

Editorial Notes**CODIFICATION**

Section was enacted as part of the Water Resources Development Act of 2022, and also as part of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, and not as part of the National Levee Safety Act of 2007 which comprises this chapter.

Statutory Notes and Related Subsidiaries**“SECRETARY” DEFINED**

Secretary means the Secretary of the Army, see section 8002 of Pub. L. 117–263, set out as a note under section 2201 of this title.

CHAPTER 47—OCEAN EXPLORATION**SUBCHAPTER I—EXPLORATION**

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SUBCHAPTER II—NOAA UNDERSEA RESEARCH PROGRAM

3421 to 3426. Repealed.

SUBCHAPTER I—EXPLORATION**§ 3401. Purpose**

The purpose of this subchapter is to establish the national ocean exploration program within the National Oceanic and Atmospheric Administration.

(Pub. L. 111–11, title XII, §12001, Mar. 30, 2009, 123 Stat. 1417; Pub. L. 117–263, div. J, title CIII, §10305(a), Dec. 23, 2022, 136 Stat. 3971.)

Editorial Notes**AMENDMENTS**

2022—Pub. L. 117–263 struck out “and the national undersea research program” after “national ocean exploration program”.

Statutory Notes and Related Subsidiaries**SHORT TITLE**

Pub. L. 111–11, title XII, §12101, Mar. 30, 2009, 123 Stat. 1419, which provided that part II of subtitle A of title XII of Pub. L. 111–11, which enacted subchapter II of this chapter, could be cited as the “NOAA Undersea Research Program Act of 2009”, was repealed by Pub. L. 117–263, div. J, title CIII, §10306(a), Dec. 23, 2022, 136 Stat. 3974.

§ 3402. Program established

The Administrator of the National Oceanic and Atmospheric Administration shall, in consultation with the National Science Foundation and other appropriate Federal agencies, establish a coordinated national ocean exploration program within the National Oceanic and Atmospheric Administration that promotes collaboration with other Federal ocean research and exploration programs. To the extent appropriate, the Administrator shall seek to facilitate

coordination of data and information management systems, outreach and education programs to improve public understanding of ocean and coastal resources, and development and transfer of technologies to facilitate ocean research and ocean exploration and characterization efforts.

(Pub. L. 111–11, title XII, §12002, Mar. 30, 2009, 123 Stat. 1417; Pub. L. 117–263, div. J, title CIII, §10305(b), Dec. 23, 2022, 136 Stat. 3971.)

Editorial Notes**AMENDMENTS**

2022—Pub. L. 117–263 struck out “and undersea” after “Federal ocean” in first sentence and substituted “research and ocean exploration and characterization efforts” for “and undersea research and exploration” in second sentence.

§ 3403. Powers and duties of the Administrator**(a) In general**

In carrying out the program authorized by section 3402 of this title, the Administrator of the National Oceanic and Atmospheric Administration, in consultation with the Ocean Policy Committee established under section 8932 of title 10, shall—

(1) conduct interdisciplinary expeditions or other scientific activities in conjunction with other Federal and State agencies, Tribal Governments, private industry, academia (including secondary schools, community colleges, and universities), and nongovernmental organizations, to map, explore, and characterize little known areas of the marine environment, inventory, observe, characterize, and assess living and nonliving marine resources, and report such findings;

(2) give priority attention to deep ocean regions of the exclusive economic zone, with a focus on deep water marine systems that hold potential for important scientific discoveries, such as hydrothermal vent communities and seamounts;

(3) conduct scientific expeditions to locate, define, and document historic shipwrecks, submerged sites, and other ocean exploration activities that combine archaeology and oceanographic sciences;

(4) develop and implement a transparent, competitive process for merit-based peer-review and approval of proposals for activities to be conducted under this program, taking into consideration advice of the Board established under section 3405 of this title;

(5) support technological innovation of the United States marine science community by promoting the development and use of new and emerging technologies for research, communication, navigation, and data collection, such as sensors and autonomous vehicles;

(6) establish an ocean exploration forum, in consultation with the National Ocean Mapping, Exploration, and Characterization Council established under section 5405¹ of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, to encourage partnerships and promote communication

¹ See References in Text note below.

among experts and other stakeholders in order to enhance the scientific and technical expertise and relevance of the national program.²

(7) provide guidance, in consultation with the National Ocean Mapping, Exploration, and Characterization Council, to Federal and State agencies, Tribal Governments, private industry, academia (including secondary schools, community colleges, and universities), and nongovernmental organizations on data standards, protocols for accepting data, and coordination of data collection, compilation, processing, archiving, and dissemination for data relating to ocean exploration and characterization; and

(8) coordinate with applicable ocean mapping, ocean monitoring, and ocean observation programs to maximize coordination and collaboration opportunities, prevent duplication of such activities and identify gaps in data.

(b) Donations

For the purpose of mapping, exploring, and characterizing the oceans or increasing the knowledge of the oceans, the Administrator may—

(1) accept monetary donations, which shall be credited as discretionary offsetting collections to the currently applicable appropriation, account, or fund of the National Oceanic and Atmospheric Administration and shall be made available for such purposes only to the extent and in the amounts provided in advance in appropriations Acts;

(2) accept donations of property, data, and equipment; and

(3) pay all necessary expenses in connection with the conveyance or transfer of a gift, devise, or bequest.

(c) Definition of exclusive economic zone

In this section, the term “exclusive economic zone” means the zone established by Presidential Proclamation Number 5030, dated March 10, 1983 (16 U.S.C. 1453 note).

(Pub. L. 111–11, title XII, §12003, Mar. 30, 2009, 123 Stat. 1417; Pub. L. 117–263, div. J, title CIII, §10305(c), Dec. 23, 2022, 136 Stat. 3971.)

Editorial Notes

REFERENCES IN TEXT

Section 5405 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, referred to in subsec. (a)(6), probably means section 10304 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, Pub. L. 117–263, which established the National Ocean Mapping, Exploration, and Characterization Council, and is classified to section 3408 of this title. Pub. L. 117–263 does not contain a section 5405.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117–263, §10305(c)(1)(A), inserted “, in consultation with the Ocean Policy Committee established under section 8932 of title 10,” after “Administration” in introductory provisions.

Subsec. (a)(1). Pub. L. 117–263, §10305(c)(1)(B), substituted “expeditions” for “voyages” and “Federal and State agencies, Tribal Governments, private industry, academia (including secondary schools, community col-

leges, and universities), and nongovernmental organizations, to map, explore, and characterize” for “Federal agencies or academic or educational institutions, to explore and survey” and inserted “characterize,” after “observe.”

Subsec. (a)(2). Pub. L. 117–263, §10305(c)(1)(C), inserted “of the exclusive economic zone” after “deep ocean regions”.

Subsec. (a)(3). Pub. L. 117–263, §10305(c)(1)(D), substituted “expeditions” for “voyages”.

Subsec. (a)(4). Pub. L. 117–263, §10305(c)(1)(E), struck out “, in consultation with the National Science Foundation,” after “implement”.

Subsec. (a)(5). Pub. L. 117–263, §10305(c)(1)(F), amended par. (5) generally. Prior to amendment, par. (5) read as follows: “enhance the technical capability of the United States marine science community by promoting the development of improved oceanographic research, communication, navigation, and data collection systems, as well as underwater platforms and sensor and autonomous vehicles; and”.

Subsec. (a)(6). Pub. L. 117–263, §10305(c)(1)(G), inserted “, in consultation with the National Ocean Mapping, Exploration, and Characterization Council established under section 5405 of the James M. Inhofe National Defense Authorization Act for Fiscal Year 2023,” after “forum”.

Subsec. (a)(7), (8). Pub. L. 117–263, §10305(c)(1)(H), added pars. (7) and (8).

Subsec. (b). Pub. L. 117–263, §10305(c)(2), amended subsec. (b) generally. Prior to amendment, text read as follows: “The Administrator may accept donations of property, data, and equipment to be applied for the purpose of exploring the oceans or increasing knowledge of the oceans.”

Subsec. (c). Pub. L. 117–263, §10305(c)(3), added subsec. (c).

§ 3404. Education, workforce training, and outreach

(a) In general

The Administrator of the National Oceanic and Atmospheric Administration shall—

(1) conduct education and outreach efforts in order to broadly disseminate information to the public on the discoveries made by the program under section 3402 of this title;

(2) to the extent possible, coordinate the efforts described in paragraph (1) with the outreach strategies of other domestic or international ocean mapping, exploration, and characterization initiatives; and

(3) establish a fellowship program at the National Oceanic and Atmospheric Administration to provide year-long fellowships to undergraduate students from institutions described in section 1067q(a) of title 20.

(b) Education and outreach efforts

Efforts described in subsection (a)(1) may include—

(1) education of the general public, teachers, students, and ocean and coastal resource managers; and

(2) workforce training, reskilling, and opportunities to encourage development of ocean-related science, technology, engineering, and mathematics technical training programs involving secondary schools, community colleges, and universities, including institutions described in section 1067q(a) of title 20.

(c) Outreach strategy

Not later than 180 days after the date of the enactment of the National Ocean Exploration

² So in original. The period probably should be a semicolon.