

Editorial Notes

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

Sec.	
3601.	Purposes.
3602.	Definitions.
3603.	Integrated Coastal and Ocean Observing System.
3604.	Interagency financing and agreements.
3605.	Application with other laws.
3606.	Report to Congress.
3607.	Public-private use policy.
3608.	Repealed.
3609.	Intent of Congress.
3610.	Authorization of appropriations.
3611.	Assessing and modeling named storms over coastal States.

§ 3601. Purposes

The purposes of this chapter are—

(1) to establish and sustain 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 Council and at the regional level by a network of regional coastal observing systems, and that includes in situ, remote, and other coastal and ocean observation and modeling capabilities, technologies, data management systems, communication systems, and product development systems, and is designed to address regional and national needs for ocean and coastal information, to gather specific data on key ocean, coastal, and Great Lakes variables, and to ensure timely and sustained dissemination and availability of these data—

(A) to the public;

(B) to support national defense, search and rescue operations, 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 and education;

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

(D) to provide easy access to ocean, coastal, and Great Lakes data and promote data sharing between Federal and non-Federal sources and promote public data sharing;

(E) to enable advances in scientific understanding to support the sustainable use, conservation, management, and understanding of healthy ocean, coastal, and Great Lakes resources to ensure the Nation can respond to opportunities to enhance food, economic, and national security; and

(F) to monitor and model changes in the oceans and Great Lakes, including with respect to chemistry, harmful algal blooms, hypoxia, water levels, and other phenomena;

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

(3) to sustain, upgrade, and modernize the Nation's ocean and Great Lakes observing infrastructure to detect changes and ensure delivery of reliable and timely information; and

(4) to authorize activities—

(A) to promote basic and applied research to develop, test, and deploy innovations and improvements in coastal and ocean observation technologies, including advanced observing technologies such as unmanned maritime systems needed to address critical data gaps, modeling systems, other scientific and technological capabilities to improve the understanding of weather and climate, ocean-atmosphere dynamics, global climate change, and the physical, chemical, and biological dynamics of the ocean, coastal, and Great Lakes environments; and

(B) to conserve healthy and restore degraded coastal ecosystems.

(Pub. L. 111-11, title XII, §12302, Mar. 30, 2009, 123 Stat. 1427; Pub. L. 116-271, title I, §101, Dec. 31, 2020, 134 Stat. 3331.)

Editorial Notes

AMENDMENTS

2020—Pub. L. 116-271 amended section generally. Prior to amendment, section set out the purposes of this chapter.

Statutory Notes and Related Subsidiaries

SHORT TITLE OF 2020 AMENDMENT

Pub. L. 116-271, §1(a), Dec. 31, 2020, 134 Stat. 3331, provided that: "This Act [enacting section 10371 of Title 42, The Public Health and Welfare, amending this section, sections 3602 to 3604, 3606, 3607, 3610, 3611, and 3703 to 3706 of this title, and section 4057 of Title 42, repealing section 3608 of this title, and enacting provisions set out as a note under section 3704 of this title] may be cited as the 'Coordinated Ocean Observations and Research Act of 2020'."

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 8932 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 managed through States, regional organizations, universities, nongovernmental organizations, or the private sector and integrated into the System by a regional coastal observing system, the National Oceanic and Atmospheric Administration, or the agencies participating in the Interagency Ocean Observation Committee.

(6) Regional coastal observing system

The term “regional coastal observing system” 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, tribal, and private interests at a regional level with the responsibility of engaging the private and public sectors in designing, operating, and improving regional coastal observing systems in order to ensure the provision of data and information that meet the needs of user groups from the respective regions.

(7) Secretary

The term “Secretary” means the Secretary of Commerce, acting through the Administrator.

(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; Pub. L. 116–271, title I, §102, Dec. 31, 2020, 134 Stat. 3333.)

Editorial Notes

AMENDMENTS

2020—Par. (2). Pub. L. 116–271, §102(1), substituted “section 8932” for “section 7902”.

Par. (5). Pub. L. 116–271, §102(2), substituted “managed through States, regional organizations, universities, nongovernmental organizations, or the private sector and integrated into the System by a regional

coastal observing system, the National Oceanic and Atmospheric Administration, or the agencies participating in the Interagency Ocean Observation Committee” for “integrated into the System and are managed through States, regional organizations, universities, nongovernmental organizations, or the private sector”.

Par. (6). Pub. L. 116–271, §102(3), amended par. (6) generally. Prior to amendment, par. (6) related to regional information coordination entities.

Par. (7). Pub. L. 116–271, §102(4), substituted “Administrator” for “National Oceanic and Atmospheric Administration”.

§3603. Integrated Coastal and Ocean Observing System

(a) Establishment

The President, acting through the Council, shall establish a National Integrated Coastal and Ocean Observation 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 coastal observing systems identified under subsection (c)(4), to fulfill regional and national observation missions and priorities;

(C) observing, modeling, data management, and communication systems for the timely integration and dissemination of data and information products from the System, including reviews of data collection procedures across regions and programs to make recommendations for data collection standards across the System to meet national ocean, coastal, and Great Lakes observation, applied research, and weather forecasting needs;

(D) a product development system to transform observations into products in a format that may be readily used and understood; and

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

(i) basic and applied research and technology development—

(I) to improve understanding of coastal and ocean systems and their relationships to human activities; and

(II) to ensure improvement of operational assets and products, including related infrastructure, observing technologies such as unmanned maritime systems, and information and data processing and management technologies;

(ii) an advanced observing technology development program to fill gaps in technology;