2) by adding at the end the following new subsection:

“(b) ARCTIC PROGRAMS.—Of the amount authorized for each of fiscal years 2011 and 2012—

“(1) \$5,000,000 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.”.

PURPOSE OF THE BILL

The purpose of H.R. 2864 is to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydro-

graphic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes.

BACKGROUND AND NEED FOR LEGISLATION

The Office of Coast Survey (OCS), within National Ocean Service (NOS) of the National Oceanic and Atmospheric Administration (NOAA), is one of the oldest federal agencies dating back to its establishment by President Thomas Jefferson in the early 19th Century. OCS conducts hydrographic surveys to measure the depths and bottom configurations of water bodies, and has conducted more than 10,600 such surveys since its establishment. Hydrographic surveys provide the underlying data necessary to produce the nation's nautical charts, maps and other aids to navigation to ensure safe navigation throughout the 3.4 million square nautical miles within the United States' Exclusive Economic Zone. These surveys also identify sea-floor materials and features, such as cables, pipelines, wrecks and other obstructions, as well as fish habitats, which are important data to have in making decisions for locating anchorages and for routing pipelines and telecommunication cables. Surveys also support a variety of activities such as port and harbor dredging, beach erosion and re-nourishment studies, coastal zone management, and offshore resource development, including sand and gravel mining and oil and gas development.

OCS and other related NOS programs (i.e., current and tide measurements, height (or geodetic) measurements, and nautical charts and maps) are authorized under the Hydrographic Services Improvement Act (HSIA). The HSIA (enacted as Title III of P.L. 105-384) amended the Coast and Geodetic Survey Act of 1947 to modernize NOAA's responsibilities for the acquisition of hydrographic survey data, services and products, and to establish standards and protocols for the maintenance of the hydrographic survey database. Additionally, the HSIA established certification standards and fees for hydrographic products developed outside of OCS and also required NOAA to develop a plan to utilize private sector contractors in the acquisition of survey data.

Recent scientific findings released in the 2009 *Arctic Report Card* have shown that arctic sea ice is shrinking, with significantly smaller amounts of summer sea ice cover and a decrease in older, thicker ice. Open water space in the Arctic Ocean will correspondingly be available for ship travel, presenting a changed landscape for a variety of sectors including international marine commerce and transport, defense, and greater accessibility to natural resources. These activities are likely to create substantial new demands on the federal government to provide hydrographic data and hydrographic services in the near term.

H.R. 2864 would amend section 306 of the HSIA to authorize NOAA to use \$5 million for Fiscal Years 2011 and 2012 to acquire hydrographic data, provide hydrographic services, conduct coastal change analyses necessary to ensure safe navigation, and improve management of coastal change in the Arctic, and \$2 million for the same period to acquire hydrographic data and provide hydrographic services to delineate the United States extended continental shelf.

COMMITTEE ACTION

H.R. 2864 was introduced on June 12, 2009 by Representative Don Young (R-AK). The bill was referred to the Committee on Natural Resources, and within the Committee to the Subcommittee on Insular Affairs, Oceans and Wildlife. On May 6, 2010, the Subcommittee held a hearing on the bill. Witnesses representing NOAA, the U.S. Arctic Research Commission, and the Center for Ocean and Coastal Mapping at the University of New Hampshire each testified in support of the urgent need for greater investments in hydrographic data, services and products for the Arctic.

On June 16, the Subcommittee was discharged from the further consideration of H.R. 2864 and the full Natural Resources Committee met to consider the bill. Representative Young offered an amendment in the nature of a substitute to strike \$30 million in new authorized funding over Fiscal Years 2011 and 2012, and to substitute authorizations allowing NOAA to spend \$7 million per year from the total amounts authorized to implement the Hydrographic Services Act to be used to support activities in the Arctic. This amendment would neither authorize new funding nor require the use of existing funds. It would simply clarify that NOAA has specific authority under HSIA to work in the Arctic and set annual caps on the total amounts NOAA may spend. The amendment was adopted by unanimous consent. The bill, as amended, was then 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.

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, as ordered reported, is to amend the Hydrographic

Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes.

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:

H.R. 2864—A bill to amend the Hydrographic Services Improvement Act of 1998 to authorize funds to acquire hydrographic data and provide hydrographic services specific to the Arctic for safe navigation, delineating the United States extended continental shelf, and the monitoring and description of coastal changes

The Hydrographic Services Improvement Act of 1998 (Public Law 110–386) authorizes the appropriation of \$179 million for fiscal year 2011 and \$182 million for fiscal 2012 for the National Oceanic and Atmospheric Administration (NOAA) to conduct hydrographic activities (the measurement and description of features that affect maritime navigation). H.R. 2864 would amend that act to specify that, of the amounts already authorized to be appropriated under Public Law 110–386, \$7 million in each of fiscal years 2011 and 2012 would be authorized to be used by NOAA to collect hydrographic data to enhance the safety of maritime navigation and to map the extended continental shelf in the Arctic.

Because the bill would not authorize funding in excess of amounts already authorized to be appropriated under current law, CBO estimates that implementing the legislation would have no impact on the federal budget. Enacting H.R. 2864 would not affect direct spending or revenues; therefore, pay-as-you-go procedures would not apply.

H.R. 2864 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Jeff LaFave. The estimate was approved by Theresa Gullo, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104–4

This bill contains no unfunded mandates.

EARMARK STATEMENT

H.R. 2864 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

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 (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

* * * * *

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) * * *

(b) *ARCTIC PROGRAMS.*—*Of the amount authorized for each of fiscal years 2011 and 2012—*

(1) \$5,000,000 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.

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