

Subsec. (d). Pub. L. 114-322, § 1130(d)(3)(A), substituted “1 year after December 16, 2016” for “1 year after June 10, 2014” in introductory provisions.

Subsec. (d)(2). Pub. L. 114-322, § 1130(d)(3)(B), substituted “State, regional, or tribal” for “State or tribal”.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110-114, set out as a note under section 2201 of this title.

**§ 3304. Limitations on statutory construction**

Nothing in this chapter shall be construed as—

- (1) creating any liability of the United States or its officers or employees for the recovery of damages caused by an action or failure to act; or
- (2) relieving an owner or operator of a levee of a legal duty, obligation, or liability incident to the ownership or operation of a levee.

(Pub. L. 110-114, title IX, § 9007, formerly § 9005, Nov. 8, 2007, 121 Stat. 1290; renumbered § 9007, Pub. L. 113-121, title III, § 3016(e)(1), June 10, 2014, 128 Stat. 1293.)

**§ 3305. Authorization of appropriations**

There is authorized to be appropriated to the Secretary—

- (1) to carry out sections 3302, 3303a(c), 3303a(d), 3303a(e), and 3303a(f) of this title, \$4,000,000 for each of fiscal years 2015 through 2019;
- (2) to carry out section 3303 of this title, \$20,000,000 for each of fiscal years 2015 through 2019; and
- (3) to carry out section 3303a(h) of this title, \$30,000,000 for each of fiscal years 2015 through 2019.

(Pub. L. 110-114, title IX, § 9008, formerly § 9006, Nov. 8, 2007, 121 Stat. 1291; renumbered § 9008 and amended Pub. L. 113-121, title III, § 3016(e)(1), (f), June 10, 2014, 128 Stat. 1293, 1300.)

AMENDMENTS

2014—Pub. L. 113-121, § 3016(f)(2), substituted “Secretary—” for “Secretary to carry out this chapter \$20,000,000 for each of fiscal years 2008 through 2013.” and added pars. (1) to (3).

Pub. L. 113-121, § 3016(f)(1), which directed the substitution of “is” for “are”, could not be executed because “are” does not appear in text.

“SECRETARY” DEFINED

Secretary means the Secretary of the Army, see section 2 of Pub. L. 110-114, set out as a note under section 2201 of this title.

**CHAPTER 47—OCEAN EXPLORATION**

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SUBCHAPTER I—EXPLORATION

**§ 3401. Purpose**

The purpose of this subchapter is to establish the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration.

(Pub. L. 111-11, title XII, § 12001, Mar. 30, 2009, 123 Stat. 1417.)

SHORT TITLE

Pub. L. 111-11, title XII, § 12101, Mar. 30, 2009, 123 Stat. 1419, provided that: “This part [part II (§§ 12101–12107) of subtitle A of title XII of Pub. L. 111-11, enacting subchapter II of this chapter] may be cited as the ‘NOAA Undersea Research Program Act of 2009’.”

**§ 3402. Program established**

The Administrator of the National Oceanic and Atmospheric Administration shall, in consultation with the National Science Foundation and other appropriate Federal agencies, establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration that promotes collaboration with other Federal ocean and undersea research and exploration programs. To the extent appropriate, the Administrator shall seek to facilitate coordination of data and information management systems, outreach and education programs to improve public understanding of ocean and coastal resources, and development and transfer of technologies to facilitate ocean and undersea research and exploration.

(Pub. L. 111-11, title XII, § 12002, Mar. 30, 2009, 123 Stat. 1417.)

**§ 3403. Powers and duties of the Administrator**

**(a) In general**

In carrying out the program authorized by section 3402 of this title, the Administrator of the National Oceanic and Atmospheric Administration shall—

- (1) conduct interdisciplinary voyages or other scientific activities in conjunction with other Federal agencies or academic or educational institutions, to explore and survey little known areas of the marine environment, inventory, observe, and assess living and non-living marine resources, and report such findings;
- (2) give priority attention to deep ocean regions, with a focus on deep water marine systems that hold potential for important scientific discoveries, such as hydrothermal vent communities and seamounts;
- (3) conduct scientific voyages to locate, define, and document historic shipwrecks, submerged sites, and other ocean exploration activities that combine archaeology and oceanographic sciences;

(4) develop and implement, in consultation with the National Science Foundation, a transparent, competitive process for merit-based peer-review and approval of proposals for activities to be conducted under this program, taking into consideration advice of the Board established under section 3405 of this title;

(5) enhance the technical capability of the United States marine science community by promoting the development of improved oceanographic research, communication, navigation, and data collection systems, as well as underwater platforms and sensor and autonomous vehicles; and

(6) establish an ocean exploration forum to encourage partnerships and promote communication among experts and other stakeholders in order to enhance the scientific and technical expertise and relevance of the national program.

**(b) Donations**

The Administrator may accept donations of property, data, and equipment to be applied for the purpose of exploring the oceans or increasing knowledge of the oceans.

(Pub. L. 111–11, title XII, §12003, Mar. 30, 2009, 123 Stat. 1417.)

**§ 3404. Ocean exploration and undersea research technology and infrastructure task force**

**(a) In general**

The Administrator of the National Oceanic and Atmospheric Administration, in coordination with the National Science Foundation, the National Aeronautics and Space Administration, the United States Geological Survey, the Department of the Navy, the Mineral Management Service, and relevant governmental, nongovernmental, academic, industry, and other experts, shall convene an ocean exploration and undersea research technology and infrastructure task force to develop and implement a strategy—

(1) to facilitate transfer of new exploration and undersea research technology to the programs authorized under this subchapter and subchapter II of this chapter;

(2) to improve availability of communications infrastructure, including satellite capabilities, to such programs;

(3) to develop an integrated, workable, and comprehensive data management information processing system that will make information on unique and significant features obtained by such programs available for research and management purposes;

(4) to conduct public outreach activities that improve the public understanding of ocean science, resources, and processes, in conjunction with relevant programs of the National Oceanic and Atmospheric Administration, the National Science Foundation, and other agencies; and

(5) to encourage cost-sharing partnerships with governmental and nongovernmental entities that will assist in transferring exploration and undersea research technology and technical expertise to the programs.

**(b) Budget coordination**

The task force shall coordinate the development of agency budgets and identify the items in their annual budget that support the activities identified in the strategy developed under subsection (a).

(Pub. L. 111–11, title XII, §12004, Mar. 30, 2009, 123 Stat. 1418.)

**§ 3405. Ocean Exploration Advisory Board**

**(a) Establishment**

The Administrator of the National Oceanic and Atmospheric Administration shall appoint an Ocean Exploration Advisory Board composed of experts in relevant fields—

(1) to advise the Administrator on priority areas for survey and discovery;

(2) to assist the program in the development of a 5-year strategic plan for the fields of ocean, marine, and Great Lakes science, exploration, and discovery;

(3) to annually review the quality and effectiveness of the proposal review process established under section 3403(a)(4) of this title; and

(4) to provide other assistance and advice as requested by the Administrator.

**(b) Federal Advisory Committee Act**

Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Board appointed under subsection (a).

**(c) Application with Outer Continental Shelf Lands Act**

Nothing in subchapter<sup>1</sup> supersedes, or limits the authority of the Secretary of the Interior under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(Pub. L. 111–11, title XII, §12005, Mar. 30, 2009, 123 Stat. 1418.)

REFERENCES IN TEXT

Section 14 of the Federal Advisory Committee Act, referred to in subsec. (b), is section 14 of Pub. L. 92–463, which is set out in the Appendix to Title 5, Government Organization and Employees.

The Outer Continental Shelf Lands Act, referred to in subsec. (c), is act Aug. 7, 1953, ch. 345, 67 Stat. 462, which is classified generally to subchapter III (§1331 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 43 and Tables.

**§ 3406. Authorization of appropriations**

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this subchapter—

(1) \$33,550,000 for fiscal year 2009;

(2) \$36,905,000 for fiscal year 2010;

(3) \$40,596,000 for fiscal year 2011;

(4) \$44,655,000 for fiscal year 2012;

(5) \$49,121,000 for fiscal year 2013;

(6) \$54,033,000 for fiscal year 2014; and

(7) \$59,436,000 for fiscal year 2015.

(Pub. L. 111–11, title XII, §12006, Mar. 30, 2009, 123 Stat. 1419.)

<sup>1</sup> So in original. Probably should be preceded by “this”.