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[CITE: 33USC883a]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER 17--NATIONAL OCEAN SURVEY

SUBCHAPTER II--SURVEYS

Sec. 883a. Surveys and other activities

To provide charts and related information for the safe navigation of marine and air commerce, and to provide basic data for engineering and scientific purposes and for other commercial and industrial needs, the Secretary of Commerce, is authorized to conduct the following activities:

- (1) Hydrographic and topographic surveys;
- (2) Tide and current observations;
- (3) Geodetic-control surveys;
- (4) Field surveys for aeronautical charts;
- (5) Geomagnetic, seismological, gravity, and related geophysical measurements and investigations, and observations for the determination of variation in latitude and longitude.

(Aug. 6, 1947, ch. 504, Sec. 1, 61 Stat. 787; Pub. L. 86-409, Apr. 5, 1960, 74 Stat. 16; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318.)

Amendments

1960--Pub. L. 86-409 struck out provisions which restricted the Coast and Geodetic Survey in the conduct of its specified activities to the United States, its Territories and possessions, and which restricted hydrographic and topographic surveys to surveys of coastal water and land areas (including offlying islands, banks, shoals, and other offshore areas), and to surveys of lakes, rivers, reservoirs, and other inland waters not otherwise provided for by statute.

Transfer of Functions

Functions of Secretary and other officers of Department of Commerce under sections 883a to 883h of this title that relate to the Office of Aeronautical Charting and Cartography to provide aeronautical charts, products, and services for safe and efficient navigation of air commerce transferred to Administrator of Federal Aviation Administration effective Oct. 1, 2000, see section 44721(c)(1) of Title 49, Transportation.

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with Weather Bureau to form a new agency in Department of Commerce to be known as Environmental Science Services Administration, by Reorg. Plan No. 2 of 1965, eff. July 13,

1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 851 of this title. The Reorg. Plan also transferred to Secretary of Commerce all functions of Coast and Geodetic Survey and Director. For further details, see note set out under section 851 of this title.

Great Lakes Mapping

Pub. L. 100-220, title III, subtitle B, Dec. 29, 1987, 101 Stat. 1475, as amended by Pub. L. 100-629, Sec. 3, Nov. 7, 1988, 102 Stat. 3286, provided that:

``SEC. 3201. SHORT TITLE.

``This subtitle may be cited as the `Great Lakes Shoreline Mapping Act of 1987'.

``SEC. 3202. GREAT LAKES SHORELINE MAPPING PLAN.

``(a) Preparation of Plan.--Not later than nine months after the date of the enactment of this subtitle [Dec. 29, 1987], the Director, in consultation with the Director of the United States Geological Survey, shall submit to the Congress a plan for preparing maps of the shoreline of the Great Lakes under section 3203.

``(b) Content of Plan.--A plan prepared under paragraph (1) shall include--

``(1) a work proposal and a division of responsibilities between the National Oceanic and Atmospheric Administration and the United States Geological Survey;

``(2) a time schedule for completion of maps;

``(3) recommendation of funding needed for preparing the maps;

and

``(4) an area mapping schedule, with first priority given to shoreline areas subject to a high risk of erosion or flooding.

``SEC. 3203. PREPARATION OF GREAT LAKES SHORELINE MAPS.

``(a) In General.--The [sic] following completion of a shoreline mapping plan under section 3202 and subject to authorization and appropriation of funds, the Director, in consultation with the Director of the United States Geological Survey, shall prepare maps of the shoreline areas of the Great Lakes.

``(b) Content of Maps.--Maps prepared under this section--

``(1) shall include--

``(A) bathymetry of the nearshore area, to the extent that this area will affect coastal erosion and flooding;

``(B) topography of the adjacent shoreline, to the extent that this area will directly affect or be affected by coastal erosion and flooding;

``(C) the geological conditions of the nearshore area and shoreline to the extent that these areas will directly affect or be affected by coastal erosion and flooding;

``(D) information on the recent geological past of the nearshore area and shoreline areas described in paragraph (3); and

``(E) appropriate information for use in predicting and preventing damage caused by erosion and flooding in the Great Lakes;

``(2) shall be of appropriate scale and detail and take into account the greater informational needs of areas subject to a high risk of erosion or flooding; and

``(3) to the maximum extent practicable, shall be consistent with similar shoreline maps prepared by, or for the use of, the

Government of Canada.

“(c) Consultation.--In preparing maps under this section, the Director shall consult with, and take into consideration, the informational needs of--

- “(1) the Army Corps of Engineers;
- “(2) the Federal Emergency Management Agency;
- “(3) other appropriate Federal agencies;
- “(4) the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin;
- “(5) appropriate local government units; and
- “(6) the general public.

“(d) Availability of Maps.--The Director shall make maps prepared under this section available to--

- “(1) Federal agencies;
- “(2) State governments;
- “(3) local government units;
- “(4) the Government of Canada; and
- “(5) the general public.

“(e) Recovery of Costs.--The costs of reproducing and distributing maps prepared under this section may be recovered under section 9701 of title 31, United States Code, or another law.

“SEC. 3204. CONTRACT AUTHORITY.

“The Director may, subject to appropriations, enter into contracts and agreements on a reimbursable or cost-sharing basis with other Federal agencies, State governments, local governments, and private entities, to carry out this subtitle.

“SEC. 3205. DEFINITIONS.

“For purposes of this subtitle--

“(1) The term ‘Director’ means the Director of Charting and Geodetic Services of the National Ocean Service, within the National Oceanic and Atmospheric Administration.

“(2) The term ‘Great Lakes’ means Lake Erie, Lake Huron, Lake Michigan, Lake Ontario, Lake St. Clair, Lake Superior, the Saint Mary’s River, the Saint Clair River, the Detroit River, the Niagara River, the Saint Lawrence River to the Canadian border, to the extent such lakes and rivers are subject to the jurisdiction of the United States.

“(3) The term ‘high risk of erosion’ means subject to erosion at a rate greater than 1 foot per year.

“SEC. 3206. AUTHORIZATION OF APPROPRIATIONS.

“There are authorized to be appropriated to carry out section 3202 not more than \$100,000 for fiscal year 1989. Amounts appropriated pursuant to this section shall remain available until expended.”

[For transfer of functions, personnel, assets, and liabilities of the Federal Emergency Management Agency, including the functions of the Director of the Federal Emergency Management Agency relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections 313(1), 551(d), 552(d), and 557 of Title 6, Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section 542 of Title 6.]

[CITE: 33USC883b]

CHAPTER 17--NATIONAL OCEAN SURVEY

SUBCHAPTER II--SURVEYS

Sec. 883b. Dissemination of data; further activities

In order that full public benefit may be derived from the operations of the National Ocean Survey by the dissemination of data resulting from the activities herein authorized and of related data from other sources, the Secretary of Commerce is authorized to conduct the following activities:

- (1) Analysis and prediction of tide and current data;
- (2) Processing and publication of data, information, compilations, and reports;
- (3) Compilation and printing of nautical charts;
- (4) Distribution of nautical charts and related navigational publications.

(Aug. 6, 1947, ch. 504, Sec. 2, 61 Stat. 787; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090; Pub. L. 106-181, title VI, Sec. 605(a), Apr. 5, 2000, 114 Stat. 154.)

Amendments

2000--Par. (3). Pub. L. 106-181, Sec. 605(a)(1), (2), redesignated par. (4) as (3), substituted ``charts;'' for ``charts of the United States, its Territories, and possessions;'' and struck out former par. (3) which read as follows: ``Compilation and printing of aeronautical charts of the United States, its Territories, and possessions; and, in addition, the compilation and printing of such aeronautical charts covering international airways as are required primarily by United States Civil aviation;''.

Par. (4). Pub. L. 106-181, Sec. 605(a)(1), (3), redesignated par. (6) as (4) and substituted ``publications'' for ``publications for the United States, its Territories, and possessions''. Former par. (4) redesignated (3).

Par. (5). Pub. L. 106-181, Sec. 605(a)(1), struck out par. (5) which read as follows: ``Distribution of aeronautical charts and related navigational publications required by United States civil aviation;''.

Par. (6). Pub. L. 106-181, Sec. 605(a)(1), redesignated par. (6) as (4).

Effective Date of 2000 Amendment

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of Title 49, Transportation.

Transfer of Functions

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with Weather Bureau to form a new agency in Department of Commerce to be known as Environmental Science

Services Administration, by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 851 of this title. The Reorg. Plan also transferred to Secretary of Commerce all functions of Coast and Geodetic Survey and Director. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Coast and Geodetic Survey changed to National Ocean Survey. For further details, see note set out under section 851 of this title.

[CITE: 33USC883c]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

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Sec. 883c. Geomagnetic data; collection, correlation, and dissemination

To provide for the orderly collection of geomagnetic data from domestic and foreign sources, and to assure that such data shall be readily available to Government and private agencies and individuals, the National Ocean Survey is designated as the central depository of the United States Government for geomagnetic data, and the Secretary of Commerce is authorized to collect, correlate, and disseminate such data.

(Aug. 6, 1947, ch. 504, Sec. 3, 61 Stat. 787; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

Transfer of Functions

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with Weather Bureau to form a new agency in Department of Commerce to be known as Environmental Science Services Administration, by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 851 of this title. The Reorg. Plan also transferred to Secretary of Commerce all functions of Coast and Geodetic Survey and Director. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Coast and Geodetic Survey changed to National Ocean Survey. For further details, see note set out under section 851 of this title.

[CITE: 33USC883d]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER 17--NATIONAL OCEAN SURVEY

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Sec. 883d. Improvement of methods, instruments, and equipments;
investigations and research

To improve the efficiency of the National Ocean Survey and to increase engineering and scientific knowledge, the Secretary of Commerce is authorized to conduct developmental work for the improvement of surveying and cartographic methods, instruments, and equipments; and to conduct investigations and research in geophysical sciences (including geodesy, oceanography, seismology, and geomagnetism).

(Aug. 6, 1947, ch. 504, Sec. 4, 61 Stat. 788; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

Transfer of Functions

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with Weather Bureau to form a new agency in Department of Commerce to be known as Environmental Science Services Administration, by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 851 of this title. The Reorg. Plan also transferred to Secretary of Commerce all functions of Coast and Geodetic Survey and Director. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Coast and Geodetic Survey changed to National Ocean Survey. For further details, see note set out under section 851 of this title.

[CITE: 33USC883e]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

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Sec. 883e. Agreements for surveys and investigations;
contribution of costs incurred by National Oceanic and
Atmospheric Administration

(1) The Secretary of Commerce is authorized to enter into cooperative agreements, or any other agreements, with, and to receive and expend funds made available by, any State or subdivision thereof, any Federal agency, or any public or private organization, or individual, for surveys or investigations authorized herein, or for performing related surveying and mapping activities, including special-purpose maps, and for the preparation and publication of the results thereof.

(2) The Secretary of Commerce is authorized to establish the terms of any agreement entered into under this section, including the amount of funds to be received, and may contribute that portion of the costs incurred by the National Oceanic and Atmospheric Administration, including shiptime and personnel expenses, which the Secretary determines represents the amount of benefits derived by the Administration from the agreement.

(Aug. 6, 1947, ch. 504, Sec. 5, 61 Stat. 788; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; Pub. L. 99-272, title VI, Sec. 6085, Apr. 7, 1986, 100 Stat. 138; Pub. L. 106-181, title VI, Sec. 605(b), Apr. 5, 2000, 114 Stat. 154.)

Amendments

2000--Par. (1). Pub. L. 106-181, Sec. 605(b)(1), substituted ``cooperative agreements, or any other agreements,'' for ``cooperative agreements''.

Par. (2). Pub. L. 106-181, Sec. 605(b)(2), which directed the striking of ``cooperative'', was executed by striking ``cooperative'' before ``agreement'' in two places, to reflect the probable intent of Congress.

1986--Pub. L. 99-272 designated existing provisions as par. (1), inserted ``any Federal agency,'' after ``or subdivision thereof,'' and added par. (2).

Effective Date of 2000 Amendment

Amendment by Pub. L. 106-181 applicable only to fiscal years beginning after Sept. 30, 1999, see section 3 of Pub. L. 106-181, set out as a note under section 106 of Title 49, Transportation.

Transfer of Functions

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with Weather Bureau to form a new agency in Department of Commerce to be known as Environmental Science Services Administration, by Reorg. Plan No. 2 of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 851 of this title. The Reorg. Plan also transferred to Secretary of Commerce all functions of Coast and Geodetic Survey and Director. For further details, see note set out under section 851 of this title.

[CITE: 33USC883f]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

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Sec. 883f. Contracts with qualified organizations

The Secretary of Commerce is authorized to contract with qualified organizations for the performance of any part of the authorized functions of the National Ocean Survey when he deems such procedure to be in the public interests.

(Aug. 6, 1947, ch. 504, Sec. 6, 61 Stat. 788; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090.)

Transfer of Functions

Office of Director of Coast and Geodetic Survey abolished and Coast and Geodetic Survey consolidated with Weather Bureau to form a new agency in Department of Commerce to be known as Environmental Science Services Administration, by Reorg. Plan No. 2, of 1965, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318, set out as a note under section 851 of this title. The Reorg. Plan also transferred to Secretary of Commerce all functions of Coast and Geodetic Survey and Director. Subsequently, Environmental Science Services Administration abolished and National Oceanic and Atmospheric Administration established by Reorg. Plan No. 4 of 1970, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, set out in the Appendix to Title 5, Government Organization and Employees. By Department Organization Order 25-5A, Secretary delegated to NOAA his functions under this chapter of the Code. By order of Acting Associate Administrator of NOAA, organizational name of Coast and Geodetic Survey changed to National Ocean Survey. For further details, see note set out under section 851 of this title.

[CITE: 33USC883g]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

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Sec. 883g. Repealed. Pub. L. 88-611, Sec. 4(a)(2), Oct. 2, 1964,
78 Stat. 991

Section, act Aug. 6, 1947, ch. 504, Sec. 7, 61 Stat. 788, provided for acceptance of gifts or bequests and exemption from Federal taxes. See sections 1522 and 1523 of Title 15, Commerce and Trade.

[CITE: 33USC883h]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

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Sec. 883h. Employment of public vessels

The President is authorized to cause to be employed such of the public vessels as he deems it expedient to employ, and to give such instructions for regulating their conduct as he deems proper in order to carry out the provisions of this subchapter.

(Aug. 6, 1947, ch. 504, Sec. 8, 61 Stat. 788.)

Delegation of Functions

Functions of President under this section delegated to Secretary of Commerce, see section 1(l) of Ex. Ord. No. 11023, May 28, 1962, 27 F.R. 5131, as amended, set out as a note under section 301 of Title 3, The President.

[CITE: 33USC883i]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER 17--NATIONAL OCEAN SURVEY

SUBCHAPTER II--SURVEYS

Sec. 883i. Authorization of appropriations

There are authorized to be appropriated such funds as may be necessary to acquire, construct, maintain, and operate ships, stations, equipment, and facilities and for such other expenditures, including personal services at the seat of government and elsewhere and including the erection of temporary observatory buildings and lease of sites therefor, as may be necessary for the conduct of the activities herein authorized.

(Aug. 6, 1947, ch. 504, Sec. 9, 61 Stat. 788.)

References in Text

Herein, referred to in text, means act Aug. 6, 1947, ch. 504, 61 Stat. 787, as amended, which is classified generally to this subchapter (Sec. 883a et seq.). For complete classification of this Act to the Code, see Tables.

[CITE: 33USC883j]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

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Sec. 883j. Ocean satellite data

The Administrator of the National Oceanic and Atmospheric Administration (hereinafter referred to in this subtitle \1\ as the ``Administration'') shall take such actions, including the sponsorship of applied research, as may be necessary to assure the future availability and usefulness of ocean satellite data to the maritime community.

\1\ See References in Text note below.

(Pub. L. 99-272, title VI, Sec. 6082, Apr. 7, 1986, 100 Stat. 135.)

References in Text

This subtitle, referred to in text, is subtitle H (Secs. 6081-6085) of title VI of Pub. L. 99-272, Apr. 7, 1986, 100 Stat. 135, which enacted this section and section 1530 of Title 15, Commerce and Trade, amended section 883e of this title and sections 330e, 2903 and 2904 of Title 15, and repealed section 2905 of Title 15. For complete classification of this subtitle to the Code, see Tables.

Transfer of Functions

Functions of Secretary and other officers of Department of Commerce under this section that relate to the Office of Aeronautical Charting and Cartography to provide aeronautical charts, products, and services for safe and efficient navigation of air commerce transferred to Administrator of Federal Aviation Administration effective Oct. 1, 2000, see section 44721(c)(2) of Title 49, Transportation.

Report on Satellite Oceanography

Pub. L. 102-567, title I, Sec. 116, Oct. 29, 1992, 106 Stat. 4279, provided that:

``(a) In General.--The Federal Coordinating Council for Science, Engineering, and Technology through the Committee on Earth and Environmental Sciences, in consultation with Federal, academic, and commercial users of remotely sensed data, shall consider and develop findings and recommendations regarding--

``(1) the most urgent current needs of oceanographic researchers within the Federal Government, the academic community, and the private sector, for remote sensing capabilities and remotely sensed data, including findings regarding the present inadequacies in these capabilities and data; and

``(2) the major goals of satellite oceanography for the next 10 years.

``(b) Report.--Not later than one year after the date of enactment of this Act [Oct. 29, 1992], the Federal Coordinating Council for

Science, Engineering, and Technology shall submit to the Congress a report which describes the findings and recommendations of the Committee on Earth and Environmental Sciences, including recommendations for, or a description of actions to be taken toward--

- ``(1) correcting the inadequacies in remote sensing capabilities;
- ``(2) improving the availability of remotely sensed data; and
- ``(3) achieving the major goals of satellite oceanography developed pursuant to subsection (a)(2).''

[CITE: 33USC883k]

TITLE 33--NAVIGATION AND NAVIGABLE WATERS

CHAPTER 17--NATIONAL OCEAN SURVEY

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Sec. 883k. Acquisition of land for facilities

For fiscal year 1990 and hereafter funds appropriated under this heading shall be available for acquisition of land for facilities.

(Pub. L. 101-162, title I, Nov. 21, 1989, 103 Stat. 992.)

References in Text

Funds appropriated under this heading, referred to in text, refers to funds appropriated under the headings ``National Oceanic and Atmospheric Administration'' and ``operations, research, and facilities'' of title I, ``Department of Commerce'', of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1990, Pub. L. 101-162.