

ganization, or any individual to carry out activities under this chapter.

**(b) Reciprocity**

Member Departments and agencies of the Council shall have the authority to create, support, and maintain joint centers, and to enter into and perform such contracts, leases, grants, and cooperative agreements as may be necessary to carry out the purposes of this chapter and fulfillment of the System Plan.

(Pub. L. 111–11, title XII, §12305, Mar. 30, 2009, 123 Stat. 1434; Pub. L. 116–271, title I, §104, Dec. 31, 2020, 134 Stat. 3339.)

**Editorial Notes**

AMENDMENTS

2020—Subsec. (a). Pub. L. 116–271 amended subsec. (a) generally. Prior to amendment, text read as follows: “To carry out interagency activities under this chapter, the Secretary of Commerce may execute cooperative agreements, or any other agreements, with, and receive and expend funds made available by, any State or subdivision thereof, any Federal agency, or any public or private organization, or individual.”

**§ 3605. Application with other laws**

Nothing in this chapter supersedes or limits the authority of any agency to carry out its responsibilities and missions under other laws.

(Pub. L. 111–11, title XII, §12306, Mar. 30, 2009, 123 Stat. 1435.)

**§ 3606. Report to Congress**

**(a) Requirement**

Not later than March 30, 2022, and every 5 years thereafter, the Administrator shall prepare, and the President acting through the Council shall approve and transmit to Congress, a report on progress made in implementing this chapter.

**(b) Contents**

Each report required under subsection (a) shall include—

- (1) a description of activities carried out under this chapter and the System Plan;
- (2) an evaluation of the effectiveness of the System, including an evaluation of progress made by the Council to achieve the goals identified under the System Plan;
- (3) the identification of Federal and non-Federal assets as determined by the Council 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.