

that have been integrated into the System, including assets essential to the gathering of required observation data variables necessary to meet the respective missions of Council agencies;

(4) a review of procurements, planned or initiated, by each department or agency represented on the Council to enhance, expand, or modernize the observation capabilities and data products provided by the System, including data management and communication subsystems;

(5) a summary of the existing gaps in observation infrastructure and monitoring data collection, including—

(A) priorities considered by the System advisory committee;

(B) the national sea surface current mapping network;

(C) coastal buoys;

(D) ocean chemistry monitoring;

(E) marine sound monitoring; and

(F) unmanned maritime systems technology gaps;

(6) an assessment regarding activities to integrate Federal and non-Federal assets, nationally and on the regional level, and discussion of the performance and effectiveness of regional coastal observing systems to coordinate regional observation operations;

(7) a description of benefits of the program to users of data products resulting from the System (including the general public, industries, scientists, resource managers, emergency responders, policy makers, and educators);

(8) recommendations, if any, concerning—

(A) modifications to the System; and

(B) funding levels for the System in subsequent fiscal years; and

(9) the results of a periodic external independent programmatic audit of the System.

(Pub. L. 111-11, title XII, §12307, Mar. 30, 2009, 123 Stat. 1435; Pub. L. 116-271, title I, §105, Dec. 31, 2020, 134 Stat. 3339.)

#### Editorial Notes

##### AMENDMENTS

2020—Pub. L. 116-271 amended section generally. Prior to amendment, section required that no later than 2 years after March 30, 2009, and every 2 years thereafter, the Administrator was to prepare and the President acting through the Council was to approve and transmit to Congress a report on progress made in implementing this chapter.

#### § 3607. Public-private use policy

The Council shall maintain a policy that defines processes for making decisions about the roles of the Federal Government, the States, regional coastal observing systems, the academic community, and the private sector in providing to end-user communities environmental information, products, technologies, and services related to the System. The Administrator shall ensure that the National Oceanic and Atmospheric Administration adheres to the decision making process developed by the Council regarding the roles of the Federal Government, the

States, the regional coastal observing systems, the academic community, and the private sector in providing end-user communities environmental information, data products, technologies, and services related to the System.

(Pub. L. 111-11, title XII, §12308, Mar. 30, 2009, 123 Stat. 1435; Pub. L. 116-271, title I, §106, Dec. 31, 2020, 134 Stat. 3340.)

#### Editorial Notes

##### AMENDMENTS

2020—Pub. L. 116-271 amended section generally. Prior to amendment, section required the Council to develop a public-private use policy within 6 months after March 30, 2009.

#### § 3608. Repealed. Pub. L. 116-271, title I, § 107(a), Dec. 31, 2020, 134 Stat. 3341

Section, Pub. L. 111-11, title XII, §12309, Mar. 30, 2009, 123 Stat. 1436, related to independent cost estimates to be sent to Congress within 1 year after Mar. 30, 2009.

#### § 3609. Intent of Congress

It is the intent of Congress that funding provided to agencies of the Council to implement this chapter shall supplement, and not replace, existing sources of funding for other programs. It is the further intent of Congress that agencies of the Council shall not enter into contracts or 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 lifecycle 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 to support the integrated oceans observations under this chapter—

(1) \$48,000,000 for fiscal year 2021;

(2) \$50,000,000 for fiscal year 2022;

(3) \$52,000,000 for fiscal year 2023;

(4) \$54,000,000 for fiscal year 2024; and

(5) \$56,000,000 for fiscal year 2025.

(Pub. L. 111-11, title XII, §12311, Mar. 30, 2009, 123 Stat. 1436; Pub. L. 116-271, title I, §108, Dec. 31, 2020, 134 Stat. 3341.)

#### Editorial Notes

##### AMENDMENTS

2020—Pub. L. 116-271 amended section generally. Prior to amendment, section related to authorization of appropriations for fiscal years 2009 to 2013.

#### § 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