



MEMORANDUM

To: Interested Parties
From: Josie Quintrell, Executive Director
Re: Overview of IOOS Legislation
Date: March 25, 2009

On March 24, the House passed the Integrated Coastal and Ocean Observing Act of 2009. This represents a major step forward for IOOS. It establishes IOOS as a formal program and recognizes the regional systems as a key part of that program. The legislation also remedies some issues for the program such as providing liability coverage to the regions for data dissemination, establishing procedures for transferring money between federal agencies, and establishing NOAA as the lead federal agency.

While the legislation does not secure appropriations for IOOS (that is done under a different process) it does establish the program in statute. Without this authorizing legislation, IOOS was vulnerable to shifting priorities of NOAA and the Department of Commerce, particularly during lean economic times when funds are scarce. The legislation is a clear statement that Congress believes that IOOS is a valuable and necessary program.

The bill has been in the making for the last 8 years. Senator Snowe (ME) requested a draft bill in 2002 and first introduced the bill in 2004. The bill was passed by the Senate twice, only to fail each time in the House. Last session, this pattern reversed and the House passed an IOOS bill that stalled in the Senate by a hold placed by Senator Coburn (as did many other bills). The Senate included IOOS and other ocean bills in an omnibus lands bill that was the ultimate vehicle for passage.

The following highlights the main provisions of the bill. A full copy of the bill is attached.

- High-level responsibility for IOOS rests with the National Ocean Research Leadership Council (NORLC), which is comprised of the head of 15 agencies involved in ocean research and management. NORLC delegates much of the operations to the Interagency Ocean Observation Committee (IOOC), which is similar to the existing Interagency Working Group on Ocean Observing.

- NOAA is the lead federal agency for implementing IOOS and can establish a Integrated Ocean Observing Program Office. Note that this is not a NOAA IOOS Office. NOAA is responsible for implementing the policies of the IOOC, a *merit-based competitive grant program for non-federal assets including the regional systems*, and data management.
- Regional systems are referred to as Regional Information Coordinating Entities but the Act clearly states that this refers to the Regional Associations as described in the First IOOS Implementation plan.
 - To be established or certified by NOAA, regions must be certified, RAs must
 - i. Demonstrate an organizational structure
 - ii. Identify gaps
 - iii. Develop a strategic operational plan
 - The act provides for the participation of federal agencies on the RAs
 - Civil liability - regions or non-federal assets that are participating in the IOOS are considered part of NOAA for the purpose of disseminating and using observing data.
- A System Advisory Committee is established to provide advice to the Administrator and the IOOC.
- NOAA is required to submit a Report to Congress every 2 years.
- NORLC shall develop a Public-Private Use Policy within 6 months of enactment of the law.
- The IOOC, working with NSF, shall develop an Independent Cost Estimates for the system within 1 year.