

**(6) Territorial sea**

The term “territorial sea” means the belt of sea measured from the baseline of the United States determined in accordance with international law, as set forth in Presidential Proclamation Number 5928, dated December 27, 1988.

**(7) Nongovernmental entities**

The term “nongovernmental entities” includes nongovernmental organizations, members of the academic community, and private sector organizations that provide products and services associated with measuring, locating, and preparing maps, charts, surveys, aerial photographs, satellite images,<sup>2</sup> or other graphical or digital presentations depicting natural or manmade physical features, phenomena, and legal boundaries of the Earth.

**(8) Outer Continental Shelf**

The term “Outer Continental Shelf” means all submerged lands lying seaward and outside of lands beneath navigable waters (as that term is defined in section 1301 of title 43), and of which the subsoil and seabed appertain to the United States and are subject to its jurisdiction and control.

(Pub. L. 111–11, title XII, §12208, Mar. 30, 2009, 123 Stat. 1426.)

REFERENCES IN TEXT

Presidential Proclamation No. 5030, referred to in par. (4), is set out under section 1453 of Title 16, Conservation.

Presidential Proclamation Number 5928, referred to in par. (6), is set out under section 1331 of Title 43, Public Lands.

**CHAPTER 49—INTEGRATED COASTAL AND OCEAN OBSERVATION SYSTEM**

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**§ 3601. Purposes**

The purposes of this chapter are to—

(1) establish a national integrated System of ocean, coastal, and Great Lakes observing systems, comprised of Federal and non-Federal components coordinated at the national level by the National Ocean Research Leadership Council and at the regional level by a network of regional information coordination entities, and that includes in situ, remote, and other coastal and ocean observation, technologies, and data management and communication systems, and is designed to address regional and national needs for ocean information, to

<sup>2</sup>So in original. Probably should be “images.”

gather specific data on key coastal, ocean, and Great Lakes variables, and to ensure timely and sustained dissemination and availability of these data to—

(A) support national defense, marine commerce, navigation safety, weather, climate, and marine forecasting, energy siting and production, economic development, ecosystem-based marine, coastal, and Great Lakes resource management, public safety, and public outreach training and education;

(B) promote greater public awareness and stewardship of the Nation’s ocean, coastal, and Great Lakes resources and the general public welfare; and

(C) enable advances in scientific understanding to support the sustainable use, conservation, management, and understanding of healthy ocean, coastal, and Great Lakes resources;

(2) improve the Nation’s capability to measure, track, explain, and predict events related directly and indirectly to weather and climate change, natural climate variability, and interactions between the oceanic and atmospheric environments, including the Great Lakes; and

(3) authorize activities to promote basic and applied research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies, modeling systems, and other scientific and technological capabilities to improve our conceptual understanding of weather and climate, ocean-atmosphere dynamics, global climate change, physical, chemical, and biological dynamics of the ocean, coastal and Great Lakes environments, and to conserve healthy and restore degraded coastal ecosystems.

(Pub. L. 111–11, title XII, §12302, Mar. 30, 2009, 123 Stat. 1427.)

SHORT TITLE

Pub. L. 111–11, title XII, §12301, Mar. 30, 2009, 123 Stat. 1427, provided that: “This subtitle [subtitle C (§§12301–12312) of title XII of Pub. L. 111–11, enacting this chapter] may be cited as the ‘Integrated Coastal and Ocean Observation System Act of 2009’.”

**§ 3602. Definitions**

In this chapter:

**(1) Administrator**

The term “Administrator” means the Under Secretary of Commerce for Oceans and Atmosphere in the Under Secretary’s capacity as Administrator of the National Oceanic and Atmospheric Administration.

**(2) Council**

The term “Council” means the National Ocean Research Leadership Council established by section 7902 of title 10.

**(3) Federal assets**

The term “Federal assets” means all relevant non-classified civilian coastal and ocean observations, technologies, and related modeling, research, data management, basic and applied technology research and development, and public education and outreach programs, that are managed by member agencies of the Council.

**(4) Interagency Ocean Observation Committee**

The term “Interagency Ocean Observation Committee” means the committee established under section 3603(c)(2) of this title.

**(5) Non-Federal assets**

The term “non-Federal assets” means all relevant coastal and ocean observation technologies, related basic and applied technology research and development, and public education and outreach programs that are integrated into the System and are managed through States, regional organizations, universities, nongovernmental organizations, or the private sector.

**(6) Regional information coordination entities****(A) In general**

The term “regional information coordination entity” means an organizational body that is certified or established by contract or memorandum by the lead Federal agency designated in section 3603(c)(3) of this title and coordinates State, Federal, local, and private interests at a regional level with the responsibility of engaging the private and public sectors in designing, operating, and improving regional coastal and ocean observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions.

**(B) Certain included associations**

The term “regional information coordination entity” includes regional associations described in the System Plan.

**(7) Secretary**

The term “Secretary” means the Secretary of Commerce, acting through the National Oceanic and Atmospheric Administration.

**(8) System**

The term “System” means the National Integrated Coastal and Ocean Observation System established under section 3603 of this title.

**(9) System Plan**

The term “System Plan” means the plan contained in the document entitled “Ocean. US Publication No. 9, The First Integrated Ocean Observing System (IOOS) Development Plan”, as updated by the Council under this chapter.

(Pub. L. 111–11, title XII, §12303, Mar. 30, 2009, 123 Stat. 1428.)

**§ 3603. Integrated Coastal and Ocean Observing System****(a) Establishment**

The President, acting through the Council, shall establish a National Integrated Coastal and Ocean Observing System to fulfill the purposes set forth in section 3601 of this title and the System Plan and to fulfill the Nation’s international obligations to contribute to the Global Earth Observation System of Systems and the Global Ocean Observing System.

**(b) System elements****(1) In general**

In order to fulfill the purposes of this chapter, the System shall be national in scope and consist of—

(A) Federal assets to fulfill national and international observation missions and priorities;

(B) non-Federal assets, including a network of regional information coordination entities identified under subsection (c)(4), to fulfill regional observation missions and priorities;

(C) data management, communication, and modeling systems for the timely integration and dissemination of data and information products from the System;

(D) a research and development program conducted under the guidance of the Council, consisting of—

(i) basic and applied research and technology development to improve understanding of coastal and ocean systems and their relationships to human activities and to ensure improvement of operational assets and products, including related infrastructure, observing technologies, and information and data processing and management technologies; and

(ii) large scale computing resources and research to advance modeling of coastal and ocean processes.

**(2) Enhancing administration and management**

The head of each Federal agency that has administrative jurisdiction over a Federal asset shall support the purposes of this chapter and may take appropriate actions to enhance internal agency administration and management to better support, integrate, finance, and utilize observation data, products, and services developed under this section to further its own agency mission and responsibilities.

**(3) Availability of data**

The head of each Federal agency that has administrative jurisdiction over a Federal asset shall make available data that are produced by that asset and that are not otherwise restricted for integration, management, and dissemination by the System.

**(4) Non-Federal assets**

Non-Federal assets shall be coordinated, as appropriate, by the Interagency Ocean Observing Committee or by regional information coordination entities.

**(c) Policy oversight, administration, and regional coordination****(1) Council functions**

The Council shall serve as the policy and coordination oversight body for all aspects of the System. In carrying out its responsibilities under this chapter, the Council shall—

(A) approve and adopt comprehensive System budgets developed and maintained by the Interagency Ocean Observing Committee to support System operations, including operations of both Federal and non-Federal assets;