

(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.

#### § 3608. Repealed. Pub. L. 116–271, title I, § 107(a), Dec. 31, 2020, 134 Stat. 3341

Section, Pub. L. 111–11, title XII, §12309, Mar. 30, 2009, 123 Stat. 1436, related to independent cost estimates to be sent to Congress within 1 year after Mar. 30, 2009.

#### § 3609. Intent of Congress

It is the intent of Congress that funding provided to agencies of the Council to implement this chapter shall supplement, and not replace, existing sources of funding for other programs. It is the further intent of Congress that agencies of the Council shall not enter into contracts or agreements for the development or procurement of new Federal assets for the System that are estimated to be in excess of \$250,000,000 in life-cycle costs without first providing adequate notice to Congress and opportunity for review and comment.

(Pub. L. 111–11, title XII, §12310, Mar. 30, 2009, 123 Stat. 1436.)

#### § 3610. Authorization of appropriations

There are authorized to be appropriated to the Secretary of Commerce to support the integrated oceans observations under this chapter—

- (1) \$48,000,000 for fiscal year 2021;
- (2) \$50,000,000 for fiscal year 2022;
- (3) \$52,000,000 for fiscal year 2023;
- (4) \$54,000,000 for fiscal year 2024; and
- (5) \$56,000,000 for fiscal year 2025.

(Pub. L. 111–11, title XII, §12311, Mar. 30, 2009, 123 Stat. 1436; Pub. L. 116–271, title I, §108, Dec. 31, 2020, 134 Stat. 3341.)

#### Editorial Notes

##### AMENDMENTS

2020—Pub. L. 116–271 amended section generally. Prior to amendment, section related to authorization of appropriations for fiscal years 2009 to 2013.

#### § 3611. Assessing and modeling named storms over coastal States

##### (a) Definitions

In this section:

##### (1) COASTAL Formula

The term “COASTAL Formula” has the meaning given the term in section 4057(a) of title 42.

##### (2) Coastal State

The term “coastal State” has the meaning given the term “coastal state” in section 1453 of title 16, except that the term shall not apply with respect to a State or territory that has an operational wind and flood loss allocation system.

##### (3) Coastal waters

The term “coastal waters” has the meaning given the term in such section.

##### (4) Covered data

The term “covered data” means, with respect to a named storm identified by the Administrator under subsection (b)(2)(A), empirical data that are—

(A) collected before, during, or after such storm; and

(B) necessary to determine magnitude and timing of wind speeds, rainfall, the barometric pressure, river flows, the extent, height, and timing of storm surge, topographic and bathymetric data, and other