

period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

REFERENCES IN OTHER LAWS TO GS-16, 17, OR 18 PAY RATES

References in laws to the rates of pay for GS-16, 17, or 18, or to maximum rates of pay under the General Schedule, to be considered references to rates payable under specified sections of Title 5, Government Organization and Employees, see section 529 [title I, § 101(c)(1)] of Pub. L. 101-509, set out in a note under section 5376 of Title 5.

§ 857-17. Interagency cooperation and assistance

(a) Liaison

The head of each department or agency of the Federal Government concerned with marine and atmospheric matters shall designate a senior policy official to participate as observer in the work of the Committee and offer necessary assistance.

(b) Agency assistance

The Committee is authorized to request from the head of any department, agency, or independent instrumentality of the Federal Government any information and assistance it deems necessary to carry out the functions assigned under sections 857-13 to 857-18 of this title. The head of each such department, agency, or instrumentality is authorized to cooperate with the Committee, and, to the extent permitted by law, to furnish such information and assistance to the Committee upon request made by the Chairman, without reimbursement for such services and assistance.

(c) Administrative assistance

The Secretary of Commerce shall make available to the Committee such staff, information, personnel, and administrative services and assistance as may reasonably be required to carry out the provisions of sections 857-13 to 857-18 of this title.

(Pub. L. 95-63, § 6, July 5, 1977, 91 Stat. 266.)

PRIOR PROVISIONS

Provisions similar to those contained in this section, which required the designation of senior policy officials as observers, directed the Secretary of Commerce to provide administrative assistance, and authorized requests for assistance from Federal agencies by the Federal Advisory Committee on Oceans and Atmosphere as originally established on Aug. 16, 1971, were contained in sections 857-8 and 857-11 of this title prior to repeal by section 7(a) of Pub. L. 95-63.

TERMINATION OF ADVISORY COMMITTEES

Advisory committees established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a committee established by the President or an officer of the Federal Government, such committee is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a committee established by the Congress, its duration

is otherwise provided for by law. See section 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 776, set out in the Appendix to Title 5, Government Organization and Employees.

§ 857-18. Authorization of appropriations

There are authorized to be appropriated for purposes of carrying out sections 857-13 to 857-18 of this title not to exceed \$520,000 for the fiscal year ending September 30, 1978, \$572,000 for the fiscal year ending September 30, 1979, \$565,000 for the fiscal year ending September 30, 1980, \$600,000 for the fiscal year ending September 30, 1981, and \$555,000 for the fiscal year ending September 30, 1982. Such sums as may be appropriated under this section shall remain available until expended.

(Pub. L. 95-63, § 8, July 5, 1977, 91 Stat. 267; Pub. L. 95-304, § 1(2), June 29, 1978, 92 Stat. 347; Pub. L. 96-26, June 21, 1979, 93 Stat. 74; Pub. L. 97-87, § 1(3), Dec. 1, 1981, 95 Stat. 1134.)

PRIOR PROVISIONS

Provisions similar to those contained in this section, which authorized appropriations, beginning with an authorization of \$200,000 for the fiscal year ending June 30, 1972, for the operation of the National Advisory Committee on Oceans and Atmosphere as originally established on Aug. 16, 1971, were contained in section 857-12 of this title prior to repeal by section 7(a) of Pub. L. 95-63.

AMENDMENTS

1981—Pub. L. 97-87 inserted provisions authorizing appropriations of not to exceed \$555,000 for fiscal year ending Sept. 30, 1982, and provided that such sums as might be appropriated under authority of this section remain available until expended.

1979—Pub. L. 96-26 substituted provisions authorizing appropriations of \$565,000 for fiscal year ending Sept. 30, 1980, and \$600,000 for fiscal year ending Sept. 30, 1981, for provisions directing that sums appropriated under this section remain available until expended.

1978—Pub. L. 95-304 inserted provisions authorizing appropriations for fiscal year ending Sept. 30, 1979.

§ 857-19. Biennial report

Beginning in September, 2001, the President shall transmit to the Congress biennially a report that includes a detailed listing of all existing Federal programs related to ocean and coastal activities, including a description of each program, the current funding for the program, linkages to other Federal programs, and a projection of the funding level for the program for each of the next 5 fiscal years beginning after the report is submitted.

(Pub. L. 106-256, § 5, Aug. 7, 2000, 114 Stat. 648.)

NATIONAL OCEAN POLICY

Pub. L. 106-256, Aug. 7, 2000, 114 Stat. 644, as amended by Pub. L. 107-206, title I, § 206, Aug. 2, 2002, 116 Stat. 833; Pub. L. 107-372, title III, § 306, Dec. 19, 2002, 116 Stat. 3096, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘Oceans Act of 2000’.

“SEC. 2. PURPOSE AND OBJECTIVES.

“The purpose of this Act is to establish a commission to make recommendations for coordinated and comprehensive national ocean policy that will promote—

“(1) the protection of life and property against natural and manmade hazards;

“(2) responsible stewardship, including use, of fishery resources and other ocean and coastal resources;

“(3) the protection of the marine environment and prevention of marine pollution;

“(4) the enhancement of marine-related commerce and transportation, the resolution of conflicts among users of the marine environment, and the engagement of the private sector in innovative approaches for sustainable use of living marine resources and responsible use of non-living marine resources;

“(5) the expansion of human knowledge of the marine environment including the role of the oceans in climate and global environmental change and the advancement of education and training in fields related to ocean and coastal activities;

“(6) the continued investment in and development and improvement of the capabilities, performance, use, and efficiency of technologies for use in ocean and coastal activities, including investments and technologies designed to promote national energy and food security;

“(7) close cooperation among all government agencies and departments and the private sector to ensure—

“(A) coherent and consistent regulation and management of ocean and coastal activities;

“(B) availability and appropriate allocation of Federal funding, personnel, facilities, and equipment for such activities;

“(C) cost-effective and efficient operation of Federal departments, agencies, and programs involved in ocean and coastal activities; and

“(D) enhancement of partnerships with State and local governments with respect to ocean and coastal activities, including the management of ocean and coastal resources and identification of appropriate opportunities for policy-making and decision-making at the State and local level; and

“(8) the preservation of the role of the United States as a leader in ocean and coastal activities, and, when it is in the national interest, the cooperation by the United States with other nations and international organizations in ocean and coastal activities.

“SEC. 3. COMMISSION ON OCEAN POLICY.

“(a) ESTABLISHMENT.—There is hereby established the Commission on Ocean Policy. The Federal Advisory Committee Act (5 U.S.C. App.), except for sections 3, 7, and 12, does not apply to the Commission.

“(b) MEMBERSHIP.—

“(1) APPOINTMENT.—The Commission shall be composed of 16 members appointed by the President from among individuals described in paragraph (2) who are knowledgeable in ocean and coastal activities, including individuals representing State and local governments, ocean-related industries, academic and technical institutions, and public interest organizations involved with scientific, regulatory, economic, and environmental ocean and coastal activities. The membership of the Commission shall be balanced by area of expertise and balanced geographically to the extent consistent with maintaining the highest level of expertise on the Commission.

“(2) NOMINATIONS.—The President shall appoint the members of the Commission, within 90 days after the effective date of this Act, including individuals nominated as follows:

“(A) 4 members shall be appointed from a list of 8 individuals who shall be nominated by the Majority Leader of the Senate in consultation with the Chairman of the Senate Committee on Commerce, Science, and Transportation.

“(B) 4 members shall be appointed from a list of 8 individuals who shall be nominated by the Speaker of the House of Representatives in consultation with the Chairmen of the House Committees on Resources [now Natural Resources], Transportation and Infrastructure, and Science [now Science, Space, and Technology].

“(C) 2 members shall be appointed from a list of 4 individuals who shall be nominated by the Minority Leader of the Senate in consultation with the Ranking Member of the Senate Committee on Commerce, Science, and Transportation.

“(D) 2 members shall be appointed from a list of 4 individuals who shall be nominated by the Minority Leader of the House in consultation with the Ranking Members of the House Committees on Resources [now Natural Resources], Transportation and Infrastructure, and Science [now Science, Space, and Technology].

“(3) CHAIRMAN.—The Commission shall select a Chairman from among its members. The Chairman of the Commission shall be responsible for—

“(A) the assignment of duties and responsibilities among staff personnel and their continuing supervision; and

“(B) the use and expenditure of funds available to the Commission.

“(4) VACANCIES.—Any vacancy on the Commission shall be filled in the same manner as the original incumbent was appointed.

“(c) RESOURCES.—In carrying out its functions under this section, the Commission—

“(1) is authorized to secure directly from any Federal agency or department any information it deems necessary to carry out its functions under this Act, and each such agency or department is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information (other than information described in section 552(b)(1)(A) of title 5, United States Code) to the Commission, upon the request of the Commission;

“(2) may enter into contracts, subject to the availability of appropriations for contracting, and employ such staff experts and consultants as may be necessary to carry out the duties of the Commission, as provided by section 3109 of title 5, United States Code; and

“(3) in consultation with the Ocean Studies Board of the National Research Council of the National Academy of Sciences, shall establish a multidisciplinary science advisory panel of experts in the sciences of living and non-living marine resources to assist the Commission in preparing its report, including ensuring that the scientific information considered by the Commission is based on the best scientific information available.

“(d) STAFFING.—The Chairman of the Commission may, without regard to the civil service laws and regulations, appoint and terminate an Executive Director and such other additional personnel as may be necessary for the Commission to perform its duties. The Executive Director shall be compensated at a rate not to exceed the rate payable for Level V of the Executive Schedule under section 5136 of title 5, United States Code. The employment and termination of an Executive Director shall be subject to confirmation by a majority of the members of the Commission.

“(e) MEETINGS.—

“(1) ADMINISTRATION.—All meetings of the Commission shall be open to the public, except that a meeting or any portion of it may be closed to the public if it concerns matters or information described in section 552b(c) of title 5, United States Code. Interested persons shall be permitted to appear at open meetings and present oral or written statements on the subject matter of the meeting. The Commission may administer oaths or affirmations to any person appearing before it.

“(2) NOTICE; MINUTES; PUBLIC AVAILABILITY OF DOCUMENTS.—

“(A) All open meetings of the Commission shall be preceded by timely public notice in the Federal Register of the time, place, and subject of the meeting.

“(B) Minutes of each meeting shall be kept and shall contain a record of the people present, a description of the discussion that occurred, and copies

of all statements filed. Subject to section 552 of title 5, United States Code, the minutes and records of all meetings and other documents that were made available to or prepared for the Commission shall be available for public inspection and copying at a single location in the offices of the Commission.

“(3) INITIAL MEETING.—The Commission shall hold its first meeting within 30 days after all 16 members have been appointed.

“(4) REQUIRED PUBLIC MEETINGS.—The Commission shall hold at least one public meeting in Alaska and each of the following regions of the United States:

“(A) The Northeast (including the Great Lakes).

“(B) The Southeast (including the Caribbean).

“(C) The Southwest (including Hawaii and the Pacific Territories).

“(D) The Northwest.

“(E) The Gulf of Mexico.

“(f) REPORT.—

“(1) IN GENERAL.—By June 20, 2003, the Commission shall submit to Congress and the President a final report of its findings and recommendations regarding United States ocean policy.

“(2) REQUIRED MATTER.—The final report of the Commission shall include the following assessment, reviews, and recommendations:

“(A) An assessment of existing and planned facilities associated with ocean and coastal activities including human resources, vessels, computers, satellites, and other appropriate platforms and technologies.

“(B) A review of existing and planned ocean and coastal activities of Federal entities, recommendations for changes in such activities necessary to improve efficiency and effectiveness and to reduce duplication of Federal efforts.

“(C) A review of the cumulative effect of Federal laws and regulations on United States ocean and coastal activities and resources and an examination of those laws and regulations for inconsistencies and contradictions that might adversely affect those ocean and coastal activities and resources, and recommendations for resolving such inconsistencies to the extent practicable. Such review shall also consider conflicts with State ocean and coastal management regimes.

“(D) A review of the known and anticipated supply of, and demand for, ocean and coastal resources of the United States.

“(E) A review of and recommendations concerning the relationship between Federal, State, and local governments and the private sector in planning and carrying out ocean and coastal activities.

“(F) A review of opportunities for the development of or investment in new products, technologies, or markets related to ocean and coastal activities.

“(G) A review of previous and ongoing State and Federal efforts to enhance the effectiveness and integration of ocean and coastal activities.

“(H) Recommendations for any modifications to United States laws, regulations, and the administrative structure of Executive agencies, necessary to improve the understanding, management, conservation, and use of, and access to, ocean and coastal resources.

“(I) A review of the effectiveness and adequacy of existing Federal interagency ocean policy coordination mechanisms, and recommendations for changing or improving the effectiveness of such mechanisms necessary to respond to or implement the recommendations of the Commission.

“(3) CONSIDERATION OF FACTORS.—In making its assessment and reviews and developing its recommendations, the Commission shall give equal consideration to environmental, technical feasibility, economic, and scientific factors.

“(4) LIMITATIONS.—The recommendations of the Commission shall not be specific to the lands and waters within a single State.

“(g) PUBLIC AND COASTAL STATE REVIEW.—

“(1) NOTICE.—Before submitting the final report to the Congress, the Commission shall—

“(A) publish in the Federal Register a notice that a draft report is available for public review; and

“(B) provide a copy of the draft report to the Governor of each coastal State, the Committees on Resources [now Natural Resources], Transportation and Infrastructure, and Science [now Science, Space, and Technology] of the House of Representatives, and the Committee on Commerce, Science, and Transportation of the Senate.

“(2) INCLUSION OF GOVERNORS’ COMMENTS.—The Commission shall include in the final report comments received from the Governor of a coastal State regarding recommendations in the draft report.

“(h) ADMINISTRATIVE PROCEDURE FOR REPORT AND REVIEW.—Chapter 5 and chapter 7 of title 5, United States Code, do not apply to the preparation, review, or submission of the report required by subsection (e) or the review of that report under subsection (f).

“(i) TERMINATION.—The Commission shall cease to exist 90 days after the date on which it submits its final report.

“(j) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section a total of \$8,500,000 for the 3 fiscal-year period beginning with fiscal year 2001, such sums to remain available until expended.

“SEC. 4. NATIONAL OCEAN POLICY.

“(a) NATIONAL OCEAN POLICY.—Within 90 days after receiving and considering the report and recommendations of the Commission under section 3, the President shall submit to Congress a statement of proposals to implement or respond to the Commission’s recommendations for a coordinated, comprehensive, and long-range national policy for the responsible use and stewardship of ocean and coastal resources for the benefit of the United States. Nothing in this Act authorizes the President to take any administrative or regulatory action regarding ocean or coastal policy, or to implement a reorganization plan, not otherwise authorized by law in effect at the time of such action.

“(b) COOPERATION AND CONSULTATION.—In the process of developing proposals for submission under subsection (a), the President shall consult with State and local governments and non-Federal organizations and individuals involved in ocean and coastal activities.

“SEC. 5. BIENNIAL REPORT.

“[Enacted this section.]

“SEC. 6. DEFINITIONS.

“In this Act:

“(1) MARINE ENVIRONMENT.—The term ‘marine environment’ includes—

“(A) the oceans, including coastal and offshore waters;

“(B) the continental shelf; and

“(C) the Great Lakes.

“(2) OCEAN AND COASTAL RESOURCE.—The term ‘ocean and coastal resource’ means any living or non-living natural, historic, or cultural resource found in the marine environment.

“(3) COMMISSION.—The term ‘Commission’ means the Commission on Ocean Policy established by section 3.

“SEC. 7. EFFECTIVE DATE.

“This Act shall become effective on January 20, 2001.”

[Pub. L. 107-206, title I, § 206, Aug. 2, 2002, 116 Stat. 833, which directed the amendment of section (3)(f)(1) of Pub. L. 106-256, set out above, by striking “within 18 months of the establishment of the Commission” and inserting “by June 20, 2003”, was executed by striking “Within 18 months after the establishment of the Commission” and inserting “By June 20, 2003”, to reflect the probable intent of Congress.]

The following appropriations acts contained provisions similar to those in section 3(f)(1) of Pub. L. 106-256, set out above:

Pub. L. 107-77, title V, Nov. 28, 2001, 115 Stat. 792, as amended by Pub. L. 107-117, div. B, §207, Jan. 10, 2002, 115 Stat. 2298.

Pub. L. 106-553, §1(a)(2) [title V], Dec. 21, 2000, 114 Stat. 2762, 2762A-98.

EXECUTIVE ORDER NO. 13366

Ex. Ord. No. 13366, Dec. 17, 2004, 69 F.R. 76591, which established the Committee on Ocean Policy, was revoked by Ex. Ord. No. 13547, §10, July 19, 2010, 75 F.R. 43027, set out below.

EX. ORD. NO. 13547. STEWARDSHIP OF THE OCEAN, OUR COASTS, AND THE GREAT LAKES

Ex. Ord. No. 13547, July 19, 2010, 75 F.R. 43023, provided:

By the authority vested in me as President by the Constitution and the laws of the United States of America, it is hereby ordered as follows:

SECTION 1. Purpose. The ocean, our coasts, and the Great Lakes provide jobs, food, energy resources, ecological services, recreation, and tourism opportunities, and play critical roles in our Nation's transportation, economy, and trade, as well as the global mobility of our Armed Forces and the maintenance of international peace and security. The Deepwater Horizon oil spill in the Gulf of Mexico and resulting environmental crisis is a stark reminder of how vulnerable our marine environments are, and how much communities and the Nation rely on healthy and resilient ocean and coastal ecosystems. America's stewardship of the ocean, our coasts, and the Great Lakes is intrinsically linked to environmental sustainability, human health and well-being, national prosperity, adaptation to climate and other environmental changes, social justice, international diplomacy, and national and homeland security.

This order adopts the recommendations of the Interagency Ocean Policy Task Force, except where otherwise provided in this order, and directs executive agencies to implement those recommendations under the guidance of a National Ocean Council. Based on those recommendations, this order establishes a national policy to ensure the protection, maintenance, and restoration of the health of ocean, coastal, and Great Lakes ecosystems and resources, enhance the sustainability of ocean and coastal economies, preserve our maritime heritage, support sustainable uses and access, provide for adaptive management to enhance our understanding of and capacity to respond to climate change and ocean acidification, and coordinate with our national security and foreign policy interests.

This order also provides for the development of coastal and marine spatial plans that build upon and improve existing Federal, State, tribal, local, and regional decisionmaking and planning processes. These regional plans will enable a more integrated, comprehensive, ecosystem-based, flexible, and proactive approach to planning and managing sustainable multiple uses across sectors and improve the conservation of the ocean, our coasts, and the Great Lakes.

SEC. 2. Policy. (a) To achieve an America whose stewardship ensures that the ocean, our coasts, and the Great Lakes are healthy and resilient, safe and productive, and understood and treasured so as to promote the well-being, prosperity, and security of present and future generations, it is the policy of the United States to:

- (i) protect, maintain, and restore the health and biological diversity of ocean, coastal, and Great Lakes ecosystems and resources;
- (ii) improve the resiliency of ocean, coastal, and Great Lakes ecosystems, communities, and economies;
- (iii) bolster the conservation and sustainable uses of land in ways that will improve the health of ocean, coastal, and Great Lakes ecosystems;
- (iv) use the best available science and knowledge to inform decisions affecting the ocean, our coasts, and the Great Lakes, and enhance humanity's capacity to

understand, respond, and adapt to a changing global environment;

(v) support sustainable, safe, secure, and productive access to, and uses of the ocean, our coasts, and the Great Lakes;

(vi) respect and preserve our Nation's maritime heritage, including our social, cultural, recreational, and historical values;

(vii) exercise rights and jurisdiction and perform duties in accordance with applicable international law, including respect for and preservation of navigational rights and freedoms, which are essential for the global economy and international peace and security;

(viii) increase scientific understanding of ocean, coastal, and Great Lakes ecosystems as part of the global interconnected systems of air, land, ice, and water, including their relationships to humans and their activities;

(ix) improve our understanding and awareness of changing environmental conditions, trends, and their causes, and of human activities taking place in ocean, coastal, and Great Lakes waters; and

(x) foster a public understanding of the value of the ocean, our coasts, and the Great Lakes to build a foundation for improved stewardship.

(b) The United States shall promote this policy by:

(i) ensuring a comprehensive and collaborative framework for the stewardship of the ocean, our coasts, and the Great Lakes that facilitates cohesive actions across the Federal Government, as well as participation of State, tribal, and local authorities, regional governance structures, nongovernmental organizations, the public, and the private sector;

(ii) cooperating and exercising leadership at the international level;

(iii) pursuing the United States' accession to the Law of the Sea Convention; and

(iv) supporting ocean stewardship in a fiscally responsible manner.

SEC. 3. Definitions. As used in this order:

(a) "Final Recommendations" means the *Final Recommendations of the Interagency Ocean Policy Task Force* that shall be made publicly available and for which a notice of public availability shall be published in the Federal Register.

(b) The term "coastal and marine spatial planning" means a comprehensive, adaptive, integrated, ecosystem-based, and transparent spatial planning process, based on sound science, for analyzing current and anticipated uses of ocean, coastal, and Great Lakes areas. Coastal and marine spatial planning identifies areas most suitable for various types or classes of activities in order to reduce conflicts among uses, reduce environmental impacts, facilitate compatible uses, and preserve critical ecosystem services to meet economic, environmental, security, and social objectives. In practical terms, coastal and marine spatial planning provides a public policy process for society to better determine how the ocean, our coasts, and Great Lakes are sustainably used and protected—now and for future generations.

(c) The term "coastal and marine spatial plans" means the plans that are certified by the National Ocean Council as developed in accordance with the definition, goals, principles, and process described in the Final Recommendations.

SEC. 4. Establishment of National Ocean Council. (a) There is hereby established the National Ocean Council (Council).

(b) The Council shall consist of the following:

(i) the Chair of the Council on Environmental Quality and the Director of the Office of Science and Technology Policy, who shall be the Co-Chairs of the Council;

(ii) the Secretaries of State, Defense, the Interior, Agriculture, Health and Human Services, Commerce, Labor, Transportation, Energy, and Homeland Security, the Attorney General, the Administrator of the Environmental Protection Agency, the Director of the Office of Management and Budget, the Under Secretary

of Commerce for Oceans and Atmosphere (Administrator of the National Oceanic and Atmospheric Administration), the Administrator of the National Aeronautics and Space Administration, the Director of National Intelligence, the Director of the National Science Foundation, and the Chairman of the Joint Chiefs of Staff;

(iii) the National Security Advisor and the Assistants to the President for Homeland Security and Counterterrorism, Domestic Policy, Energy and Climate Change, and Economic Policy;

(iv) an employee of the Federal Government designated by the Vice President; and

(v) such other officers or employees of the Federal Government as the Co-Chairs of the Council may from time to time designate.

(c) The Co-Chairs shall invite the participation of the Chairman of the Federal Energy Regulatory Commission, to the extent consistent with the Commission's statutory authorities and legal obligations, and may invite the participation of such other independent agencies as the Council deems appropriate.

(d) The Co-Chairs of the Council, in consultation with the National Security Advisor and the Assistant to the President for Homeland Security and Counterterrorism, shall regularly convene and preside at meetings of the Council, determine its agenda, direct its work, and, as appropriate to address particular subject matters, establish and direct committees of the Council that shall consist exclusively of members of the Council.

(e) A member of the Council may designate, to perform committee functions of the member, any person who is within such member's department, agency, or office and who is (i) an officer of the United States appointed by the President, (ii) a member of the Senior Executive Service or the Senior Intelligence Service, (iii) a general officer or flag officer, or (iv) an employee of the Vice President.

(f) Consistent with applicable law and subject to the availability of appropriations, the Office of Science and Technology Policy and the Council on Environmental Quality shall provide the Council with funding, including through the National Science and Technology Council or the Office of Environmental Quality. The Council on Environmental Quality shall, to the extent permitted by law and subject to the availability of appropriations, provide administrative support necessary to implement this order.

(g) The day-to-day operations of the Council shall be administered by a Director and a Deputy Director, who shall supervise a full-time staff to assist the Co-Chairs in their implementation of this order.

SEC. 5. *Functions of the Council.* (a) The Council shall have the structure and function and operate as defined in the Final Recommendations. The Council is authorized, after the Council's first year of operation, to make modifications to its structure, function, and operations to improve its effectiveness and efficiency in furthering the policy set forth in section 2 of this order.

(b) To implement the policy set forth in section 2 of this order, the Council shall provide appropriate direction to ensure that executive departments', agencies', or offices' decisions and actions affecting the ocean, our coasts, and the Great Lakes will be guided by the stewardship principles and national priority objectives set forth in the Final Recommendations, to the extent consistent with applicable law. The Council shall base its decisions on the consensus of its members. With respect to those matters in which consensus cannot be reached, the National Security Advisor shall coordinate with the Co-Chairs and, as appropriate, the Assistants to the President for Energy and Climate Change, and Economic Policy, and the employee of the United States designated by the Vice President, subject to the limitations set forth in section 9 of this order, to present the disputed issue or issues for decision by the President.

SEC. 6. *Agency Responsibilities.* (a) All executive departments, agencies, and offices that are members of

the Council and any other executive department, agency, or office whose actions affect the ocean, our coasts, and the Great Lakes shall, to the fullest extent consistent with applicable law:

(i) take such action as necessary to implement the policy set forth in section 2 of this order and the stewardship principles and national priority objectives as set forth in the Final Recommendations and subsequent guidance from the Council; and

(ii) participate in the process for coastal and marine spatial planning and comply with Council certified coastal and marine spatial plans, as described in the Final Recommendations and subsequent guidance from the Council.

(b) Each executive department, agency, and office that is required to take actions under this order shall prepare and make publicly available an annual report including a concise description of actions taken by the agency in the previous calendar year to implement the order, a description of written comments by persons or organizations regarding the agency's compliance with this order, and the agency's response to such comments.

(c) Each executive department, agency, and office that is required to take actions under this order shall coordinate and contribute resources, as appropriate, to assist in establishing a common information management system as defined in the Final Recommendations and shall be held accountable for managing its own information assets by keeping them current, easily accessible, and consistent with Federal standards.

(d) To the extent permitted by law, executive departments, agencies, and offices shall provide the Council such information, support, and assistance as the Council, through the Co-Chairs, may request.

SEC. 7. *Governance Coordinating Committee.* The Council shall establish a Governance Coordinating Committee that shall consist of 18 officials from State, tribal, and local governments in accordance with the Final Recommendations. The Committee may establish subcommittees chaired by representatives of the Governance Coordinating Committee. These subcommittees may include additional representatives from State, tribal, and local governments, as appropriate to provide for greater collaboration and diversity of views.

SEC. 8. *Regional Advisory Committees.* The lead Federal department, agency, or office for each regional planning body established for the development of regional coastal and marine spatial plans, in consultation with their nonfederal co-lead agencies and membership of their regional planning body, shall establish such advisory committees under the Federal Advisory Committee Act, 5 U.S.C. App., as they deem necessary to provide information and to advise the regional planning body on the development of regional coastal and marine spatial plans to promote the policy established in section 2 of this order.

SEC. 9. *General Provisions.* (a) Nothing in this order, the establishment of the Council, and the Final Recommendations shall be construed to impair or otherwise affect:

(i) authority granted by law to an executive department or agency or the head thereof; or

(ii) functions assigned by the President to the National Security Council or Homeland Security Council (including subordinate bodies) relating to matters affecting foreign affairs, national security, homeland security, or intelligence.

(b) Nothing in this order shall be construed to impair or otherwise affect the functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) In carrying out the provisions of this order and implementing the Final Recommendations, all actions of the Council and the executive departments, agencies, and offices that constitute it shall be consistent with applicable international law, including customary international law, such as that reflected in the Law of the Sea Convention.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforce-

able at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

SEC. 10. *Revocation.* Executive Order 13366 of December 17, 2004, is hereby revoked.

BARACK OBAMA.

§ 857–20. Coordination

Not later than February 15 of each year, the Under Secretary of Commerce for Oceans and Atmosphere and the Director of the National Science Foundation shall jointly submit to the Committees on Resources and Science of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on how the oceans and coastal research activities of the National Oceanic and Atmospheric Administration, including the Coastal Ocean Program and the National Sea Grant College Program, and of the National Science Foundation will be coordinated during the fiscal year following the fiscal year in which the report is submitted. The report shall describe in detail any overlapping ocean and coastal research interests between the agencies and specify how such research interests will be pursued by the programs in a complementary manner.

(Pub. L. 107–299, § 9, Nov. 26, 2002, 116 Stat. 2348.)

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives and Committee on Science of House of Representatives changed to Committee on Science and Technology of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007. Committee on Science and Technology of House of Representatives changed to Committee on Science, Space, and Technology of House of Representatives by House Resolution No. 5, One Hundred Twelfth Congress, Jan. 5, 2011.

§§ 857a, 858. Repealed. Pub. L. 107–372, title II, § 271(2), (4), Dec. 19, 2002, 116 Stat. 3094

Section 857a, acts Aug. 10, 1956, ch. 1041, § 3, 70A Stat. 619; Pub. L. 85–861, § 3, Sept. 2, 1958, 72 Stat. 1546; Pub. L. 86–160, § 2, Aug. 14, 1959, 73 Stat. 358; Pub. L. 87–233, § 4, Sept. 14, 1961, 75 Stat. 507; Pub. L. 87–649, § 9(a), Sept. 7, 1962, 76 Stat. 495; Pub. L. 88–132, § 5(k), Oct. 2, 1963, 77 Stat. 214; Pub. L. 88–431, § 1(c)(1), Aug. 14, 1964, 78 Stat. 439; Pub. L. 89–538, § 3(a), Aug. 14, 1966, 80 Stat. 348; Pub. L. 92–425, § 5, Sept. 21, 1972, 86 Stat. 713; Pub. L. 96–215, § 1, Mar. 25, 1980, 94 Stat. 123; Pub. L. 96–357, § 4, Sept. 24, 1980, 94 Stat. 1182; Pub. L. 96–513, title V, § 507(f)(1), Dec. 12, 1980, 94 Stat. 2920; Pub. L. 98–94, title X, § 1007(d), Sept. 24, 1983, 97 Stat. 662; Pub. L. 104–106, div. A, title V, § 566(a), (b), Feb. 10, 1996, 110 Stat. 327; Pub. L. 105–85, div. A, title VI, § 653(b), title X, § 1073(f), Nov. 18, 1997, 111 Stat. 1804, 1906; Pub. L. 107–107, div. A, title VI, § 653(b), Dec. 28, 2001, 115 Stat. 1153, related to applicability of certain provisions of Title 10, Armed Forces. See section 3071 of this title.

Section 858, acts May 22, 1917, ch. 20, § 16, 40 Stat. 88; July 26, 1947, ch. 343, title II, § 205(a), 61 Stat. 501; 1965 Reorg. Plan No. 2, eff. July 13, 1965, 30 F.R. 8819, 79 Stat. 1318; Pub. L. 89–657, § 1(2), Oct. 14, 1966, 80 Stat. 907; 1970 Reorg. Plan No. 4, eff. Oct. 3, 1970, 35 F.R. 15627, 84 Stat. 2090, related to rules and regulations when cooperating with military departments. See section 3063 of this title.

§ 859. Repealed. June 16, 1942, ch. 413, § 19, 56 Stat. 369, eff. June 1, 1942

Section, act June 10, 1922, ch. 212, 42 Stat. 625–633, related to pay and allowances of commissioned officers.

§ 860. Repealed. Pub. L. 87–649, § 14b, Sept. 7, 1962, 76 Stat. 499

Section, act May 18, 1920, ch. 190, § 11 (words before the first semicolon), 41 Stat. 603, made pay and allowances of naval officers applicable to Coast and Geodetic Survey generally.

§ 861. Omitted

CODIFICATION

Section, acts Feb. 27, 1925, ch. 364, title III, 43 Stat. 1046; Apr. 29, 1926, ch. 195, title III, 44 Stat. 362, related to expenses of officers of the Coast and Geodetic Survey when traveling on Government owned vessels.

§ 861a. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section, act May 18, 1920, ch. 190, § 12, 41 Stat. 604, related to transportation for families of officers and enlisted men on permanent change of station.

§§ 861b, 861c. Omitted

CODIFICATION

Section 861b, act Feb. 21, 1929, ch. 288, 45 Stat. 1254, defined the terms “child” and “children” as formerly used in section 861a of this title, and has been omitted in view of the repeal of section 861a.

Section 861c, act June 24, 1935, ch. 291, § 3, 49 Stat. 421, defined the phrase “permanent change in station” as formerly used in section 861a of this title, and has been omitted in view of the repeal of section 861a.

§ 862. Repealed. Pub. L. 87–649, § 14b, Sept. 7, 1962, 76 Stat. 498

Section, acts Mar. 4, 1907, ch. 2918, § 1, 34 Stat. 1322; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736; June 21, 1955, ch. 172, § 1, 69 Stat. 169; Sept. 26, 1961, Pub. L. 87–304, § 9(b), 75 Stat. 665, authorized commissioned officers of the Coast and Geodetic Survey to make assignments or allotments of their pay. See section 706 of Title 37, Pay and Allowances of the Uniformed Services.

§ 862a. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section, acts Mar. 2, 1923, ch. 178, title I, 42 Stat. 1385; Aug. 4, 1949, ch. 393, § 11, 63 Stat. 559, prohibited the issuance of heat or light in kind to any person in the Coast and Geodetic Survey while such person is receiving an allowance for rental of quarters.

§ 863. Repealed. June 21, 1955, ch. 172, § 5(4), 69 Stat. 170

Section, acts Mar. 4, 1909, ch. 299, § 1, 35 Stat. 974; Mar. 4, 1913, ch. 141, § 1, 37 Stat. 736, related to leaves of absence of officers of the Coast and Geodetic Survey on duty in the Philippine Islands.

§ 864. Repealed. Pub. L. 107–372, title II, § 271(6), Dec. 19, 2002, 116 Stat. 3094

Section, act May 18, 1920, ch. 190, § 11, 41 Stat. 603; 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, provided that laws concerning retirement of commissioned Naval officers would apply to commissioned National Oceanic and Atmospheric Administration officers.

§ 864a. Repealed. Aug. 10, 1956, ch. 1041, § 53, 70A Stat. 641

Section, act May 18, 1920, ch. 190, § 11 (proviso), 41 Stat. 604, related to service credits in computing longevity pay of officers of the Coast and Geodetic Survey.