UNITED STATES OF AMERICA OCEAN POLICY

BILIANA CICIN-SAIN[1], CHARLES EHLER[2] , AND GERHARD F. KUSKA[3]

[1]Gerard J. Mangone Center for Marine Policy,
[2] IUCN World Commission on Protected Areas-Marine,
[3]National Oceanic and Atmospheric Administration / Science and Technology Corporation

INTRODUCTION: BASIC INFORMATION AND OVERVIEW OF NATIONAL OCEAN POLICY

BASIC INFORMATION

The United States (U.S.) has claimed an Exclusive Economic Zone (EEZ) of 11.5 million km^2, the world's largest. The U.S. EEZ is 25% larger than the U.S. land mass area of 9.2 million km^2 and U.S. coastlines extend for 19,924 km (CIA 2004).

The US coastal zone accounts for half of the gross domestic product and contains more than 50% of the 296 million residents of the USA. The oceans of the USA directly support marine transportation, fisheries and aquaculture, energy production, recreation, biotechnology, and other emerging uses.

The U.S. has not signed or acceded to the United Nations Convention on the Law of the Sea (UNCLOS), but claims maritime zones consistent with UNCLOS:

Territorial sea: 12 nautical miles (nm) from baseline

Contiguous Zone: 24 nm from baseline

EEZ: 200 nm from baseline

Continental Shelf: Not specified

U.S. coastal states generally have authority over 0-3 statute (geographical) miles offshore, with the exception of Texas and Florida whose authority extends over 3 marine leagues (about 10 statute miles) into the Gulf of Mexico (Cicin-Sain and Knecht, 2000, p. 21).

BRIEF OVERVIEW OF THE NATURE AND EVOLUTION OF OCEAN POLICY

Although the United States was one of the first nations to recognize the need to manage its oceanic areas and began doing so in the early 1970s, analysts of the U.S. approach to oceans governance have consistently noted that it is "less than the sum of its parts" (Cicin-Sain and Knecht, 2000). General increases in public awareness of environmental concern (e.g., the Santa Barbara oil spill), the 1969 Stratton Report on U.S. ocean policy, and a proactive Congress combined to give rise to significant ocean-related legislation and regulation from 1969 through the 1970s. The U.S. now has an extensive body of laws generally sectoral ocean laws. Enacted in the 1970s, these laws include the Coastal Zone Management Act (1972), the Marine Protection, Research, and Sanctuaries Act (1972), the Clean Water Act (1972), the Marine Mammal Protection Act (1972), the Fishery Conservation and Management Act (1976), the Outer Continental Shelf Lands Act Amendments (1978), among others.

The Council on Environmental Quality, the National Oceanic and Atmospheric Administration (NOAA), the Environmental Protection Agency (EPA), and the State

Department's Bureau of Oceans and International Environmental and Scientific Affairs were also created during this time period. Key Cabinet-level departments that deal with the ocean and coasts include the State, Commerce, Interior, Justice, Transportation, Homeland Security, and Defense Departments (USCOP 2004, Cicin-Sain and Knecht 2000). However, no cabinet-level Department of Oceans and Coasts or a Department of Natural Resources and Environment exists in the USA, nor is there any federal department or agency with oversight of all ocean and coastal issues. Ocean and coastal issues are split among at least eleven of the fifteen cabinet departments, plus four independent agencies and several commissions. Most of these cabinet departments and independent agencies do not include oceans and coasts as part of their core mission. However, several of the sub-cabinet level bureaus administer long-standing programs and short-term initiatives that address various issues that sometimes overlap (Kuska, 2005).

While path-breaking in many ways, these laws and the programs they created were also flawed, in the sense that they were largely based on single-sector approaches to ocean governance. Few, if any, effective mechanisms were made available to reconcile conflicts among multiple ocean and coastal uses and agencies, encourage area-wide planning and management, provide a vision for governance and for future uses, and set cross-sectoral national ocean policy.

This is not to say that there have not been successes in U.S. ocean policy in the past thirty years. In fact, much has been achieved. Coastal management programs have been established in 34 of 35 coastal states and territories. Great strides have been made in marine mammal and endangered species protection. In fisheries, the 200-mile zone was "Americanized," giving fishing priority to American fishers. Significant strides have also been made in the control of point sources of pollution, and under the National Estuary Program, management planning has been completed for 28 estuaries. A network of 13 national marine sanctuaries and 26 national estuarine research reserves is in place. A Northwest Hawaiian Islands Coral Reef Reserve has been designated that covers 340,000 km^2, slightly larger than Australia's Great Barrier Reef Marine Park[1]. The offshore oil and gas program has generated significant energy supplies with a good safety record.

On the other hand, U.S. ocean policy has also suffered significant problems. Serious declines have occurred in many fisheries. Offshore oil moratoria have been imposed in various parts of the offshore areas bringing this program virtually to a halt, except in the Gulf of Mexico, California, and Alaska. While significant successes have been achieved in the management of point sources of marine pollution, it has been much more difficult to manage non-point sources of marine pollution (such as agricultural and urban run-off) which account for over 70% of all pollution. While extensive anecdotal evidence exists about successes achieved in coastal management, the absence of measurable coastal indicators in this area has made it difficult to sustain the political support necessary for continued development and growth of the program. Although significant planning has taken place in American estuaries, few plans have been implemented and enforced. Significant conflicts have occurredbetween marine mammals and fisheries and have not been adequately resolved.

Newer uses of the Exclusive Economic Zone, such as marine aquaculture, marine biotechnology, and offshore wind power have not been addressed through effectivepolicy frameworks, thus, in some cases important new opportunities for economic development have been foregone. Newer challenges, such as sea level rise, have not yet been addressed in any systematic fashion.

Although the US declared an Exclusive Economic Zone in 1983 and extended its territorial sea in 1988 through Presidential proclamations, no implementation actions followed. Internationally, the U.S. has yet to ratify important treaties such as the Law of the Sea Convention (the "constitution" for the world's oceans) and the Convention on Biological Diversity which provides guidance on protection of biodiversity and access to and exploitation of the world's genetic resources.

In general, Congress and the Administration have played an oversight role on U.S. ocean policy mainly issue-by-issue, and law-by-law, paying little, if any, attention, to how well the various parts, issues, and laws fit together. The result has been many conflicts among users, agencies, and levels of government, significant declines in resources, and foregone economic opportunities in the ocean.

Ocean activists began calling for a comprehensive look at the U.S. system of ocean management in the 1980s, and for the convening of a national ocean commission to examine all aspects of U.S. ocean policy and to develop recommendations for ocean governance reform. How-

[1] The Northwest Hawaiian Islands Coral Reef Reserve will soon become the 14th national marine sanctuary.

ever, although a number of bills were introduced into the Congress to create such a commission, they were not enacted.

The momentum on behalf of comprehensive reform reached a peak in the year 2000 when two ocean commissions were created to examine all aspects of U.S. ocean policy. The first, established in 2000, was a privately-funded commission, the Pew Oceans Commission, which appointed a number of distinguished leaders to lead an inquiry panel into U.S. ocean policy, examining, in particular, environmental issues related to ocean degradation and resource decline and their underlying causes. The Pew Oceans Commission issued its report in June 2003, after holding many public meetings and commissioning a number of policy studies.

In mid-2000, with a heightened awareness of the need to move on U.S. ocean policy, the U.S. Congress enacted the Oceans Act of 2000 on July 25, 2000, signed into law by the President on August 7, 2000. The Oceans Act created the U.S. Commission on Ocean Policy and tasked it to conduct research and give recommendations to Congress and to the President for a coordinated and comprehensive national ocean policy that will promote: protection of life and property; stewardship of ocean and coastal resources; protection of the marine environment and prevention of marine pollution; enhancement of maritime commerce; expansion of human knowledge of the marine environment; investments in technologies to promote energy and food security; close cooperation among government agencies; and U.S. leadership in ocean and coastal activities.

THE POLICY DEVELPMENT PROCESS

INITIATION OF THE POLICY

Within the past thirty years, various attempts have been made to collaborate or promote collaboration of the activities of various executive branch departments and agencies involved with ocean and coastal issues through formalized, federal interagency groups. In addition to the Stratton Commission, the Marine Resources and Engineering Development Act of 1966 created a high-level, interagency council within the Executive Office of the President to coordinate federal, ocean and coastal activities. The National Council on Marine Resources and Engineering Development (Council) coordinated ocean and coastal activities from June 1966 until June 1971. The establishing legislation stipulated that the Council would be terminated after the Commission submitted its final report. In fact, the Nixon Administration maintained the Council until after NOAA was established and operating. After the sunset of the Council in the early 1970s, no new high-level interagency coordinating body for ocean policy existed for the next 30 years (Kuska, 2005).

In 1997, the Marine Board of the National Research Council published a report calling for a National Marine Council. In 2003, the Pew Oceans Commission published its report with recommendations for a new ocean policy, including a permanent interagency council to help coordinate the Òat least 6 departments of the federal government and dozens of federal agencies in the day-to-day management of ocean and coastal resources (POC, 2003).

The U.S Commission on Ocean Policy (the Commission) was tasked to coordinate with the states, a scientific advisory panel, and the public to develop a National Oceans Report. The report was to give "equal consideration to environmental, technical feasibility, economic, and scientific factors."

The Commission's report addressed a wide range of issues, including: assessment of facilities (people, vessels, computers, satellites); a review of federal activities;

a review of the cumulative effects of federal laws; a review of the supply and demand for ocean and coastal resources; a review of the relationship between federal, state, and local governments, and the private sector; a review of the opportunities for the investment in new products and technologies; recommendations for modifications to federal laws and/or the structure of federal agencies; a review of the effectiveness of existing federal interagency policy coordination.

The Commission was composed of 16 members nominated by the Congress and appointed by the President, including leaders with backgrounds in shipping and ports, public aquaria, natural and social sciences, offshore oil industry, fisheries, and state government. Interestingly, there were no appointees from environmental nongovernmental organizations.

The Commission worked with a Science Advisory Panel, required by the 2000 Oceans Act, to assist the Com-

mission in preparing its report and to ensure "…that the scientific information considered by the Commission is based on the best scientific information available." The Commission held 16 public meetings around the country and conducted 18 regional site visits, receiving input from 447 witnesses on national ocean policy issues and how they should be resolved, and carried out a number of supporting analyses. As called for in the Oceans Act, the final report contains comments received from the state governors on the Commission's preliminary report (comments were received from 37 governors, 5 tribal leaders, and a multitude of other organizations and individuals).

OBJECTIVES

The Commission issued its final report, entitled *An Ocean Blueprint for the 21st Century,* on September 20, 2004. The first page of the report showed a map of the U.S. Exclusive Economic Zone (the largest in the world), and the Commission resoundly pointed out that "the United States is an Ocean Nation." In its letters to the President and to the Congress delivering the report, the Commission emphasized that "a comprehensive and coordinated national ocean policy requires moving away from the current fragmented, single-issue way of doing business and toward ecosystem-based management. This new approach considers the relationships among all ecosystem components, and will lead to better decisions that protect the environment while promoting the economy and balancing multiple uses of our oceans and coasts." The Commission, as well, evokes a new vision of the oceans "one in which our oceans and coasts are clean, safe, sustainably managed, and preserved for the benefit and enjoyment of future generations."

This is a landmark assessment of U.S. ocean policy – the first comprehensive effort thirty-five years after the Commission on Marine Science, Engineering and Resources (the so-called "Stratton Commission," after its chair, Julius Stratton) issued the first blueprint for U.S. management of its oceans in 1969.

The report represents a massive effort – it is 522 pages long with seven appendices, and six lengthy appendices published separately. All aspects of U.S. ocean policy area addressed, albeit in different degrees of depth. There are 212 specific recommendations in the report, directed to the Congress, to the Executive Branch Leadership, to the Federal Agencies, to Regional Bodies, and also Recommendations related to International Affairs.

NATURE OF THE POLICY AND LEGISLATION ESTABLISHED

The major recommendations of the Commission relate to guiding principles for ocean governance and for improving the system of ocean governance, both at the national and regional levels. There are many recommendations, as well, for each sector of U.S. ocean policy. Given the large number of recommendations found in the report, only major recommendations for change are highlighted in this paper.

Guiding ocean principles. The Commission first sets out an overarching set of principles to guide national ocean policy. These are articulated in a clear and succinct manner and provide an excellent core of guiding principles. This is an important advance in U.S. ocean policy insofar as past guiding principles were tied to specific ocean sectors or programs. The newly articulated principles represent an overall set of principles to manage ocean and coastal ecosystems and all their uses in a comprehensive manner.

The principles include (see definitions on page 6 of the report):

- *sustainability;*
- *stewardship;*
- *ocean-land-atmosphere connections;*
- *ecosystem-based management;*
- *multiple use management;*
- *preservation of marine biodiversity;*
- *best available science and information;*
- *adaptive management*
- *understandable laws and clear decisions;*
- *participatory governance*
- *timeliness;*
- *accountability;* and
- *international responsibility*.

National ocean governance reform. In a major innovation, the Commission recommends major new institutions for national ocean policy coordination to encourage the 11 cabinet-level departments and the 4 independent agencies with important roles in ocean and coastal policy to undertake coordinated and joint action. These recommendations include:

- The establishment of a *National Ocean Council (NOC) within the Executive Office of the President, chaired by an Assistant to the President,* and composed of cabinet secretaries of departments and administrators of independent agencies with relevant ocean- and coastal-related responsibilities. The NOC should provide high-level attention to ocean, coastal, and Great Lakes issues, develop and guide the implementation of appropriate national policies, and coordinate the many federal departments and agencies with responsibilities over oceans.

  The *Assistant to the President* should chair the National Ocean Council, advise the Office of Management and Budget and the agencies on appropriate levels of funding for important coastal and ocean related activities, and prepare a biennial report on oceans as mandated by the Oceans Act of 2000.

  The Commission recommends that two committees be set up under the National Ocean Council: *A Committee on Ocean Resource Management* (to be chaired by the chair of the existing Council on Environmental Quality), and the *Committee on Ocean Science, Education, Technology, and Operations* (to be chaired by the chair of the existing Office of Science and Technology Policy).

- The creation of a *President's Council of Advisors on Ocean Policy* consisting of representatives from state, territorial, tribal, and local governments and academic, public interest, and private sector organizations, to ensure a formal structure for non-federal participation in the NOC on ocean and coastal policy matters.

- The creation of a small *Office of Ocean Policy* to provide staff support to all the bodies noted above.

- To get the process of national ocean governance reform started immediately, pending Congressional action, the Commission recommended that the President put this structure in place through an *executive order*.

These are much needed and long-overdue reforms. Some institutional arrangement and process for bringing the ocean and coastal agencies together on a continuing basis to address major cross-sectoral issues and to provide national vision and guidance are sorely needed. Having the Executive Office of the President chair the National Ocean Council is essential to get the overall policy direction and attention to oceans. This set of reforms, if implemented, has great potential. Much will depend, however, on how these institutional reforms are implemented. In particular, two concerns should be kept in mind in this institution-building process. The first is the need for insuring transparency, openness, and accountability in all decision making processes related to oceans in the National Ocean Council and related institutions, since oceans are America's greatest public resource. Second, there is a need to insure that the new structures allow for the introduction of new thinking, outside perspectives, and possibilities for change, and do not become ossified as bureaucratic-only committees. The President's Council of Advisors on Ocean Policy is expected to play an important role in this regard, but much will depend on how it is structured, how it precisely relates to the Assistant to the President and to the National Ocean Council, and on the support of its work by the Office of Ocean Policy.

Other major critical actions called for by the Commission. Among its 212 recommendations, the Ocean Commission points particularly to the following set of "critical actions" to provide the foundation for a comprehensive national oceans policy:

- Improve the federal agency structure by strengthening the National Oceanic and Atmospheric Administration and consolidating federal agency programs according to a phased approach.

- Develop a flexible and voluntary for creating creating regional ocean councils, facilitated and supported by the National Ocean Council.

- Create a coordinated management regime for activities in federal offshore waters.

- Double the nation's investment in ocean research, launch a new era of ocean exploration, and create the advanced technologies and modern infrastructure needed to support them.

- Implement the national Integrated Ocean Observing System and a national monitoring network.

- Improve ocean-related education through coordinated and effective formal and informal efforts.

- Strengthen coastal and watershed management and the links between them.

- Set measurable goals for reducing water pollution, particularly for nonpoint sources, and strengthen in-

centives, technical assistance, and other management tools to achieve those goals.

- Reform fisheries management by separating assessment and allocation, improving the Regional Fishery Management Council system, and exploring the use of dedicated access privileges.
- Accede to the United Nations Convention on the Law of the Sea to remain fully engaged on the international level.
- Establish an Ocean Policy Trust Fund based on unallocated revenues from offshore oil and gas development and new offshore activities, that is dedicated to supporting improved ocean and coastal management at federal and state levels.

The Commission's report is a landmark achievement: it is comprehensive in its coverage, it presents a moderate and balanced perspective (promoting both ecosystem protection and appropriate use for the benefit of the nation), and provides a blueprint to guide national ocean policy for years to come. The participatory process involved in the preparation of the report re-energized the nation on oceans, mobilized many groups and individuals around ocean issues, and convinced even skeptics about the need for ocean policy reform. The stage is now set for achieving significant improvements in America's management of its oceans and coasts.

With such a lengthy and wide-ranging report, there are, of course, some sections that are stronger than others. The Commission's report does a particularly good job in laying out the general framework for national ocean governance reform; in arguing for (and actually costing out) very substantial increases in funding for oceans and coasts; it is very strong in making the case for a significant investment in formal and informal marine education programs ("promoting lifelong ocean education"); and is very detailed and effective in the prescriptions on an integrated ocean observing system.

The Commission is also to be commended for its call to revitalize U.S. international leadership on oceans, and especially for its very strong stance in urging immediate U.S. ratification of the Law of the Sea (LOS) Convention (the first formal action taken by the Commission was a letter calling for LOS ratification).

On the other hand, the Commission's report does not, provide sufficient guidance on some important governance issues, relying much on the proposed National Ocean Council to address these issues. In fact, 44 of the Commission's recommendations, and some of the most important ones, are aimed at the National Ocean Council.

One area in which insufficient guidance has been given is the very important question of regional ocean governance. This is a complex topic, given the presence of multiple federal agencies and multiple states in all regions, and great diversity in the presence or absence of past intersectoral cooperative efforts and cross-cutting institutions in different regions of the country. The Commission calls for developing a "flexible and voluntary process for the creation of regional ocean councils," and prescribes that "states, working with relevant stakeholders, should use this process to establish regional ocean councils, with support from the National Ocean Council." While rightly calling for building on existing regional institutions and recognizing the diversity found in different regions of the country, the Commission, however, fails to point to a catalyst entity that could get the regional dialogue and coordination processes started, leading to a leadership vacuum at the regional level.

Another topic on which one would have expected the Commission to provide detailed guidance concerns the absence of a policy framework for new uses of federal waters (3 -200 miles offshore), such as offshore aquaculture, offshore windpower, and marine biotechnology. While the Commission recognized the need for establishing a coordinated offshore management regime, instead of developing the details of such a system, it calls for the National Ocean Council to ensure that each current and emerging activity in federal waters is administered by a lead federal agency that should coordinate with other applicable authorities.

There is also insufficient detail on federal agency reorganization, a topic that many had hoped would have been at the center of the Commission's recommendations. The report basically calls for a phased approach starting first with establishing an organic act for NOAA codifying its existence and mission, and then for a period of review by the Assistant to the President and recommendation of opportunities for agency consolidation.

The Commission also avoided the politically hot topic of the present offshore oil moratorium which prohibits development of oil and gas resources in much of the nation's outer continental shelf through the imposition of spending moratoria on the Minerals Management Service imposed through the Congressional appropriations process. While one can understand why the Commission would not want to deal with this very conflictual issue, avoidance of recommendations on the topic perpetuates management of this resource via the Congressional appropriations process—definitely not a good governance approach—and neglects to address questions of energy supply in an time of steeply rising energy costs.

IMPLEMENTATION, EVALUATION, AND LONG-TERM OUTLOOK

THE PRESIDENT'S RESPONSE TO THE USCOP

The Administration of President George W. Bush released the *U.S. Ocean Action Plan* (*USOAP*) in response to the USCOP's report and recommendations, as mandated by the Oceans Act of 2000, on December 17, 2004. The plan proposes many specific actions as well as a mechanism to further evaluate and address the USCOP's recommendations. The six sections of *USOAP* address improving and supporting marine and Great Lakes:

- Leadership and Coordination
- Knowledge and Understanding
- Use and Conservation
- Coastal and Watershed Management
- Transportation
- International Science and Policy

LEADERSHIP AND COORDINATION

To improve leadership and coordination, the Administration proposed two key items. First, it proposes to establish NOAA within the Department of Commerce through an Organic Act. In hearings on a NOAA Organic Act, Congressman Vernon J. Ehlers (R-MI) argued that an Organic Act would give Congressional direction on NOAA's mission and functions while allowing the Administration the flexibility to adapt to future needs (Ehlers, 2004). Second, the USOAP announces the intent to create a cabinet-level Committee on Ocean Policy (COP) through executive action[2] and establish a supporting committee and subcommittee structure. In addition to further analyzing USCOP's recommendations, this COP would advise the president, implement principles and goals for ocean policy, ensure use of quality science, disseminate ocean information, and create or work with existing subsidiary bodies to coordinate ocean policy across government agencies. The Administration will also pursue regional collaboration for specific sectors such as fisheries and for specific regions such as the Great Lakes and Gulf of Mexico.

KNOWLEDGE AND UNDERSTANDING

The USOAP proposes development of an ocean research strategy to oversee coordination of key research priorities including: earth and ocean observation, new research platforms (satellites, ships, etc.), water quality monitoring, and mapping. The Administration also wants to increase research on connections between oceans and human health, and to promote ocean education.

USE AND CONSERVATION

The USOAP contains seven themes in its use and conservation section. First, to improve fisheries, provide support for individual fishing quotas, wider representation on regional fishing councils, better data collection, guidelines on the use of science, and international coordination; second, to protect coral reefs the Administration will promote cooperative conservation, marine reserve protection in Hawaii, and research of deep-sea corals; third, the Administration will give specific attention to marine mammals, sharks, and sea turtles via international cooperation, by-catch reduction, and better enforcement; fourth, propose legislation and guidelines for offshore aquaculture; fifth, *USOAP* argues for improved coordination of marine managed areas (e.g., marine protected areas; sixth, the Administration will support offshore energy development and seventh, protect shipwrecks with national heritage implications.

COASTAL AND WATERSHED MANAGEMENT

To improve coastal watersheds, the Administration has proposed many specific programs that focus on assisting local and state management, addressing effects from farming, increasing and restoring wetlands, preventing the spread of invasive species, and reducing pollution from runoff and airborne deposition.

TRANSPORTATION

For marine transportation, the goals are twofold: first, facilitate the coordination, development, and efficiency of shipping through interagency cooperation, capacity

[2] On December 17, 2005, President Bush signed Executive Order 13366, creating the Committee on Ocean Policy (COP) and designating the Chairman of the White House Council on Environmental Quality to be the Chair of the COP

building, short sea shipping, reduced taxes, and improved navigation. Second, reduce vessel pollution by a program to reduce effects from federal ships and ports and by EPA rules to decrease vessel air emissions (nitrogen oxide and particulates).

INTERNATIONAL SCIENCE AND POLICY

The Administration's international priorities include acceding to UNCLOS, ratifying MARPOL's marine engine pollution reduction requirements, and strengthening the London Convention (dumping at sea). Through various partnerships the Administration also seeks to improve earth and ocean observing, management of marine-based ecosystems, protection of coral reefs, and land based pollution reduction programs on global scales.

It should be noted that development of the USOAP was intended to be budget neutral – no new funding was anticipated for the successful implementation of the actions outlined in the USOAP. This lies in contrast to the recommendations of the U.S. Commission on Ocean Policy which recommended an increase in the first year for implementing its recommendations of $1.5 billion with ongoing annual costs of nearly $3.9 billion (USCOP 2004). This funding recommendation represents an increase over total federal spending on oceans and coasts, estimated for 2003 by the White House Office of Management and Budget at nearly $8.7 billion (White House 2003).

Beginning in January 2005, the Chair of the Committee on Ocean Policy—and the President's Advisor on Oceans—began to implement the USOAP recommendations. The Interagency Committee on Ocean Science and Resource Management Integration (ICOSRMI), also referred to as the AQUA Box, began meeting on a bi-monthly basis in January 2005. This senior-level group of federal leaders reports directly to the COP and is composed of the second tier federal agency leadership (Undersecretary- / Assistant Secretary-level) (see figure 1). Its functions include, to:

1.Coordinate and integrate activities of ocean-related Federal agencies and provide incentives for meeting national goals;

2. Identify statutory and regulatory redundancies or omissions and develop strategies to resolve conflicts, fill gaps, and address new emerging ocean issues for national and regional benefits;

3. Guide the effective use of science in ocean policy and ensure the availability of data and information for decision making at national and regional levels;

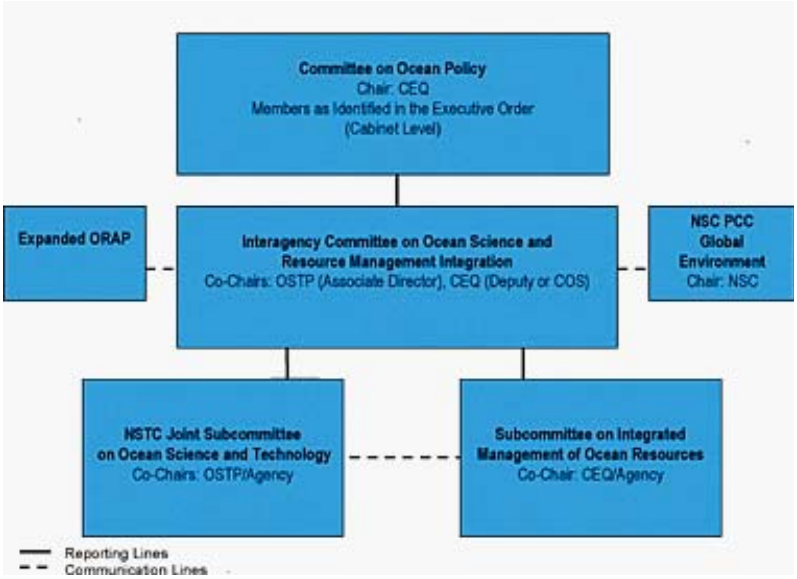
4. Develop and support partnerships among government agencies and nongovernmental organizations, the private sector, academia, and the public;

5. Coordinate education and outreach efforts by Federal ocean and coastal agencies;

6. Periodically assess the state of the Nation's oceans and coasts to measure the achievement of national ocean goals; and

7. Make recommendations to the Committee on Ocean Policy for developing and carrying out national ocean policy, including domestic implementation of international ocean agreements (White House 2004).

Figure 1. U.S. Federal Structure for Ocean Governance



Source: White House 2004

Two subcommittees were established under the ICOSRMI to carry out the day-to-day implementation coordination and oversight activities for the federal government. The Joint Subcommittee on Ocean Science and Technology (JSOST) was re-established from a former group called the Joint Subcommittee on Oceans (JSO). Its functions include, to:

1. Identify national ocean science and technology priorities;

2. Facilitate coordination of disciplinary and interdisciplinary ocean research, ocean technology and infrastructure development, and national ocean observation programs;

3. Facilitate expansion of knowledge about the oceans and their interactions with other components of the Earth system, including the atmosphere, land, and living resources, and about the relationship between oceans and society;

4. Facilitate the application of knowledge for prediction and forecasting of ocean phenomena;

5. Provide advice on science and technology for ecosystem-based management and stewardship of resources;

6. Facilitate use of ocean science and technology in the development of coastal and marine policies;

7. Recommend scientific and technical assessments and analyses of Federal ocean science and technology initiatives;

8. Identify opportunities and articulate priorities for enhancing ocean education, outreach, and capacity building;

9. Identify opportunities for the promotion of international collaboration in ocean science and technology; and

10. Facilitate efficient transition of research to operations (White House 2004).

It was created approximately two years ago to begin developing ocean research priorities for the federal government within the National Science and Technology Council (NSTC) structure as a joint subcommittee under the NSTC Committee on Science and the NSTC Committee on Environmental and Natural Resources. This task remains with the transformed JSOST over the next 18-month period, as outlined in its Ocean Priorities Framework document, and as part of its overall functions. It meets monthly and is co-chaired by three senior-level individuals; one co-chair from each of the following organizations: the White House Office of Science and Technology Policy; the National Science Foundation; and the National Oceanic and Atmospheric Administration (Kuska, 2005).

The second subcommittee under the ICOSRMI is the Subcommittee on Integrated Management of Ocean Resources (SIMOR). Its core functions, as outlined in the USOAP, include, to:

1. Facilitate and coordinate the work of existing ocean and coastal interagency groups focused on the management of living and nonliving marine resources;

2. Recommend the creation of new topical task forces as needed;

3. Coordinate with government-wide environmental and natural resource efforts that have important ocean components;

4. Identify opportunities for improvements in the application of science for ecosystem-based management of ocean resources;

5. Identify priority research needs that can enhance management capabilities;

6. Facilitate use of ocean science and technology, including ocean observations, in the implementation of ocean and coastal management and policies;

7. Recommend assessments and analyses of Federal ocean resource management initiatives;

8. Identify opportunities and articulate priorities for enhancing ocean education, outreach, and capacity building; and

9. Identify opportunities for the promotion of international collaboration in ocean resource management (White House 2004).

The SIMOR is a new entity that developed a Statement of Purpose and a Work Priorities document—based on its overarching functions outlined in the Ocean Action Plan—that outline the broad direction that SIMOR will take over the next 18-month period. It also meets monthly and is co-chaired by several senior-level individuals. The co-chairs of SIMOR come from the following organizations: the White House Council on Environmental Quality, the Department of the Interior, the Environmental Protection Agency, and the National Oceanic and Atmospheric Administration. Principal and alternate members in the SIMOR, as well as the JSOST, come from the agencies and organizations represented on the Committee on Ocean Policy (Kuska, 2005).

To provide input into the federal process from external sources, the USOAP establishes an Ocean Research and Resources Advisory Panel (ORRAP). The ORRAP is based on an expansion of an existing advisory group, the Ocean Research Advisory Panel (ORAP), which was created in 1997 by law to provide advice to a high-level interagency coordination group on ocean science, technology and education issues (White House 2004).

These groups continue to build on existing collaboration by working with regional, state, local, tribal and territorial authorities, academia, the private sector, and non-governmental organizations to develop the actions outlined in the U.S. Ocean Action Plan and beyond.

CONCLUSION

Implementation of a more coordinated and coherent approach to ocean governance in the U.S., following the recommendations of the U.S. Commission on Ocean Policy, has begun in 2005 with the President's Ocean Action Plan. Several bills have also been introduced in Congress to implement various aspects of the Commission's recommendations, but none have yet been enacted. The reforms made so far are modest and do not yet address many of the major recommendations of the U.S. Ocean Commission. Nevertheless, it is encouraging that implementation of selected recommendations has proceeded as rapidly as it has.

In the United States, there is a significant opportunity at hand for far-reaching ocean policy reform. Two commissions have produced blueprints for the nation echoing similar themes and solutions. There is much resolve among the ocean policy community to persevere to make important change happen.

We cannot afford to squander this opportunity. The future of our oceans depends on it.

REFERENCES

Cicin-Sain, B. and R. Knecht. 2000. The Future of U.S. Ocean Policy. Washington, D.C.: Island Press.

Congressional Research Service (CRS). 1997. CRS Ocean & Coastal Resources Briefing Book. Available: http://www.ncseonline.org/nle/crsreports/briefingbooks/oceans/a4.cfm.

Ehlers, V.J. 2004. Opening statement, hearing on National Oceanic and Atmospheric Administration Organic Acts. Available: http://www.house.gov/science/hearings/ets04/jul15/VJEopening.pdf.

Kuska, G.F. 2005. Collaboration Toward a More Integrated National Ocean Policy: Assessment of Several U.S. Federal Interagency Coordination Groups. Doctoral Dissertation. Newark, DE: University of Delaware.

Pew Oceans Commission (POC). 2003. America's Living Oceans: Charting a Course for Sea Change. Washington, D.C.: Pew Oceans Commission.

U.S. Central Intelligence Agency (CIA). 2005. CIA World Factbook 2005. Available: http://www.cia.gov/cia/publications/factbook/geos/us.html.

U.S. Commission on Ocean Policy (USCOP). 2004. An Ocean Blueprint for the 21st Century. Final Report. Washington, D.C. Available: http://www.oceancommission.gov/documents/full_color_rpt/welcome.html.

White House. 2003. Federal Ocean and Coastal Activities Report. Available: http://ocean.ceq.gov/activities/o_c_activities.pdf

White House, Council on Environmental Quality. 2004. U.S. Ocean Action Plan. Available: http://ocean.ceq.gov/.