

Act,¹ the Administrator of the National Oceanic and Atmospheric Administration shall develop an outreach strategy to broadly disseminate information on the discoveries made by the program under section 3402 of this title.

(Pub. L. 111–11, title XII, §12004, as added Pub. L. 117–263, div. J, title CIII, §10305(e)(1), Dec. 23, 2022, 136 Stat. 3973.)

Editorial Notes

REFERENCES IN TEXT

The date of the enactment of the National Ocean Exploration Act, referred to in subsec. (c), probably means the date of enactment of Pub. L. 117–263, which was approved Dec. 23, 2022. Prior versions of the bill that was enacted into law as title CIII of div. J of Pub. L. 117–263 included such Short Title, but it was not enacted as part of Pub. L. 117–263.

PRIOR PROVISIONS

A prior section 3404, Pub. L. 111–11, title XII, Mar. 30, 2009, 123 Stat. 1418, related to an ocean exploration and undersea research technology and infrastructure task force, prior to repeal by Pub. L. 117–263, div. J, title CIII, §10305(d), Dec. 23, 2022, 136 Stat. 3972.

§ 3405. Ocean Exploration Advisory Board

(a) Establishment

The Administrator of the National Oceanic and Atmospheric Administration shall appoint an Ocean Exploration Advisory Board composed of experts in relevant fields, including representatives from academic, commercial, nonprofit, philanthropic, policy, and Tribal entities—

(1) to advise the Administrator on priority areas for survey, discovery, and opportunities for extramural collaboration and partnerships;

(2) to assist the program in the development of a 5-year strategic plan for the fields of ocean, marine, and Great Lakes science, exploration, and discovery;

(3) to annually review the quality and effectiveness of the proposal review process established under section 3403(a)(4) of this title; and¹

(4) to identify market barriers to development or commercialization of novel ocean mapping, exploration, and characterization products, processes, and tools;

(5) to identify best practices to improve data management, processing, storage, and archiving standards; and

(6) to provide other assistance and advice as requested by the Administrator.

(b) Chapter 10 of title 5

Section 1013 of title 5 shall not apply to the Board appointed under subsection (a).

(c) Application with Outer Continental Shelf Lands Act

Nothing in this subchapter supersedes, or limits the authority of the Secretary of the Interior under the Outer Continental Shelf Lands Act (43 U.S.C. 1331 et seq.).

(Pub. L. 111–11, title XII, §12005, Mar. 30, 2009, 123 Stat. 1418; Pub. L. 117–263, div. J, title CIII,

§10305(f), Dec. 23, 2022, 136 Stat. 3973; Pub. L. 117–286, §4(a)(208), Dec. 27, 2022, 136 Stat. 4329.)

Editorial Notes

REFERENCES IN TEXT

The Outer Continental Shelf Lands Act, referred to in subsec. (c), is act Aug. 7, 1953, ch. 345, 67 Stat. 462, which is classified generally to subchapter III (§1331 et seq.) of chapter 29 of Title 43, Public Lands. For complete classification of this Act to the Code, see Short Title note set out under section 1301 of Title 43 and Tables.

AMENDMENTS

2022—Subsec. (a). Pub. L. 117–263, §10305(f)(1)(A), inserted “, including representatives from academic, commercial, nonprofit, philanthropic, policy, and Tribal entities” after “relevant fields” in introductory provisions.

Subsec. (a)(1). Pub. L. 117–263, §10305(f)(1)(B), amended par. (1) generally. Prior to amendment, par. (1) read as follows: “to advise the Administrator on priority areas for survey and discovery;”.

Subsec. (a)(4) to (6). Pub. L. 117–263, §10305(f)(1)(C), (D), added pars. (4) and (5) and redesignated former par. (4) as (6).

Subsec. (b). Pub. L. 117–286 substituted “Chapter 10 of title 5” for “Federal Advisory Committee Act” in heading and “Section 1013 of title 5” for “Section 14 of the Federal Advisory Committee Act (5 U.S.C. App.)” in text.

Subsec. (c). Pub. L. 117–263, §10305(f)(2), inserted “this” before “subchapter”.

§ 3406. Authorization of appropriations

There are authorized to be appropriated to the National Oceanic and Atmospheric Administration to carry out this subchapter \$60,000,000 for each of fiscal years 2023 through 2028¹

(Pub. L. 111–11, title XII, §12006, Mar. 30, 2009, 123 Stat. 1419; Pub. L. 117–263, div. J, title CIII, §10305(g), Dec. 23, 2022, 136 Stat. 3974.)

Editorial Notes

AMENDMENTS

2022—Pub. L. 117–263 substituted “this subchapter \$60,000,000 for each of fiscal years 2023 through 2028” for “this subchapter—” and struck out pars. (1) to (7) which authorized appropriations for fiscal years 2009 through 2015.

§ 3407. Definitions

In this subchapter:

(1) Characterization

The terms “characterization”, “characterize”, and “characterizing” mean activities that provide comprehensive data and interpretations for a specific area of interest of the sea floor, sub-bottom, water column, or hydrologic features, such as water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

(2) Exploration

The term¹ “exploration”, “explore”, and “exploring” means¹ activities that provide—

(A) a multidisciplinary view of an unknown or poorly understood area of the sea floor, sub-bottom, or water column; and

¹ See References in Text note below.

¹ So in original. The word “and” probably should not appear.

¹ So in original. Probably should be followed by a period.

¹ So in original. Probably should be “terms” and “mean”.

(B) an initial assessment of the physical, chemical, geological, biological, archaeological, or other characteristics of such an area.

(3) Mapping

The terms “map” and “mapping” mean activities that provide comprehensive data and information needed to understand sea floor characteristics, including depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.

(Pub. L. 111–11, title XII, §12007, as added Pub. L. 117–263, div. J, title CIII, §10305(h), Dec. 23, 2022, 136 Stat. 3974.)

§ 3408. National Ocean Mapping, Exploration, and Characterization Council

(a) Establishment

The President shall establish a council, to be known as the “National Ocean Mapping, Exploration, and Characterization Council” (in this section referred to as the “Council”).

(b) Purpose

The Council shall—

- (1) update national priorities for ocean mapping, exploration, and characterization; and
- (2) coordinate and facilitate activities to advance those priorities.

(c) Reporting

The Council shall report to the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10.

(d) Membership

The Council shall be composed of senior-level representatives from the appropriate Federal agencies.

(e) Co-Chairs

The Council shall be co-chaired by—

- (1) two senior-level representatives from the National Oceanic and Atmospheric Administration; and
- (2) one senior-level representative from the Department of the Interior.

(f) Duties

The Council shall—

- (1) set national ocean mapping, exploration, and characterization priorities and strategies;
- (2) cultivate and facilitate transparent and sustained partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and nongovernmental organizations to conduct ocean mapping, exploration, and characterization activities and related technology development;
- (3) coordinate improved processes for data compilation, management, access, synthesis, and visualization with respect to ocean mapping, exploration, and characterization, with a focus on building on existing ocean data management systems and with appropriate safeguards on the public accessibility of data to protect national security equities, as appropriate;
- (4) encourage education, workforce training, and public engagement activities that—

(A) advance interdisciplinary principles that contribute to ocean mapping, exploration, research, and characterization;

(B) improve public engagement with and understanding of ocean science; and

(C) provide opportunities for underserved populations;

(5) coordinate activities as appropriate with domestic and international ocean mapping, exploration, and characterization initiatives or programs; and

(6) establish and monitor metrics to track progress in achieving the priorities set under paragraph (1).

(g) Interagency Working Group on Ocean Exploration and Characterization

(1) Establishment

The President shall establish a new interagency working group to be known as the “Interagency Working Group on Ocean Exploration and Characterization”.

(2) Membership

The Interagency Working Group on Ocean Exploration and Characterization shall be comprised of senior representatives from Federal agencies with ocean exploration and characterization responsibilities.

(3) Functions

The Interagency Working Group on Ocean Exploration and Characterization shall support the Council and the Ocean Science and Technology Subcommittee of the Ocean Policy Committee established under section 8932(c) of title 10 on ocean exploration and characterization activities and associated technology development across the Federal Government, State governments, Indian Tribes, private industry, nongovernmental organizations, and academia.

(h) Oversight

The Council shall oversee—

(1) the Interagency Working Group on Ocean Exploration and Characterization established under subsection (g)(1); and

(2) the Interagency Working Group on Ocean and Coastal Mapping under section 3502 of this title.

(i) Plan

(1) In general

Not later than 1 year after December 23, 2022, the Council shall develop or update and submit to the appropriate committees of Congress a plan for an integrated cross-sectoral ocean mapping, exploration, and characterization initiative.

(2) Elements

The plan required by paragraph (1) shall—

(A) discuss the utility and benefits of ocean exploration and characterization;

(B) identify and describe national ocean mapping, exploration, and characterization priorities;

(C) identify and describe Federal and federally funded ocean mapping, exploration, and characterization programs;

(D) facilitate and incorporate non-Federal input into national ocean mapping, exploration, and characterization priorities;