

(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;

(E) ensure effective coordination of ocean mapping, exploration, and characterization activities among programs described in subparagraph (C);

(F) identify opportunities for combining overlapping or complementary needs, activities, and resources of Federal agencies and non-Federal organizations relating to ocean mapping, exploration, and characterization while not reducing benefits from existing mapping, explorations, and characterization activities;

(G) promote new and existing partnerships among Federal and State agencies, Indian Tribes, private industry, academia, and non-governmental organizations to conduct or support ocean mapping, exploration, and characterization activities and technology development needs, including through coordination under section 4102 of this title and the National Oceanographic Partnership Program under section 8931 of title 10;

(H) develop a transparent and sustained mechanism for non-Federal partnerships and stakeholder engagement in strategic planning and mission execution to be implemented not later than December 31, 2023, for coordinating such activities with—

(i) institutions of higher education (as such term is defined in section 1001(a) of title 20, the private sector, philanthropic organizations, and nonprofits; and

(ii) international partners for activities relating to maritime areas (including the sea floor) beyond the jurisdiction of the Federal Government;

(I) establish standardized collection and data management protocols, including with respect to metadata, for ocean mapping, exploration, and characterization which—

(i) are publicly accessible and locatable via appropriate Federal repositories;

(ii) can facilitate the integration of ocean data into products and use innovations from non-Federal partners; and

(iii) have appropriate safeguards on the public accessibility of data to protect national security;

(J) encourage the development, testing, demonstration, and adoption of innovative ocean mapping, exploration, and characterization technologies and applications;

(K) promote protocols for accepting data, equipment, approaches, or other resources that support national ocean mapping, exploration, and characterization priorities;

(L) identify best practices for the protection of marine life during mapping, exploration, and characterization activities;

(M) identify training, technology, and other resource requirements for enabling the National Oceanic and Atmospheric Administration and other appropriate Federal agencies to support a coordinated national ocean mapping, exploration, and characterization effort;

(N) identify and facilitate a centralized mechanism or office for coordinating data collection, compilation, processing, archiving, and dissemination activities re-

lating to ocean mapping, exploration, and characterization that meets Federal mandates for data accuracy and accessibility;

(O) designate repositories responsible for archiving and managing ocean mapping, exploration, and characterization data;

(P) set forth a timetable and estimated costs for implementation and completion of the plan;

(Q) to the extent practicable, align ocean exploration and characterization efforts with existing programs and identify key gaps; and

(R) identify criteria for determining the optimal frequency of observations; and

(S) provide recommendations, developed in coordination with the private sector, to improve incentives, access, and processes for the private sector to share ocean-related data with the public and Federal Government.

(j) Briefings

Not later than 1 year after December 23, 2022, and not less frequently than once every 2 years thereafter, the Council shall brief the appropriate committees of Congress on—

(1) progress made toward meeting the national priorities described in subsection (i)(2)(B); and

(2) recommendations for meeting such priorities, such as additional authorities that may be needed to develop a mechanism for non-Federal partnerships and stakeholder engagement described in subsection (i)(2)(H).

(k) Appropriate committees of Congress defined

In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Commerce, Science, and Transportation and the Committee on Armed Services of the Senate; and

(2) the Committee on Natural Resources, the Committee on Science, Space, and Technology, and the Committee on Armed Services of the House of Representatives.

(Pub. L. 117–263, div. J, title CIII, § 10304, Dec. 23, 2022, 136 Stat. 3968.)

Editorial Notes

CODIFICATION

Section was enacted as part of James M. Inhofe National Defense Authorization Act for Fiscal Year 2023, and not as part of the Omnibus Public Land Management Act of 2009 which comprises this chapter.

Statutory Notes and Related Subsidiaries

FINDINGS

Pub. L. 117–263, div. J, title CIII, § 10301, Dec. 23, 2022, 136 Stat. 3966, provided that: “Congress makes the following findings:

“(1) The health and resilience of the ocean are vital to the security and economy of the United States and to the lives of the people of the United States.

“(2) The United States depends on the ocean to regulate weather and climate, to sustain and protect the diversity of life, for maritime shipping, for national defense, and for food, energy, medicine, recreation, and other services essential to the people of the United States and all humankind.

“(3) The prosperity, security, and well-being of the United States depend on successful understanding and stewardship of the ocean.

“(4) Interdisciplinary cooperation and engagement among government agencies, research institutions, nongovernmental organizations, States, Indian Tribes, and the private sector are essential for successful stewardship of ocean and coastal environments, national economic growth, national security, and development of agile strategies that develop, promote, and use new technologies.

“(5) Ocean exploration can help the people of the United States understand how to be effective stewards of the ocean and serve as catalysts and enablers for other sectors of the economy.

“(6) Mapping, exploration, and characterization of the ocean provides basic, essential information to protect and restore the marine environment, stimulate economic activity, and provide security for the United States.

“(7) A robust national ocean exploration program engaging multiple Federal agencies, Indian Tribes, the private sector, nongovernmental organizations, and academia is—

“(A) essential to the interests of the United States and vital to its security and economy and the health and well-being of all people of the United States; and

“(B) critical to reestablish the United States at the forefront of global ocean exploration and stewardship.”

DEFINITIONS

Pub. L. 117–263, div. J, title CIII, §10302, Dec. 23, 2022, 136 Stat. 3966, provided that: “In this title [see Tables for classification]:

“(1) CHARACTERIZATION.—The term ‘characterization’ means activities that provide comprehensive data and interpretations for a specific area of interest of the sea floor, sub-bottom, water column, or hydrologic features, including water masses and currents, in direct support of specific research, environmental protection, resource management, policymaking, or applied mission objectives.

“(2) EXPLORATION.—The term ‘exploration’ means activities that provide—

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

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

“(3) INDIAN TRIBE.—The term ‘Indian Tribe’ has the meaning given that term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(4) MAPPING.—The term ‘mapping’ means activities that provide comprehensive data and information needed to understand seafloor characteristics, such as depth, topography, bottom type, sediment composition and distribution, underlying geologic structure, and benthic flora and fauna.”

SUBCHAPTER II—NOAA UNDERSEA RESEARCH PROGRAM

§§ 3421 to 3426. Repealed. Pub. L. 117–263, div. J, title CIII, § 10306(a), Dec. 23, 2022, 136 Stat. 3974

Section 3421, Pub. L. 111–11, title XII, § 12102, Mar. 30, 2009, 123 Stat. 1419, related to establishment of an undersea research program.

Section 3422, Pub. L. 111–11, title XII, § 12103, Mar. 30, 2009, 123 Stat. 1419, related to powers of program Director.

Section 3423, Pub. L. 111–11, title XII, § 12104, Mar. 30, 2009, 123 Stat. 1419, related to administrative structure.

Section 3424, Pub. L. 111–11, title XII, § 12105, Mar. 30, 2009, 123 Stat. 1420, related to research, exploration, education, and technology programs.

Section 3425, Pub. L. 111–11, title XII, § 12106, Mar. 30, 2009, 123 Stat. 1420, related to competitive selection of regional centers.

Section 3426, Pub. L. 111–11, title XII, § 12107, Mar. 30, 2009, 123 Stat. 1420, related to authorization of appropriations.

CHAPTER 48—OCEAN AND COASTAL MAPPING INTEGRATION

Sec.	
3501.	Establishment of program.
3502.	Interagency Working Group on Ocean and Coastal Mapping.
3503.	Biennial reports.
3504.	NOAA joint ocean and coastal mapping centers.
3504a.	Ocean and coastal mapping Federal funding opportunity.
3504b.	Agreements and financial assistance.
3505.	Effect on other laws.
3506.	Authorization of appropriations.
3507.	Definitions.

§ 3501. Establishment of program

(a) In general

The President, in coordination with the Interagency Working Group on Ocean and Coastal Mapping under section 3502 of this title and affected coastal states, shall establish and maintain a program to coordinate comprehensive Federal ocean and coastal mapping efforts for the Great Lakes and coastal state waters, the territorial sea, the exclusive economic zone, and the continental shelf of the United States that—

(1) enhances ecosystem approaches in decisionmaking for natural resource and habitat management restoration and conservation, emergency response, and coastal resilience and adaptation;

(2) establishes research and mapping priorities;

(3) supports the siting of research and other platforms; and

(4) advances ocean and coastal science.

(b) Program parameters

In maintaining such a program, the President, through the Working Group, shall—

(1) identify all Federal and federally-funded programs conducting shoreline delineation and ocean or coastal mapping, noting geographic coverage, frequency, spatial coverage, resolution, and subject matter focus of the data and location of data archives;

(2) facilitate cost-effective, cooperative mapping efforts that incorporate policies for contracting with non-governmental entities among all Federal agencies conducting ocean and coastal mapping and for leveraging existing Federal geospatial services capacities and contract vehicles for efficiencies, by increasing data sharing, developing appropriate data acquisition and metadata standards, and facilitating the interoperability of in situ data collection systems, data processing, archiving, and distribution of data products;

(3) facilitate the adaptation of existing technologies as well as foster expertise in new ocean and coastal mapping technologies, including through research, development, and training conducted among Federal agencies and in cooperation with non-governmental entities;

(4) develop standards and protocols for testing innovative experimental mapping tech-