

- (i) designed to function without an on-board human presence; and
- (ii) that may include associated components such as control and communications, instrumentation, data transmission, and processing systems.

(B) Examples

The term “unmanned maritime systems” includes the following:

- (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 chapter.

(Pub. L. 115–394, § 2, Dec. 21, 2018, 132 Stat. 5281.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 115–394, § 1(a), Dec. 21, 2018, 132 Stat. 5281, provided that: “This Act [enacting this chapter] may be cited as the ‘Commercial Engagement Through Ocean Technology Act of 2018’ or the ‘CENOTE Act of 2018’.”

§ 4102. Coordination regarding assessment and acquisition by National Oceanic and Atmospheric Administration of unmanned maritime systems

(a) Establishment

The Administrator shall direct the Office of Oceanic and Atmospheric Research (in this chapter referred to as “OAR”) and the Office of Marine and Aviation Operations (in this chapter referred to as “OMAO”)—

- (1) to coordinate the Administration’s research, assessment, and acquisition of unmanned maritime systems; and
- (2) to consider the use of unmanned maritime systems in cooperative activities of the Administration.

(b) Coordination within the Administration

(1) Unmanned Systems Executive Oversight Board

In meeting the requirements described in subsection (a), the Administrator shall—

- (A) utilize the Unmanned Systems Executive Oversight Board (in this chapter referred to as the “USEOB”) as the coordinating mechanism; and
- (B) ensure that OAR and OMAO address requirements throughout the Administration.

(2) Included

In utilizing the USEOB under paragraph (1), the Administrator shall ensure that representation on the USEOB is included from the following:

- (A) The Office of Ocean Exploration (OER).
- (B) The program office of the Integrated Ocean Observing System.
- (C) Such other offices of the Administration as the Administrator determines are ac-

tively engaged with unmanned maritime systems.

(c) Coordination with the Navy

(1) In general

In carrying out this chapter, the Administrator shall—

(A) make efforts to coordinate with the Secretary of the Navy to leverage expertise in the development and operational transition of unmanned maritime systems;

(B) align with, utilize, and inform the Deputy Under Secretary of Commerce for Operations and the Oceanographer of the Navy’s strategic and operational priorities, particularly for missions and geography within the Administration’s purview;

(C) seek to utilize Naval unmanned systems test or training ranges, such as the Gulf of Mexico Unmanned Systems Test and Training Range of the Naval Meteorology and Oceanography Command, and maximize interagency cooperation and sharing of best practices; and

(D) to formalize coordination, execute a memorandum of understanding with the Secretary of the Navy that includes—

(i) incorporating consideration of priorities and requirements of the Administration into research and development activities conducted by the Secretary of the Navy;

(ii) consultation intended to encourage and facilitate efforts by the Administration to partner with the Navy to procure unmanned maritime systems and to establish, instrument, and operate test or training ranges and related facilities;

(iii) adopting procedures defined by the Secretary of the Navy for the Administration to access and utilize test or training ranges or related Naval facilities for purposes identified in paragraph (2)(B); and

(iv) such other topics as the Administrator considers necessary or advisable, including mapping, bathymetry, observations, and ocean exploration.

(2) Location

The Administrator shall, if practicable, carry out the activities authorized by this chapter at a facility where the Navy and the Administration are co-located, for the following purposes:

(A) Gaining efficiencies through collaboration.

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

- (i) systems research and development;
- (ii) systems testing;
- (iii) systems modifications; and
- (iv) systems integration.

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

(d) Coordination with other Federal agencies

In carrying out this chapter, the Administrator and the Secretary of the Navy may utilize the National Oceanographic Partnership Program, established under chapter 665 of title 10, as a mechanism for providing interagency co-

ordination for the advancement of unmanned maritime systems.

(e) Coordination with academic sector

In carrying out this chapter, the Administrator, in consultation with the Secretary of the Navy, may coordinate and co-locate with an academic research institution, or consortium of academic research institutions, for the following purposes:

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

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

(3) Facilitating the commercialization of unmanned maritime systems through public-private partnerships that includes academic research institutions, private industry, and public safety agencies.

(4) Arranging access to and use of additional facilities that support testing and assessment of or training with respect to unmanned maritime systems under environmental conditions of interest, increasing operational tolerance under such conditions, certifying operational capacity under such conditions, whether real or simulated, and training operators of unmanned maritime systems in real or simulated environments.

(5) Facilitating engagement with other academic institutions with interest or relevant expertise in unmanned maritime systems.

(6) Promoting information sharing between the academic, environmental, and military institutions to lead to more robust, mission-oriented unmanned maritime systems.

(f) Engagement with the private sector

Other than as described in subsection (e), the Administrator, in consultation with the Secretary of the Navy, may, in carrying out this chapter, to the extent practicable, coordinate and consult with the private sector—

(1) to support the commercialization of unmanned maritime systems; and

(2) to assist with their assessment of commercially available unmanned maritime systems to support the missions and goals of the Navy, the Administration, and cooperative activities of the Administration.

(Pub. L. 115–394, § 3, Dec. 21, 2018, 132 Stat. 5282.)

§ 4103. Regular assessment of unmanned maritime systems to support National Oceanic and Atmospheric Administration missions

(a) In general

The Administrator, acting through the Assistant Administrator for Oceanic and Atmospheric Research and the Director of the Office of Marine and Aviation Operations and the National Oceanic and Atmospheric Administration Commissioned Officer Corps, shall regularly assess publicly and commercially available unmanned maritime systems for potential use to support missions of the Administration.

(b) Science-based assessments

The Administrator shall carry out subsection (a) through the Assistant Administrator for all

matters relating to assessment of the suitability, feasibility, and cost-effectiveness of unmanned maritime systems to meet data specifications required by programs of the Administration.

(c) Assessment of operational utility

The Administrator shall carry out subsection (a) through the Director for all matters relating to assessment of whether unmanned maritime systems are operationally reliable, feasible, and cost effective enough to make observations required by programs of the Administration.

(d) Engagement

The Assistant Administrator and the Director shall jointly—

(1) convene and consult the Unmanned Maritime Systems Ocean Technology Coordinating Committee established under section 4102(b) of this title; and

(2) consult with the heads of other offices of the Administration, the academic sector, and developers and manufacturers of unmanned maritime systems to conduct the assessments under subsection (a).

(Pub. L. 115–394, § 4, Dec. 21, 2018, 132 Stat. 5284.)

§ 4104. Acquisition of unmanned maritime systems

(a) In general

The Administrator shall coordinate and centralize the acquisition by the Administration of unmanned maritime systems to meet the prioritized list of data requirements identified by OAR and OMAO in carrying out this chapter in their regular assessments and approved by the USEOB.

(b) Memoranda of understanding

In order to realize greater savings and efficiency, the Administrator may develop and execute a memorandum of agreement with the Secretary of the Navy to—

(1) participate in procurements conducted by the signatories to the memorandum of understanding;

(2) accept decommissioned unmanned maritime systems from the Navy;

(3) develop policies and procedures to share unmanned maritime systems; or

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

(c) Rule of construction

Nothing in this chapter shall be construed to modify Federal procurement law.

(Pub. L. 115–394, § 5, Dec. 21, 2018, 132 Stat. 5285.)

§ 4105. Reports on unmanned maritime systems and usage for mission of the National Oceanic and Atmospheric Administration

(a) In general

In carrying out this chapter, the Administrator shall, not later than one year after December 21, 2018, and every 4 years thereafter, submit to the appropriate committees of Congress a report on the usage of unmanned maritime systems for the mission of the Administration.