

agreements for the development or procurement of new Federal assets for the System that are estimated to be in excess of \$250,000,000 in life-cycle costs without first providing adequate notice to Congress and opportunity for review and comment.

(Pub. L. 111–11, title XII, § 12310, Mar. 30, 2009, 123 Stat. 1436.)

### § 3610. Authorization of appropriations

There are authorized to be appropriated to the Secretary of Commerce for fiscal years 2009 through 2013 such sums as are necessary to fulfill the purposes of this chapter and support activities identified in the annual coordinated System budget developed by the Interagency Ocean Observation Committee and submitted to the Congress.

(Pub. L. 111–11, title XII, § 12311, Mar. 30, 2009, 123 Stat. 1436.)

### § 3611. Assessing and modeling named storms over coastal States

#### (a) Definitions

In this section:

##### (1) COASTAL Formula

The term “COASTAL Formula” has the meaning given the term in section 4057(a) of title 42.

##### (2) Coastal State

The term “coastal State” has the meaning given the term “coastal state” in section 1453 of title 16.

##### (3) Coastal waters

The term “coastal waters” has the meaning given the term in such section.

##### (4) Covered data

The term “covered data” means, with respect to a named storm identified by the Administrator under subsection (b)(2)(A), empirical data that are—

(A) collected before, during, or after such storm; and

(B) necessary to determine magnitude and timing of wind speeds, rainfall, the barometric pressure, river flows, the extent, height, and timing of storm surge, topographic and bathymetric data, and other measures required to accurately model and assess damage from such storm.

##### (5) Indeterminate loss

The term “indeterminate loss” has the meaning given the term in section 4057(a) of title 42.

##### (6) Named storm

The term “named storm” means any organized weather system with a defined surface circulation and maximum winds of at least 39 miles per hour which the National Hurricane Center of the United States National Weather Service names as a tropical storm or a hurricane.

##### (7) Named Storm Event Model

The term “Named Storm Event Model” means the official meteorological and oceanographic computerized model, developed by the Administrator under subsection (b)(1)(A), which utilizes covered data to replicate the magnitude, timing, and spatial variations of winds, rainfall, and storm surges associated with named storms that threaten any portion of a coastal State.

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##### (8) Participant

The term “participant” means a Federal, State, or private entity that chooses to cooperate with the Administrator in carrying out the provisions of this section by collecting, contributing, and maintaining covered data.

##### (9) Post-storm assessment

The term “post-storm assessment” means a scientific assessment produced and certified by the Administrator to determine the magnitude, timing, and spatial variations of winds, rainfall, and storm surges associated with a specific named storm to be used in the COASTAL Formula.

##### (10) State

The term “State” means a State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, and any other territory or possession of the United States.

#### (b) Named Storm Event Model and post-storm assessment

##### (1) Establishment of Named Storm Event Model

###### (A) In general

Not later than 540 days after July 6, 2012, the Administrator shall develop by regulation the Named Storm Event Model.

###### (B) Accuracy

The Named Storm Event Model shall be designed to generate post-storm assessments, as provided in paragraph (2), that have a degree of accuracy of not less than 90 percent for every indeterminate loss for which a post-storm assessment is utilized.

##### (2) Post-storm assessment

###### (A) Identification of named storms threatening coastal States

After the establishment of the COASTAL Formula, the Administrator shall, in consultation with the Secretary of Homeland Security, identify named storms that may reasonably constitute a threat to any portion of a coastal State.

###### (B) Post-storm assessment required

Upon identification of a named storm under subparagraph (A), the Administrator shall develop a post-storm assessment for such named storm using the Named Storm Event Model and covered data collected for such named storm pursuant to the protocol established under subsection (c)(1).

###### (C) Submittal of post-storm assessment

Not later than 90 days after an identification of a named storm is made under subparagraph (A), the Administrator shall submit to the Secretary of Homeland Security the post-storm assessment developed for such storm under subparagraph (B).