

In the House of Representatives, U. S.,

December 10, 2018.

Resolved, That the bill from the Senate (S. 2511) entitled “An Act to require the Under Secretary of Commerce for Oceans and Atmosphere to carry out a program on coordinating the assessment and acquisition by the National Oceanic and Atmospheric Administration of unmanned maritime systems, to make available to the public data collected by the Administration using such systems, and for other purposes.”, do pass with the following

AMENDMENT:

Strike out all after the enacting clause and insert:

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.—This Act may be cited as the*
3 *“Commercial Engagement Through Ocean Technology Act*
4 *of 2018” or the “CENOTE Act of 2018”.*

5 (b) *TABLE OF CONTENTS.—The table of contents for*
6 *this Act is as follows:*

Sec. 1. Short title; table of contents.

Sec. 2. Definitions.

Sec. 3. Coordination regarding assessment and acquisition by National Oceanic and Atmospheric Administration of unmanned maritime systems.

Sec. 4. Regular assessment of unmanned maritime systems to support National Oceanic and Atmospheric Administration missions.

Sec. 5. Acquisition of unmanned maritime systems.

Sec. 6. Reports on unmanned maritime systems and usage for mission of the National Oceanic and Atmospheric Administration.

Sec. 7. Funding and additional authorities.

1 **SEC. 2. DEFINITIONS.**2 *In this Act:*3 (1) *ADMINISTRATION.*—The term “Administration” means the National Oceanic and Atmospheric Administration.6 (2) *ADMINISTRATOR.*—The term “Administrator” means the Under Secretary of Commerce for Oceans and Atmosphere and Administrator of the National Oceanic and Atmospheric Administration.10 (3) *COOPERATIVE ACTIVITIES OF THE ADMINISTRATION.*—The terms “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, United States Code, and regional associations of the Integrated Ocean Observing System.20 (4) *DATA SPECIFICATIONS.*—The term “data specifications” shall refer to the type, resolution, periodicity, and quality of data required by a program of the Administration.24 (5) *TEST OR TRAINING RANGE.*—25 (A) *IN GENERAL.*—The term “test or training range” means an area designated for oper-

1 operating unmanned maritime systems and other
2 types of systems for the purpose of—

5 (ii) training personnel on operating
6 procedures for such systems.

12 (6) *UNMANNED MARITIME SYSTEMS.—*

19 (ii) that may include associated com-
20 ponents such as control and communica-
21 tions, instrumentation, data transmission,
22 and processing systems.

23 (B) EXAMPLES.—The term “unmanned
24 maritime systems” includes the following:

25 (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 Act.

11 **SEC. 3. COORDINATION REGARDING ASSESSMENT AND AC-**
12 **QUISITION BY NATIONAL OCEANIC AND AT-**
13 **MOSPHERIC ADMINISTRATION OF UN-**
14 **MANNED MARITIME SYSTEMS.**

15 (a) *ESTABLISHMENT.*—The Administrator shall direct
16 the *Office of Oceanic and Atmospheric Research* (in this Act
17 referred to as “*OAR*”) and the *Office of Marine and Avia-*
18 *tion Operations* (in this Act referred to as “*OMAO*”)—

22 (2) to consider the use of unmanned maritime
23 systems in cooperative activities of the Administra-
24 tion.

25 (b) COORDINATION WITHIN THE ADMINISTRATION.—

14 (A) *The Office of Ocean Exploration*
15 (*OER*).

16 (B) The program office of the Integrated
17 Ocean Observing System.

21 (c) COORDINATION WITH THE NAVY.—

24 (A) make efforts to coordinate with the Sec-
25 retary of the Navy to leverage expertise in the de-

1 *velopment and operational transition of un-*
2 *manned maritime systems;*

3 *(B) align with, utilize, and inform the Dep-*
4 *uty Under Secretary of Commerce for Operations*
5 *and the Oceanographer of the Navy's strategic*
6 *and operational priorities, particularly for mis-*
7 *sions and geography within the Administration's*
8 *purview;*

9 *(C) seek to utilize Naval unmanned systems*
10 *test or training ranges, such as the Gulf of Mex-*
11 *ico Unmanned Systems Test and Training*
12 *Range of the Naval Meteorology and Oceanog-*
13 *raphy Command, and maximize interagency co-*
14 *operation and sharing of best practices; and*

15 *(D) to formalize coordination, execute a*
16 *memorandum of understanding with the Sec-*
17 *retary of the Navy that includes—*

18 *(i) incorporating consideration of pri-*
19 *orities and requirements of the Administra-*
20 *tion into research and development activi-*
21 *ties conducted by the Secretary of the Navy;*

22 *(ii) consultation intended to encourage*
23 *and facilitate efforts by the Administration*
24 *to partner with the Navy to procure un-*
25 *manned maritime systems and to establish,*

1 *instrument, and operate test or training*
2 *ranges and related facilities;*

3 *(iii) adopting procedures defined by*
4 *the Secretary of the Navy for the Adminis-*
5 *tration to access and utilize test or training*
6 *ranges or related Naval facilities for pur-*
7 *poses identified in paragraph (2)(B); and*

8 *(iv) such other topics as the Adminis-*
9 *trator considers necessary or advisable, in-*
10 *cluding mapping, bathymetry, observations,*
11 *and ocean exploration.*

12 (2) *LOCATION.—The Administrator shall, if*
13 *practicable, carry out the activities authorized by this*
14 *Act at a facility where the Navy and the Administra-*
15 *tion are co-located, for the following purposes:*

16 (A) *Gaining efficiencies through collabora-*
17 *tion.*

18 (B) *Advancing development of unmanned*
19 *maritime systems, including—*

20 (i) *systems research and development;*
21 (ii) *systems testing;*
22 (iii) *systems modifications; and*
23 (iv) *systems integration.*

24 (C) *Accelerating transition from concept to*
25 *manufacturing and acquisition.*

1 (d) *COORDINATION WITH OTHER FEDERAL AGEN-*
2 *CIES.*—*In carrying out this Act, the Administrator and the*
3 *Secretary of the Navy may utilize the National Oceano-*
4 *graphic Partnership Program, established under chapter*
5 *665 of title 10, United States Code, as a mechanism for*
6 *providing interagency coordination for the advancement of*
7 *unmanned maritime systems.*

8 (e) *COORDINATION WITH ACADEMIC SECTOR.*—*In car-*
9 *rying out this Act, the Administrator, in consultation with*
10 *the Secretary of the Navy, may coordinate and co-locate*
11 *with an academic research institution, or consortium of*
12 *academic research institutions, for the following purposes:*

13 (1) *Maximizing opportunities for research and*
14 *development of unmanned maritime systems.*

15 (2) *Providing training in unmanned maritime*
16 *systems as part of an accredited certificate or degree*
17 *program of education.*

18 (3) *Facilitating the commercialization of un-*
19 *manned maritime systems through public-private*
20 *partnerships that includes academic research institu-*
21 *tions, private industry, and public safety agencies.*

22 (4) *Arranging access to and use of additional fa-*
23 *cilities that support testing and assessment of or*
24 *training with respect to unmanned maritime systems*
25 *under environmental conditions of interest, increasing*

1 *operational tolerance under such conditions, certi-*
2 *fying operational capacity under such conditions,*
3 *whether real or simulated, and training operators of*
4 *unmanned maritime systems in real or simulated en-*
5 *vironments.*

6 *(5) Facilitating engagement with other academic*
7 *institutions with interest or relevant expertise in un-*
8 *manned maritime systems.*

9 *(6) Promoting information sharing between the*
10 *academic, environmental, and military institutions to*
11 *lead to more robust, mission-oriented unmanned mar-*
12 *itime systems.*

13 *(f) ENGAGEMENT WITH THE PRIVATE SECTOR.—*
14 *Other than as described in subsection (e), the Adminis-*
15 *trator, in consultation with the Secretary of the Navy, may,*
16 *in carrying out this Act, to the extent practicable, coordi-*
17 *nate and consult with the private sector—*

18 *(1) to support the commercialization of un-*
19 *manned maritime systems; and*

20 *(2) to assist with their assessment of commer-*
21 *cially available unmanned maritime systems to sup-*
22 *port the missions and goals of the Navy, the Adminis-*
23 *tration, and cooperative activities of the Administra-*
24 *tion.*

1 **SEC. 4. REGULAR ASSESSMENT OF UNMANNED MARITIME**
2 **SYSTEMS TO SUPPORT NATIONAL OCEANIC**
3 **AND ATMOSPHERIC ADMINISTRATION MIS-**
4 **SIONS.**

5 (a) *IN GENERAL.*—The Administrator, acting through
6 the Assistant Administrator for Oceanic and Atmospheric
7 Research and the Director of the Office of Marine and Avia-
8 tion Operations and the National Oceanic and Atmospheric
9 Administration Commissioned Officer Corps, shall regu-
10 larly assess publicly and commercially available unmanned
11 maritime systems for potential use to support missions of
12 the Administration.

13 (b) *SCIENCE-BASED ASSESSMENTS.*—The Adminis-
14 trator shall carry out subsection (a) through the Assistant
15 Administrator for all matters relating to assessment of the
16 suitability, feasibility, and cost-effectiveness of unmanned
17 maritime systems to meet data specifications required by
18 programs of the Administration.

19 (c) *ASSESSMENT OF OPERATIONAL UTILITY.*—The Ad-
20 ministrator shall carry out subsection (a) through the Di-
21 rector for all matters relating to assessment of whether un-
22 manned maritime systems are operationally reliable, fea-
23 sible, and cost effective enough to make observations re-
24 quired by programs of the Administration.

25 (d) *ENGAGEMENT.*—The Assistant Administrator and
26 the Director shall jointly—

8 SEC. 5. ACQUISITION OF UNMANNED MARITIME SYSTEMS.

9 (a) *IN GENERAL.*—The Administrator shall coordinate
10 and centralize the acquisition by the Administration of un-
11 manned maritime systems to meet the prioritized list of
12 data requirements identified by OAR and OMAO in car-
13 rying out this Act in their regular assessments and ap-
14 proved by the USEOB.

15 (b) *MEMORANDA OF UNDERSTANDING*.—In order to re-
16 alize greater savings and efficiency, the Administrator may
17 develop and execute a memorandum of agreement with the
18 Secretary of the Navy to—

1 (4) provide for other means of creating efficiency
2 and savings in Federal acquisition of unmanned
3 maritime systems.

4 (c) RULE OF CONSTRUCTION.—Nothing in this Act
5 shall be construed to modify Federal procurement law.

6 **SEC. 6. REPORTS ON UNMANNED MARITIME SYSTEMS AND**
7 **USAGE FOR MISSION OF THE NATIONAL OCE-**
8 **ANIC AND ATMOSPHERIC ADMINISTRATION.**

9 (a) IN GENERAL.—In carrying out this Act, the Ad-
10 ministrator shall, not later than one year after the date of
11 the enactment of this Act, and every 4 years thereafter, sub-
12 mit to the appropriate committees of Congress a report on
13 the usage of unmanned maritime systems for the mission
14 of the Administration.

15 (b) CONTENTS.—Each report submitted under sub-
16 section (a) shall include, for the period covered by the re-
17 port, the following:

18 (1) An inventory of current unmanned maritime
19 systems used by programs of the Administration, a
20 summary of the data they have returned, and the ben-
21 efits realized from having such data.

22 (2) A prioritized list of data requirements of the
23 Administration that could be met with unmanned
24 maritime systems, and the commercially available

1 *unmanned maritime systems with the operational ca-*
2 *pabilities to collect such data.*

3 *(c) APPROPRIATE COMMITTEES OF CONGRESS DE-*
4 *FINED.—In this section, the term “appropriate committees*
5 *of Congress” means—*

6 *(1) the Committee on Appropriations, the Com-*
7 *mittee on Armed Services, and the Committee on*
8 *Commerce, Science, and Transportation of the Senate;*
9 *and*

10 *(2) the Committee on Appropriations, the Com-*
11 *mittee on Armed Services, the Committee on Natural*
12 *Resources, and the Committee on Science, Space, and*
13 *Technology of the House of Representatives.*

14 **SEC. 7. FUNDING AND ADDITIONAL AUTHORITIES.**

15 *(a) FUNDING.—The Administrator shall carry out this*
16 *Act using existing amounts appropriated or otherwise made*
17 *available to the Administration.*

18 *(b) ADDITIONAL AUTHORITIES.—In carrying out this*
19 *Act, the Administrator may—*

20 *(1) enter into contracts, cooperative agreements,*
21 *and other transactions with any domestic or foreign*
22 *government;*

23 *(2) notwithstanding section 1342 of title 31,*
24 *United States Code, accept donations and voluntary*
25 *and uncompensated services;*

(5) under an agreement entered into under paragraph (1), transfer funds appropriated to carry out this Act to any organization; and

11 (6) use, with their consent, with or without reim-
12 bursement, and subject to the availability of appro-
13 priations, the land, services, equipment, personnel,
14 and facilities of—

19 (C) any foreign government or inter-
20 national organization

Attest:

Clerk.

115TH CONGRESS
2D SESSION

S. 2511

AMENDMENT
