

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

---

---

**H. R. 3461**

**AN ACT**

To approve a governing international fishery agreement between the United States and the Republic of Poland, and for other purposes.

105<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 3461

---

## AN ACT

To approve a governing international fishery agreement between the United States and the Republic of Poland, and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **TITLE I—GOVERNING INTER-**  
2 **NATIONAL FISHERY AGREE-**  
3 **MENT WITH POLAND**

4 **SEC. 101. GOVERNING INTERNATIONAL FISHERY AGREE-**  
5 **MENT WITH POLAND.**

6 Notwithstanding section 203 of the Magnuson-Ste-  
7 vens Fishery Conservation and Management Act (16  
8 U.S.C. 1823), the governing international fishery agree-  
9 ment between the Government of the United States of  
10 America and the Government of the Republic of Poland,  
11 as contained in the message to Congress from the Presi-  
12 dent of the United States dated February 5, 1998, is ap-  
13 proved as a governing international fishery agreement for  
14 the purposes of such Act and shall enter into force and  
15 effect with respect to the United States on the date of  
16 enactment of this Act.

17 **TITLE II—MISCELLANEOUS**  
18 **FISHERIES PROVISIONS**

19 **SEC. 201. REAUTHORIZATION OF THE NORTHWEST ATLAN-**  
20 **TIC FISHERIES CONVENTION ACT OF 1995.**

21 (a) REAUTHORIZATION.—Section 211 of the North-  
22 west Atlantic Fisheries Convention Act of 1995 (16  
23 U.S.C. 5610) is amended by striking “for each of” and  
24 all that follows through the end of the sentence and insert-  
25 ing “for each fiscal year through fiscal year 2001.”.

1 (b) MISCELLANEOUS TECHNICAL AMENDMENTS.—  
2 The Northwest Atlantic Fisheries Convention Act of 1995  
3 is further amended—

4 (1) in section 207(e) (16 U.S.C. 5606(e)), by  
5 striking “sections” and inserting “section”;

6 (2) in section 209(c) (16 U.S.C. 5608(c)), by  
7 striking “chapter 17” and inserting “chapter 171”;  
8 and

9 (3) in section 210(6) (16 U.S.C. 5609(6)), by  
10 striking “the Magnuson Fishery” and inserting “the  
11 Magnuson-Stevens Fishery”.

12 (c) REPORT REQUIREMENT.—The Northwest Atlan-  
13 tic Fisheries Convention Act of 1995 (16 U.S.C. 201 et  
14 seq.) is further amended by adding at the end the follow-  
15 ing:

16 **“SEC. 212. ANNUAL REPORT.**

17 “The Secretary shall annually report to the Congress  
18 on the activities of the Fisheries Commission, the General  
19 Council, the Scientific Council, and the consultative com-  
20 mittee established under section 208.”.

21 (d) NORTH ATLANTIC FISHERIES ORGANIZATION  
22 QUOTA ALLOCATION PRACTICE.—The Northwest Atlantic  
23 Fisheries Convention Act of 1995 (16 U.S.C. 201 et seq.)  
24 is further amended by adding at the end the following:

1 **“SEC. 213. QUOTA ALLOCATION PRACTICE.**

2 “(a) IN GENERAL.—The Secretary of Commerce, act-  
3 ing through the Secretary of State, shall promptly seek  
4 to establish a new practice for allocating quotas under the  
5 Convention that—

6 “(1) is predictable and transparent;

7 “(2) provides fishing opportunities for all mem-  
8 bers of the Organization; and

9 “(3) is consistent with the Straddling Fish  
10 Stocks Agreement.

11 “(b) REPORT.—The Secretary of Commerce shall in-  
12 clude in annual reports under section 212—

13 “(1) a description of the results of negotiations  
14 held pursuant to subsection (a);

15 “(2) an identification of barriers to achieving  
16 such a new allocation practice; and

17 “(3) recommendations for any further legisla-  
18 tion that is necessary to achieve such a new practice.

19 “(c) DEFINITION.—In this section the term ‘Strad-  
20 dling Fish Stocks Agreement’ means the United Nations  
21 Agreement for the Implementation of the Provisions of the  
22 United Nations Convention on the Law of the Sea of 10  
23 December 1982 Relating to the Conservation and Manage-  
24 ment of Straddling Fish Stocks and Highly Migratory  
25 Fish Stocks.”.

1 **SEC. 202. REAUTHORIZATION OF THE ATLANTIC TUNAS**  
2 **CONVENTION ACT OF 1975.**

3 (a) REAUTHORIZATION.—Section 10(4) of the Atlan-  
4 tic Tunas Convention Act of 1975 (16 U.S.C. 971h(4))  
5 is amended by striking “For fiscal year 1998,” and insert-  
6 ing “For each of fiscal years 1998, 1999, 2000, and  
7 2001,”.

8 (b) MISCELLANEOUS TECHNICAL AMENDMENTS.—  
9 (1) The Atlantic Tunas Convention Act of 1975 is further  
10 amended—

11 (A) in section 2 (16 U.S.C. 971), by redesignat-  
12 ing the second paragraph (4) as paragraph (5);

13 (B) in section 5(b) (16 U.S.C. 971c(b)), by  
14 striking “fisheries zone” and inserting “exclusive  
15 economic zone”;

16 (C) in section 6(c)(6) (16 U.S.C. 971d(c)(6))—

17 (i) by designating the last sentence as sub-  
18 paragraph (B), and by indenting the first line  
19 thereof; and

20 (ii) in subparagraph (A)(iii), by striking  
21 “subparagraph (A)” and inserting “clause (i)”;

22 (D) by redesignating the first section 11 (16  
23 U.S.C. 971 note) as section 13, and moving that  
24 section so as to appear after section 12 of that Act;

25 (E) by amending the style of the heading and  
26 designation for each of sections 11 and 12 so as to

1 conform to the style of the headings and designa-  
2 tions of the other sections of that Act; and

3 (F) by striking “Magnuson Fishery” each place  
4 it appears and inserting “Magnuson-Stevens Fish-  
5 ery”.

6 (2) Section 3(b)(3)(B) of the Act of September 4,  
7 1980 (Public Law 96–339; 16 U.S.C. 971i(b)(3)(B)), is  
8 amended by inserting “of 1975” after “Act”.

9 **SEC. 203. AUTHORITY OF STATES OF WASHINGTON, OR-**  
10 **EGON, AND CALIFORNIA TO MANAGE DUNGE-**  
11 **NESS CRAB FISHERY.**

12 (a) IN GENERAL.—Subject to the provisions of this  
13 section and notwithstanding section 306(a) of the Magnu-  
14 son-Stevens Fishery Conservation and Management Act  
15 (16 U.S.C. 1856(a)), each of the States of Washington,  
16 Oregon, and California may adopt and enforce State laws  
17 and regulations governing fishing and processing in the  
18 exclusive economic zone adjacent to that State in any  
19 Dungeness crab (*Cancer magister*) fishery for which there  
20 is no fishery management plan in effect under that Act.

21 (b) REQUIREMENTS FOR STATE MANAGEMENT.—  
22 Any law or regulation adopted by a State under this sec-  
23 tion for a Dungeness crab fishery—

24 (1) except as provided in paragraph (2), shall  
25 apply equally to vessels engaged in the fishery in the

1 exclusive economic zone and vessels engaged in the  
2 fishery in the waters of the State, and without re-  
3 gard to the State that issued the permit under which  
4 a vessel is operating;

5 (2) shall not apply to any fishing by a vessel in  
6 exercise of tribal treaty rights except as provide in  
7 United States v. Washington, D.C. No. CV-70-  
8 09213, United States District Court for the Western  
9 District of Washington; and

10 (3) shall include any provisions necessary to im-  
11 plement tribal treaty rights pursuant to the decision  
12 in United States v. Washington, D.C. No. CV-70-  
13 09213.

14 (c) LIMITATION ON ENFORCEMENT OF STATE LIM-  
15 ITED ACCESS SYSTEMS.—Any law of the State of Wash-  
16 ington, Oregon, or California that establishes or imple-  
17 ments a limited access system for a Dungeness crab fish-  
18 ery may not be enforced against a vessel that is otherwise  
19 legally fishing in the exclusive economic zone adjacent to  
20 that State and that is not registered under the laws of  
21 that State, except a law regulating landings.

22 (d) STATE PERMIT OR TREATY RIGHT REQUIRED.—  
23 No vessel may harvest or process Dungeness crab in the  
24 exclusive economic zone adjacent to the State of Washing-  
25 ton, Oregon, or California, except as authorized by a per-

1 mit issued by any of those States or pursuant to any tribal  
2 treaty rights to Dungeness crab pursuant to the decision  
3 in United States v. Washington, D.C. No. CV-70-09213.

4 (e) STATE AUTHORITY OTHERWISE PRESERVED.—  
5 Except as expressly provided in this section, nothing in  
6 this section reduces the authority of any State under the  
7 Magnuson-Stevens Fishery Conservation and Manage-  
8 ment Act (16 U.S.C. 1801 et seq.) to regulate fishing, fish  
9 processing, or landing of fish.

10 (f) TERMINATION OF AUTHORITY.—The authority of  
11 the States of Washington, Oregon, and California under  
12 this section with respect to a Dungeness crab fishery shall  
13 expire on the effective date of a fishery management plan  
14 for the fishery under the Magnuson-Stevens Fishery Con-  
15 servation and Management Act.

16 (g) REPEAL.—Section 112(d) of Public Law 104-  
17 297 (16 U.S.C. 1856 note) is repealed.

18 (h) DEFINITIONS.—The definitions set forth in sec-  
19 tion 3 of the Magnuson-Stevens Fishery Conservation and  
20 Management Act (16 U.S.C. 1802) shall apply to this sec-  
21 tion.

22 (i) SUNSET.—This section shall have no force or ef-  
23 fect on and after September 30, 2001.

1                                   **TITLE III—NOAA**  
2                                   **HYDROGRAPHIC SERVICES**

3 **SEC. 301. SHORT TITLE.**

4           This title may be cited as the “Hydrographic Services  
5 Improvement Act of 1998”.

6 **SEC. 302. DEFINITIONS.**

7           In this title:

8                   (1) **ADMINISTRATOR.**—The term “Adminis-  
9                   trator” means the Administrator of the National  
10                   Oceanic and Atmospheric Administration.

11                   (2) **ADMINISTRATION.**—The term “Administra-  
12                   tion” means the National Oceanic and Atmospheric  
13                   Administration.

14                   (3) **HYDROGRAPHIC DATA.**—The term “hydro-  
15                   graphic data” means information acquired through  
16                   hydrographic or bathymetric surveying, photo-  
17                   grammetry, geodetic measurements, tide and current  
18                   observations, or other methods, that is used in pro-  
19                   viding hydrographic services.

20                   (4) **HYDROGRAPHIC SERVICES.**—The term “hy-  
21                   drographic services” means—

22                                   (A) the management, maintenance, inter-  
23                                   pretation, certification, and dissemination of  
24                                   bathymetric, hydrographic, geodetic, and tide  
25                                   and current information, including the produc-

1           tion of nautical charts, nautical information  
2           databases, and other products derived from hy-  
3           drographic data;

4           (B) the development of nautical informa-  
5           tion systems; and

6           (C) related activities.

7           (5) ACT OF 1947.—The term “Act of 1947”  
8           means the Act entitled “An Act to define the func-  
9           tions and duties of the Coast and Geodetic Survey,  
10          and for other purposes”, approved August 6, 1947  
11          (33 U.S.C. 883a et seq.).

12 **SEC. 303. FUNCTIONS OF THE ADMINISTRATOR.**

13          (a) RESPONSIBILITIES.—To fulfill the data gathering  
14          and dissemination duties of the Administration under the  
15          Act of 1947, the Administrator shall—

16               (1) acquire and disseminate hydrographic data;

17               (2) promulgate standards for hydrographic data  
18          used by the Administration in providing hydro-  
19          graphic services;

20               (3) promulgate standards for hydrographic  
21          services provided by the Administration;

22               (4) ensure comprehensive geographic coverage  
23          of hydrographic services, in cooperation with other  
24          appropriate Federal agencies;

1           (5) maintain a national database of hydro-  
2           graphic data, in cooperation with other appropriate  
3           Federal agencies;

4           (6) provide hydrographic services in uniform,  
5           easily accessible formats;

6           (7) participate in the development of, and im-  
7           plement for the United States in cooperation with  
8           other appropriate Federal agencies, international  
9           standards for hydrographic data and hydrographic  
10          services; and

11          (8) to the greatest extent practicable and cost-  
12          effective, fulfill the requirements of paragraphs (1)  
13          and (6) through contracts or other agreements with  
14          private sector entities.

15          (b) AUTHORITIES.—To fulfill the data gathering and  
16          dissemination duties of the Administration under the Act  
17          of 1947, and subject to the availability of appropriations,  
18          the Administrator—

19               (1) may procure, lease, evaluate, test, develop,  
20               and operate vessels, equipment, and technologies  
21               necessary to ensure safe navigation and maintain  
22               operational expertise in hydrographic data acquisi-  
23               tion and hydrographic services;

24               (2) may enter into contracts and other agree-  
25               ments with qualified entities, consistent with sub-

1 section (a)(8), for the acquisition of hydrographic  
2 data and the provision of hydrographic services;

3 (3) shall award contracts for the acquisition of  
4 hydrographic data in accordance with title IX of the  
5 Federal Property and Administrative Services Act of  
6 1949 (40 U.S.C. 541 et seq.); and

7 (4) may design and install where appropriate  
8 Physical Oceanographic Real-Time Systems to en-  
9 hance navigation safety and efficiency.

10 **SEC. 304. QUALITY ASSURANCE PROGRAM.**

11 (a) DEFINITION.—For purposes of this section, the  
12 term “hydrographic product” means any publicly or com-  
13 mercially available product produced by a non-Federal en-  
14 tity that includes or displays hydrographic data.

15 (b) PROGRAM.—

16 (1) IN GENERAL.—The Administrator may—

17 (A) develop and implement a quality assur-  
18 ance program that is equally available to all ap-  
19 plicants, under which the Administrator may  
20 certify hydrographic products that satisfy the  
21 standards promulgated by the Administrator  
22 under section 303(a)(3);

23 (B) authorize the use of the emblem or any  
24 trademark of the Administration on a hydro-

1 graphic product certified under subparagraph  
2 (A); and  
3 (C) charge a fee for such certification and  
4 use.

5 (2) LIMITATION ON FEE AMOUNT.—Any fee  
6 under paragraph (1)(C) shall not exceed the costs of  
7 conducting the quality assurance testing, evaluation,  
8 or studies necessary to determine whether the hydro-  
9 graphic product satisfies the standards adopted  
10 under section 303(a)(3), including the cost of ad-  
11 ministering such a program.

12 (c) LIMITATION ON LIABILITY.—The Government of  
13 the United States shall not be liable for any negligence  
14 by a person that produces hydrographic products certified  
15 under this section.

16 (d) HYDROGRAPHIC SERVICES ACCOUNT.—

17 (1) ESTABLISHMENT.—There is established in  
18 the Treasury a separate account, which shall be  
19 known as the Hydrographic Services Account.

20 (2) CONTENT.—The account shall consist of—

21 (A) amounts received by the United States  
22 as fees charged under subsection (b)(1)(C); and

23 (B) such other amounts as may be pro-  
24 vided by law.

1           (3) USE.—Amounts in the account shall be  
2           available to the Administrator, without further ap-  
3           propriation, for hydrographic services.

4           (e) LIMITATION ON NEW FEES AND INCREASES IN  
5           EXISTING FEES FOR HYDROGRAPHIC SERVICES.—After  
6           the date of the enactment of this Act, the Administrator  
7           may not—

8           (1) establish any fee or other charge for the  
9           provision of any hydrographic service except as au-  
10          thorized by this section; or

11          (2) increase the amount of any fee or other  
12          charge for the provision of any hydrographic service  
13          except as authorized by this section and section  
14          1307 of title 44, United States Code.

15 **SEC. 305. REPORTS.**

16          (a) PHOTOGRAMMETRY AND REMOTE SENSING.—

17          (1) IN GENERAL.—Not later than 6 months  
18          after the date of enactment of this Act, the Adminis-  
19          trator shall report to the Congress on a plan to in-  
20          crease, consistent with this title, contracting with  
21          the private sector for photogrammetric and remote  
22          sensing services related to hydrographic data acqui-  
23          sition or hydrographic services. In preparing the re-  
24          port, the Administrator shall consult with private

1 sector entities knowledgeable in photogrammetry and  
2 remote sensing.

3 (2) CONTENTS.—The report shall include the  
4 following:

5 (A) An assessment of which of the photo-  
6 grammetric and remote sensing services related  
7 to hydrographic data acquisition or hydro-  
8 graphic services performed by the National  
9 Ocean Service can be performed adequately by  
10 private-sector entities.

11 (B) An evaluation of the relative cost-effec-  
12 tiveness of the Federal Government and pri-  
13 vate-sector entities in performing those services.

14 (C) A plan for increasing the use of con-  
15 tracts with private-sector entities in performing  
16 those services, with the goal of obtaining per-  
17 formance of 50 percent of those services  
18 through contracts with private-sector entities by  
19 fiscal year 2003.

20 (b) PORTS.—Not later than 6 months after the date  
21 of enactment of this Act, the Administrator and the Com-  
22 mandant of the Coast Guard shall report to the Congress  
23 on—

1           (1) the status of implementation of real-time  
2           tide and current data systems in United States  
3           ports;

4           (2) existing safety and efficiency needs in  
5           United States ports that could be met by increased  
6           use of those systems; and

7           (3) a plan for expanding those systems to meet  
8           those needs, including an estimate of the cost of im-  
9           plementing those systems in priority locations.

10          (c) MAINTAINING FEDERAL EXPERTISE IN HYDRO-  
11          GRAPHIC SERVICES.—

12           (1) IN GENERAL.—Not later than 6 months  
13           after the date of enactment of this Act, the Adminis-  
14           trator shall report to the Congress on a plan to en-  
15           sure that Federal competence and expertise in hy-  
16           drographic surveying will be maintained after the de-  
17           commissioning of the 3 existing Administration hy-  
18           drographic survey vessels.

19           (2) CONTENTS.—The report shall include—

20                   (A) an evaluation of the seagoing capacity,  
21                   personnel, and equipment necessary to maintain  
22                   Federal expertise in hydrographic services;

23                   (B) an estimated schedule for decommis-  
24                   sioning the 3 existing survey vessels;

1 (C) a plan to maintain Federal expertise in  
2 hydrographic services after the decommissioning  
3 of these vessels; and

4 (D) an estimate of the cost of carrying out  
5 this plan.

6 (d) UNITED STATES IMPLEMENTATION OF ELEC-  
7 TRONIC NAUTICAL CHARTS.—Not later than 6 months  
8 after the date of enactment of this Act, the Administrator  
9 shall report to the Congress on the status of implementa-  
10 tion by the United States of electronic nautical charts. The  
11 report shall address, at a minimum—

12 (1) the role of the private sector, and the poten-  
13 tial for the Administration to employ partnerships or  
14 other arrangements with the private sector, in do-  
15 mestic and international development and implemen-  
16 tation of electronic nautical chart technology;

17 (2) the effects of private sector participation in  
18 the development and implementation of electronic  
19 nautical chart technology on public safety and the  
20 continued ability of the Federal Government to as-  
21 sume liability for United States nautical charts; and

22 (3) the range of alternative means by which the  
23 Administration can effectively and efficiently make  
24 electronic nautical chart data available to the private  
25 sector and the general public, including an evalua-

1       tion of relative costs and advantages or disadvan-  
2       tages of each such alternative.

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

4       There is authorized to be appropriated to the Admin-  
5       istrator the following:

6           (1) To carry out nautical mapping and charting  
7       functions under the Act of 1947 and sections 303  
8       and 304, except for conducting hydrographic sur-  
9       veys, \$33,000,000 for fiscal year 1999, \$34,000,000  
10      for fiscal year 2000, \$35,000,000 for fiscal year  
11      2001, and \$36,000,000 for fiscal year 2002.

12          (2) To conduct hydrographic surveys under sec-  
13      tion 303(a)(1), including leasing of ships,  
14      \$33,000,000 for fiscal year 1999, \$35,000,000 for  
15      fiscal year 2000, \$37,000,000 for fiscal year 2001,  
16      and \$39,000,000 for fiscal year 2002. Of these  
17      amounts, no more than \$15,000,000 is authorized  
18      for any one fiscal year to operate hydrographic sur-  
19      vey vessels owned and operated by the Administra-  
20      tion.

21          (3) To carry out geodetic functions under the  
22      Act of 1947, \$20,000,000 for fiscal year 1999, and  
23      \$22,000,000 for each of fiscal years 2000, 2001,  
24      and 2002.

1           (4) To carry out tide and current measurement  
2 functions under the Act of 1947, \$22,500,000 for  
3 each of fiscal years 1999 through 2002. Of these  
4 amounts, \$3,500,000 is authorized for each fiscal  
5 year to implement and operate a national quality  
6 control system for real-time tide and current data,  
7 and \$7,250,000 is authorized for each fiscal year to  
8 design and install real-time tide and current data  
9 measurement systems under section 303(b)(4).

10 **SEC. 307. AUTHORIZED NUMBER OF NOAA CORPS COMMIS-**  
11 **SIONED OFFICERS.**

12           (a) AUTHORIZED NUMBER.—Section 2 of the Coast  
13 and Geodetic Survey Commissioned Officers’ Act of 1948  
14 (33 U.S.C. 853a) is amended—

15           (1) by redesignating subsections (a) through (e)  
16 as subsections (b) through (f), respectively; and

17           (2) by inserting before subsection (b), as reded-  
18 igned, the following:

19           “(a)(1) Except as provided as in paragraph (2), there  
20 are authorized to be not less than 264 and not more than  
21 299 commissioned officers on the active list of the Na-  
22 tional Oceanic and Atmospheric Administration for fiscal  
23 years 1999, 2000, 2001, 2002, and 2003.

24           “(2) The Administrator may reduce the number of  
25 commissioned officers on the active list below 264 if the

1 Administrator determines that it is appropriate, taking  
2 into consideration—

3 “(A) the number of billets on the fisheries, hy-  
4 drographic, and oceanographic vessels owned and op-  
5 erated by the Administration;

6 “(B) the need of the Administration to collect  
7 high-quality oceanographic, fisheries, and hydro-  
8 graphic data and information on a continuing basis;

9 “(C) the need for effective and safe operation of  
10 the Administration’s fisheries, hydrographic and  
11 oceanographic vessels;

12 “(D) the need for effective management of the  
13 commissioned Corps; and

14 “(E) the protection of the interests of tax-  
15 payers.

16 “(3) At least 90 days before beginning any reduction  
17 as described in paragraph (2), the Administrator shall  
18 provide notice of such reduction to the Committee on Com-  
19 merce, Science, and Transportation of the Senate and the  
20 Committees on Resources of the House of Representa-  
21 tives.”.

22 (b) OFFICER RESPONSIBLE FOR COMMISSIONED OF-  
23 FICERS AND VESSEL FLEET.—Section 24(a) of the Coast  
24 and Geodetic Survey Commissioned Officers’ Act of 1948  
25 (33 U.S.C. 853u(a)) is amended by inserting “One such

1 position shall be appointed from the officers on the active  
2 duty promotion list serving in or above the grade of cap-  
3 tain, and who shall be responsible for administration of  
4 the commissioned officers, and for oversight of the oper-  
5 ation of the vessel fleet, of the Administration.” before  
6 “An officer”.

7 (c) RELIEF FROM MORATORIUM ON NEW APPOINT-  
8 MENTS.—The Secretary of Commerce immediately shall  
9 terminate the moratorium on new appointments of com-  
10 missioned officers to the National Oceanic and Atmos-  
11 pheric Administration Corps.

12 **TITLE IV—NORTHWEST STRAITS**  
13 **MARINE CONSERVATION INI-**  
14 **TIATIVE**

15 **SEC. 401. SHORT TITLE.**

16 This title may be cited as the “Northwest Straits Ma-  
17 rine Conservation Initiative Act”.

18 **SEC. 402. ESTABLISHMENT.**

19 There is established a commission to be known as the  
20 Northwest Straits Advisory Commission (in this title re-  
21 ferred to as the “Commission”).

22 **SEC. 403. ORGANIZATION AND OPERATION.**

23 The Commission shall be organized and operated in  
24 accordance with the provisions of the Northwest Straits  
25 Citizen’s Advisory Commission Report of August 20,

1 1998, on file with the Secretary of Commerce (in this title  
2 referred to as the “Report”).

3 **SEC. 404. FUNDING.**

4 (a) IN GENERAL.—The Secretary of Commerce may,  
5 from amounts available to the Secretary to carry out the  
6 work of the Commission, provide assistance for use in ac-  
7 cordance with the Report and the priorities of the Com-  
8 mission—

9 (1) to collect marine resources data in the  
10 Northwest Straits;

11 (2) to coordinate Federal, state and local ma-  
12 rine resources protection and restoration activities in  
13 the Northwest Straits; and

14 (3) to carry out other activities identified in the  
15 Report as important to the protection and restora-  
16 tion of marine resources in the Northwest Straits.

17 (b) PROVISION.—The Secretary may provide the as-  
18 sistance authorized by subsection (a) through the Director  
19 of the Padilla Bay National Estuarine Research Reserve,  
20 unless the Governor of the State of Washington objects.  
21 If the Governor objects, then the Secretary may provide  
22 the assistance though the Administrator of the National  
23 Oceanic and Atmospheric Administration.

1 **SEC. 405. LIMITATION.**

2       Nothing in this title provides the Commission with  
3 the authority to implement any Federal law or regulation.

      Passed the House of Representatives October 12,  
1998.

Attest:

*Clerk.*