

(b) Regulatory authority

Nothing in this chapter may be construed as establishing new regulatory authority for any agency.

(Pub. L. 105-383, title VI, §607, as added Pub. L. 113-124, §9, June 30, 2014, 128 Stat. 1385.)

§ 4008. Definitions

In this chapter:

(1) Action Strategy

The term “Action Strategy” means the comprehensive research plan and action strategy established under section 4003 of this title.

(2) Administrator

The term “Administrator” means the Administrator of the Environmental Protection Agency.

(3) Harmful algal bloom

The term “harmful algal bloom” means marine and freshwater phytoplankton that proliferate to high concentrations, resulting in nuisance conditions or harmful impacts on marine and aquatic ecosystems, coastal communities, and human health through the production of toxic compounds or other biological, chemical, and physical impacts of the algal outbreak.

(4) Hypoxia

The term “hypoxia” means a condition where low dissolved oxygen in aquatic systems causes stress or death to resident organisms.

(5) Program

The term “Program” means the national harmful algal bloom and hypoxia program established under section 4002 of this title.

(6) State

The term “State” means each of the several States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, the Commonwealth of the Northern Mariana Islands, any other territory or possession of the United States, and any Indian tribe.

(7) Task Force

The term “Task Force” means the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia under section 4001(a) of this title.

(8) Under Secretary

The term “Under Secretary” means the Under Secretary of Commerce for Oceans and Atmosphere.

(9) United States coastal waters

The term “United States coastal waters” includes the Great Lakes.

(Pub. L. 105-383, title VI, §608, as added Pub. L. 113-124, §10(a), June 30, 2014, 128 Stat. 1385.)

§ 4009. Authorization of appropriations**(a) In general**

There is authorized to be appropriated to the Under Secretary to carry out sections 4002 and 4003 of this title \$20,500,000 for each of fiscal years 2014 through 2018, and \$20,500,000 for each of fiscal years 2019 through 2023.

(b) Extramural research activities

The Under Secretary shall ensure that a substantial portion of funds appropriated pursuant to subsection (a) that are used for research purposes are allocated to extramural research activities. For each fiscal year, the Under Secretary shall publish a list of all grant recipients and the amounts for all of the funds allocated for research purposes, specifying those allocated for extramural research activities.

(Pub. L. 105-383, title VI, §609, as added Pub. L. 113-124, §11, June 30, 2014, 128 Stat. 1386; amended Pub. L. 115-423, §9(h), Jan. 7, 2019, 132 Stat. 5464.)

AMENDMENTS

2019—Subsec. (a). Pub. L. 115-423 inserted “, and \$20,500,000 for each of fiscal years 2019 through 2023” before period at end.

§ 4010. Hypoxia or harmful algal bloom of national significance**(1) Relief****(A) In general**

Upon a determination under paragraph (2) that there is an event of national significance, the appropriate Federal official is authorized to make sums available to the affected State or local government for the purposes of assessing and mitigating the detrimental environmental, economic, subsistence use, and public health effects of the event of national significance.

(B) Federal share

The Federal share of the cost of any activity carried out under this paragraph for the purposes described in subparagraph (A) may not exceed 50 percent of the cost of that activity.

(C) Donations

Notwithstanding any other provision of law, an appropriate Federal official may accept donations of funds, services, facilities, materials, or equipment that the appropriate Federal official considers necessary for the purposes described in subparagraph (A). Any funds donated to an appropriate Federal official under this paragraph may be expended without further appropriation and without fiscal year limitation.

(2) Determinations**(A) In general**

At the discretion of an appropriate Federal official, or at the request of the Governor of an affected State, an appropriate Federal official shall determine whether a hypoxia or harmful algal bloom event is an event of national significance.

(B) Considerations

In making a determination under subparagraph (A), the appropriate Federal official shall consider the toxicity of the harmful algal bloom, the severity of the hypoxia, its potential to spread, the economic impact, the relative size in relation to the past 5 occurrences of harmful algal blooms or hypoxia events that occur on a recurrent or annual basis, and the geographic scope, includ-

ing the potential to affect several municipalities, to affect more than 1 State, or to cross an international boundary.

(3) Definitions

In this subsection:

(A) Appropriate federal official

The term “appropriate Federal official” means—

(i) in the case of a marine or coastal hypoxia or harmful algal bloom event, the Under Secretary of Commerce for Oceans and Atmosphere; and

(ii) in the case of a freshwater hypoxia or harmful algal bloom event, the Administrator of the Environmental Protection Agency.

(B) Event of national significance

The term “event of national significance” means a hypoxia or harmful algal bloom event that has had or will likely have a significant detrimental environmental, economic, subsistence use, or public health impact on an affected State.

(C) Hypoxia or harmful algal bloom event

The term “hypoxia or harmful algal bloom event” means the occurrence of hypoxia or a harmful algal bloom as a result of a natural, anthropogenic, or undetermined cause.

(Pub. L. 115-423, §9(g), Jan. 7, 2019, 132 Stat. 5463.)

CODIFICATION

This section was enacted as part of the Harmful Algal Bloom and Hypoxia Research and Control Amendments Act of 2017 and also as part of the National Integrated Drought Information System Reauthorization Act of 2018, and not as part of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 which comprises this chapter.

CHAPTER 54—COMMERCIAL ENGAGEMENT THROUGH OCEAN TECHNOLOGY

Sec.	
4101.	Definitions.
4102.	Coordination regarding assessment and acquisition by National Oceanic and Atmospheric Administration of unmanned maritime systems.
4103.	Regular assessment of unmanned maritime systems to support National Oceanic and Atmospheric Administration missions.
4104.	Acquisition of unmanned maritime systems.
4105.	Reports on unmanned maritime systems and usage for mission of the National Oceanic and Atmospheric Administration.
4106.	Funding and additional authorities.

§ 4101. Definitions

In this chapter:

(1) Administration

The term “Administration” means the National Oceanic and Atmospheric Administration.

(2) Administrator

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

(3) Cooperative activities of the Administration

The terms¹ “cooperative activities of the Administration” means cooperative activities between the Administration and an external entity, such as the Cooperative Institutes, Sea Grant Colleges, National Estuarine Research Reserves, the National Oceanographic Partnership Program established under chapter 665 of title 10, and regional associations of the Integrated Ocean Observing System.

(4) Data specifications

The term “data specifications” shall refer to the type, resolution, periodicity, and quality of data required by an program of the Administration.

(5) Test or training range

(A) In general

The term “test or training range” means an area designated for operating unmanned maritime systems and other types of systems for the purpose of—

- (i) evaluating the performance of such systems; or
- (ii) training personnel on operating procedures for such systems.

(B) Inclusions

The term “test or training range” may include specialized fixed or portable instrumentation for the operation of unmanned maritime systems and other types of systems.

(6) Unmanned maritime systems

(A) In general

The term “unmanned maritime systems” means remotely operated or autonomous vehicles produced by the commercial sector—

- (i) designed to function without an on-board human presence; and
- (ii) that may include associated components such as control and communications, instrumentation, data transmission, and processing systems.

(B) Examples

The term “unmanned maritime systems” includes the following:

- (i) Unmanned undersea vehicles.
- (ii) Unmanned surface vehicles.
- (iii) Autonomous underwater vehicles.
- (iv) Autonomous surface vehicles.

(C) Treatment of aerial vehicles

The term “unmanned maritime systems” includes unmanned aerial vehicles and autonomous aerial vehicles that are used to address maritime issues to the extent the Administrator determines it is necessary and appropriate to achieve the purposes of this chapter.

(Pub. L. 115-394, §2, Dec. 21, 2018, 132 Stat. 5281.)

SHORT TITLE

Pub. L. 115-394, §1(a), Dec. 21, 2018, 132 Stat. 5281, provided that: “This Act [enacting this chapter] may be cited as the ‘Commercial Engagement Through Ocean Technology Act of 2018’ or the ‘CENOTE Act of 2018’.”

¹ So in original. Probably should be “term”.