

The original documents are located in Box 6, folder “National Ocean Policy Study (1)” of the Norman Ross Files, 1974-75 at the Gerald R. Ford Presidential Library.

Copyright Notice

The copyright law of the United States (Title 17, United States Code) governs the making of photocopies or other reproductions of copyrighted material. Norman E. Ross, Jr. donated to the United States of America his copyrights in all of his unpublished writings in National Archives collections. Works prepared by U.S. Government employees as part of their official duties are in the public domain. The copyrights to materials written by other individuals or organizations are presumed to remain with them. If you think any of the information displayed in the PDF is subject to a valid copyright claim, please contact the Gerald R. Ford Presidential Library.

Some items in this folder were not digitized because it contains copyrighted materials. Please contact the Gerald R. Ford Presidential Library for access to these materials.

AUTHORIZING A NATIONAL OCEAN POLICY STUDY

FEBRUARY 8, 1974.—Ordered to be printed

Mr. MAGNUSON, from the Committee on Commerce,
submitted the following

REPORT

[To accompany S. Res. 222]

The Committee on Commerce, to which was referred the resolution (S. Res. 222), authorizing a National Ocean Policy Study, having considered the same, reports favorably thereon with amendments and recommends that the resolution, as amended, do pass.

PURPOSE AND SUMMARY

The purpose of S. Res. 222 is to authorize the Committee on Commerce to make a full and complete National Ocean Policy Study (hereafter referred to as "the Study"). The Study by the Committee on Commerce is to be undertaken with representative ex officio membership from other Standing Committees of the Senate with a jurisdictional interest over the elements of the Study. Such ex officio representation will be from the Committees on Appropriations, Interior and Insular Affairs, Public Works, Foreign Relations, Government Operations, Labor and Public Welfare, and Armed Services, as well as six members from coastal States selected by the President Pro Tempore of the Senate without regard to Committee membership. In undertaking this National Ocean Policy Study, the Committee on Commerce is mandated to report its findings, together with recommendations for such legislation as it deems advisable, to the Senate.

S. Res. 222 recognizes the importance of an adequate and coordinated national ocean policy and an effective program to implement such a policy. It acknowledges the importance of the oceans to all mankind, especially the United States in its role as a major ocean user and its quest for peace and self-sufficiency in mineral and energy resources.



As pointed out in the 1969 report of the Commission on Marine Science, Engineering and Resources entitled, *Our Nation and the Sea*,

How fully and wisely the United States uses the sea in the decades ahead will affect profoundly its security, its economy, its ability to meet increasing demands for food and raw materials, its position and influence in the world community, and the quality of the environment in which its people live.

COMMITTEE ACTION

S. Res. 222 was introduced on December 19, 1973, by Senator Magnuson, and is cosponsored by the following 58 Senators: Mr. Hollings, Mr. Eastland, Mr. McClellan, Mr. Fulbright, Mr. Sparkman, Mr. Stennis, Mr. Long, Mr. Pastore, Mr. Jackson, Mr. Mansfield, Mr. Ervin, Mr. Cotton, Mr. Hugh Scott, Mr. Bible, Mr. Talmadge, Mr. Randolph, Mr. Cannon, Mr. Hartke, Mr. McGee, Mr. Moss, Mr. Williams, Mr. Bentsen, Mr. Eagleton, Mr. Ribicoff, Mr. Robert C. Byrd, Mr. Humphrey, Mr. Stevens, Mr. Kennedy, Mr. Metcalf, Mr. Stevenson, Mr. McGovern, Mr. McIntyre, Mr. Nunn, Mr. Allen, Mr. Gurney, Mr. Hart, Mr. Buckley, Mr. Fong, Mr. Gravel, Mr. Abourezk, Mr. Domenici, Mr. Dominick, Mr. Pell, Mr. Chiles, Mr. Burdick, Mr. Weicker, Mr. Biden, Mr. Tunney, Mr. Dole, Mr. Hatfield, Mr. Johnston, Mr. Cranston, Mr. Mathias, Mr. Muskie, Mr. Beall, Mr. Inouye, Mr. Hruska and Mr. Mondale.

Recognizing the importance of and need for timely action with respect to the proposed National Ocean Policy Study, S. Res. 222 was the first order of business for the Committee after the 2nd Session of the 93rd Congress convened, and thus on January 31, 1974, the Committee ordered reported S. Res. 222 with several technical amendments.

BACKGROUND

1. The History of National Ocean Policy

National interest in the oceans has been cyclical. The first and only ocean-related declared national policy was a Congressional initiative, and is in the Marine Resources and Engineering Development Act of 1966 concerning marine science and 8 enumerated objectives in seeking the attainment of that policy. The efficacy of this policy and the implementation of the Congressionally-declared objectives should be re-examined, and S. Res. 222 will provide the necessary forum for such an encompassing review. For the third time in 15 years, the Congress will be the stimulus to challenge the Federal Government and the nation to respond to our country's needs which can be served by the sea.

In 1959, the Senate adopted S. Res. 136 to focus attention on the oceans. Authored by Senator Magnuson, the resolution stated, in part:

Whereas expanded studies of the oceans and the ocean bottoms at all depths are vital * * * to the rehabilitation of our commercial fisheries and utilization of other present or potential ocean resources, to facilitating commerce and navigation and to expand our scientific knowledge * * *

That resolution in 1959 marked the beginning of a comprehensive Congressional study in response to the release of the initial report prepared by the Committee on Oceanography of the National Academy of Sciences—National Research Council entitled, *Oceanography 1960 to 1970*. S. Res. 136 passed the Senate unanimously.

It was again the legislative branch, in 1965, which pointed the way toward a national ocean program. Senator Magnuson in that year introduced the Marine Resources and Engineering Development Act, which became law in 1966. It was that Act which, more than any other development, forced the United States to turn the corner toward establishing a policy "to develop, encourage and maintain a coordinated, comprehensive and long-range national program in marine science for the benefit of mankind."

The Act established the cabinet-level National Council on Marine Resources and Engineering Development, chaired by then Vice President Humphrey. It also created a 15-member Commission on Marine Science, Engineering, and Resources chaired by Dr. Julius Stratton with the task of undertaking a two year study with a report to the Congress and the President. The work of the Council and the Commission helped the United States government move from a narrowly oriented scientific approach to the oceans to a broad-based program of activities blending engineering, educational, legal, economic and political considerations.

In partial response to one of the recommendations of the Stratton Commission report, *Our Nation and the Sea*, the current Administration, through reorganization plan No. 4 of 1970, established the National Oceanic and Atmospheric Administration in the Department of Commerce. But, this new organization fell short of the independent agency envisioned by the Stratton Commission. Moreover, there has been growing concern over an evident erosion of ocean priorities. The coordinated national approach necessary for the utilization and wise management of all the resources and benefits of the sea sought to be attained through the Marine Resources and Engineering Development Act of 1966 has eluded our grasp.

2. The Importance of the Oceans to the United States

It is not possible to catalog accurately the vast importance of the oceans to the citizens of the United States. However a recent statement by Senator Ernest F. Hollings of South Carolina, Chairman of the Subcommittee on Oceans and Atmosphere, outlines the minimum goals of a national ocean policy:

* * * a large, modern merchant marine; a healthy, growing fishing industry; a dynamic ocean research program; leadership in ocean technology; ocean policy positions that represent national self-interest in international negotiations; progressive, intelligent coastal zone management; and an ocean business climate that encourages industry to tap all of the potential resources of the sea. * * *

It could be added that the economic wealth of the sea also is reflected by the vast number of Americans who have been drawn to work, live, play and retire near the ocean. Fishing, boating, camping,

hunting, swimming and other forms of recreation in or near the ocean environment result in a multi-billion-dollar infusion into the American economy and provide livelihood for hundreds of thousands of wage-earning citizens.

The economic well-being of the United States and its future generations of citizens will be further and significantly impacted by any multi-lateral agreements arising out of the Third Law of the Sea Conference scheduled to convene in the summer of 1974, as called for by a United Nations General Assembly resolution of March 16, 1973. For example, the deep seabed contains the commercially important minerals of manganese, copper, nickel, and cobalt, in addition to being a significant source of the world's oil and gas production to meet the ever-growing resource demands of our nation. Peaceful and prudent exploitation of the oceans' mineral resources is an issue of major economic importance, as is insuring the continuing use of the oceans for transportation and scientific research. S. Res. 222 should provide a forum for a thorough examination of our national interest in such major economic issues.

Concomitant with the Committee's concern over the resources of the ocean is the need to protect and preserve the marine environment. It has been clearly demonstrated that the ocean ecosystem is fragile and because of 20th century technology, dependent to an ever-increasing extent on man's own protective consideration for its health and well-being.

Therefore, the Committee views S. Res. 222 as a logical vehicle to consider both environmental protection and intelligent use of the oceans' resources, and to make a determination of the center ground where rational men can make a policy decision between the extremes of absolute preservation of the environment on the one hand and unrestrained exploitation on the other.

3. Areas of Examination by the Study

The National Ocean Policy Study would include, but not be limited to, a thorough examination of the issues involved in the following areas:

- A. Marine Fisheries and Other Living Resources.
- B. Mineral Resources of the Seabed and Subsoil.
- C. Coastal Zone Management.
- D. Ocean Transportation.
- E. Research and Technology.
- F. Law of the Sea.
- G. Government Organization.
- H. Pollution.
- I. Federal Budget.
- J. Education.

COMMITTEE AMENDMENTS

The Committee agreed, unanimously, to report the resolution with the amendments shown in *italic and linetype*:

TEXT OF S. RES. 222

RESOLUTION To authorize a National Ocean Policy Study

Whereas the oceans offer the potential for major contribution to world peace and to the quality of life, and the future of mankind ~~at least in part~~ may well be dependent upon his knowledge and wise use of the sea; and

Whereas the oceans are of enormous present and potential benefit to all citizens of the United States owing to their extensive supply of living and nonliving resources and because of their utilization as a pathway for maritime commerce and as a continuing source of impact upon the national security, balanced growth, technology, scientific understanding, and the quality of the world environment; and

Whereas the depletable living and nonliving resources of the oceans will necessarily be utilized increasingly in future years as a principal source of protein, raw materials, and energy; and

Whereas the coastal margin of the United States, as one of the Nation's prime resources, is under ever-expanding pressure due to its desirability for siting of commerce, industry, and habitation, and due to increasing needs for recreation, transportation, urbanization, and biological reproduction; and

Whereas serious national and global problems exist and are growing in ocean contamination as a result of land- and vessel-source pollution; and

Whereas the Marine Resources and Engineering Development Act of 1966 (33 U.S.C. 2 et seq.) was enacted to develop a comprehensive, long-range national ~~oceans~~ ocean policy, but such Act has been neither fully implemented nor completely successful in achieving that goal; and

Whereas the utilization of ocean resources and solving ocean-related problems depend directly upon developing oceanic knowledge and technology, resolving conflicts of national and international jurisdiction over the ocean, protecting the quality of the marine environment, and, foremost, upon establishing a clear and comprehensive national ~~oceans~~ ocean policy: Now, therefore, be it

Resolved, That the Committee on Commerce is authorized under sections 134(a) and 136(a) of the Legislative Reorganization Act of 1946, as amended, and in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, as amended, to make a full and complete investigation and study of national ~~oceans~~ ocean policy for the purpose of—

- (1) determining current and prospective national capabilities in the oceans, including marine sciences and their application, oceanic research, advancement of oceanic enterprise and marine technology, interdisciplinary education, policy planning, professional career and employment needs, and overall requirements of the United States consistent with the attainment of long-range national goals;

(2) determining the adequacy of current Federal programs relating to the oceans and recommending improvements in agency structure and effectiveness to meet national needs and achieve oceans capabilities, and assessing existing policies and laws affecting the oceans for the purpose of determining what changes might be necessary to assure a strong and internationally competitive oceans policy and program for the United States;

(3) establishing policies to achieve the goal of full utilization and conservation of living resources of the oceans and recommending solutions to problems in marine fisheries and their management, rehabilitation of United States fisheries, current and future international negotiations on fisheries, as well as aquaculture and the extraction of drugs from the sea;

(4) assessing the needs for new policies for the development and utilization of the nonliving resources of the oceans, including the mineral resources of the Outer Continental Shelf and the deep seabed so that the national mineral needs can be met in an economically and environmentally sound manner;

(5) encouraging implementation of coastal zone management through the Coastal Zone Management Act of 1972 by assessing national growth policy needs, regional and interstate problems, State functions and powers in coastal zone management, information sources, recreation needs, pollution problems, population trends, and future pressures in the coastal zone;

(6) establishing comprehensive national policy for the purpose of understanding and protecting the global ocean environment through education, exploration, research, and international cooperation; and

(7) making an assessment of proposals for, and current negotiations with respect to, achieving adequate national and international jurisdiction over the oceans, developing an understanding of the relationship of the oceans to world order, and examining United States policy with respect thereto.

SEC. 2. In order that other standing committees of the Senate having jurisdiction with a jurisdictional interest over specific elements of this study under Rule XXV of the Standing Rules of the Senate, as amended, over specific elements of the study authorized in section 1, may participate in that study, the chairman and ranking minority member of each of the Committees on Appropriations, Interior and Insular Affairs, Public Works, Foreign Relations, Government Operations, and Labor and Public Welfare, Armed Services, or a member of such committees designated by each such chairman and or ranking minority member to serve in his place, shall participate in the study authorized by this resolution as an ex officio member of the Committee on Commerce for the purposes of this study. In addition, the President pro tempore of the Senate shall name three majority and three minority Members of the Senate who represent coastal States, without regard to committee membership, to serve as additional ex officio members of the Committee on Commerce for purposes of this resolution study.

SEC. 3. The committee shall report its findings, together with its recommendations for such legislation as it deems advisable, to the Senate.

SEC. 4. For the purpose of this resolution the Committee on Commerce is authorized to expend, through February 28, 1975, from the contingent fund of the Senate, a sum not to exceed \$200,000.

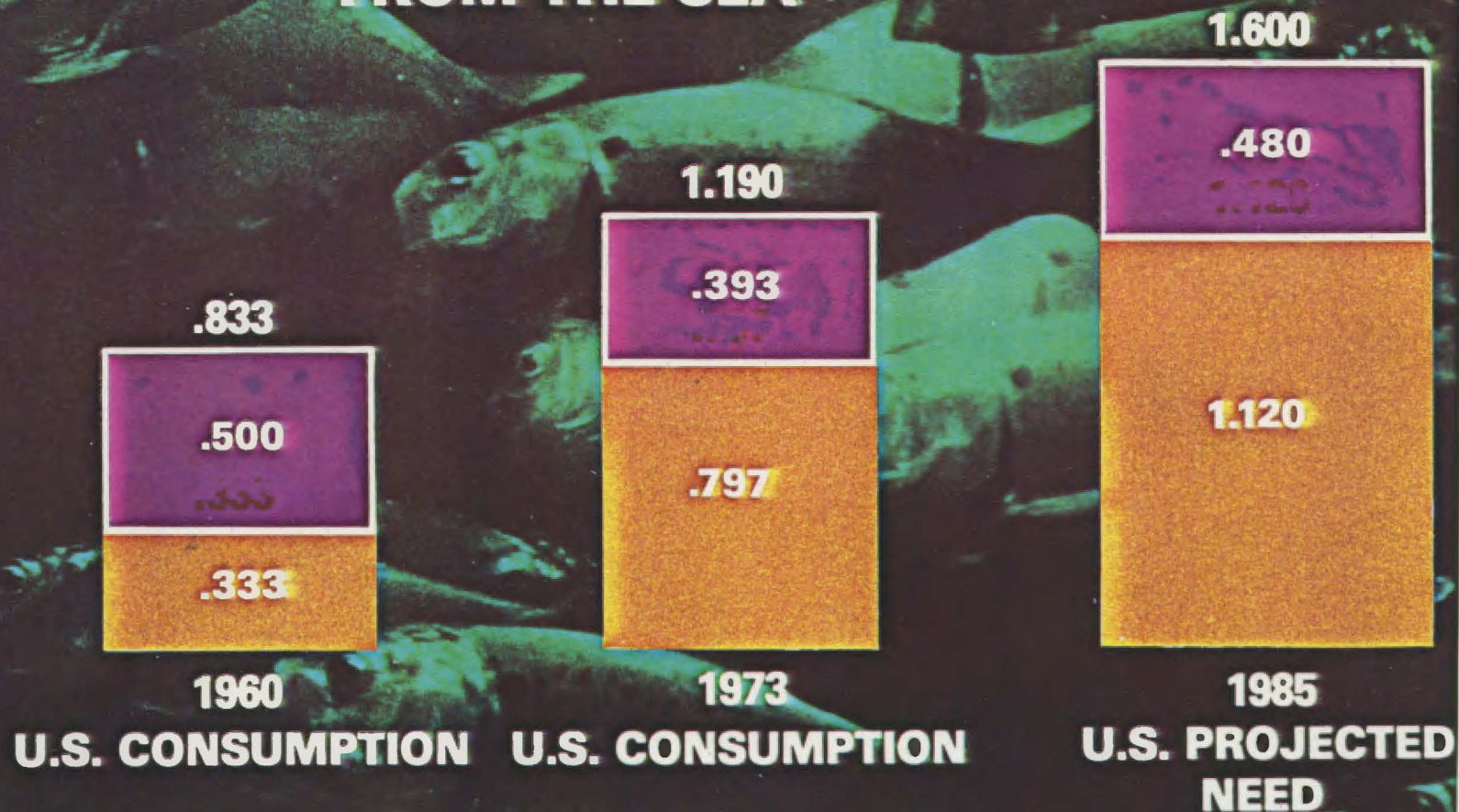
**REVIEW OF
NATIONAL OCEAN
POLICY**

NEED FOR A REVIEW OF OCEAN POLICY

- **Sharp rise in pressure to use the seas**
- **National concern for ocean resources and environment**
- **New international view of the oceans developing at the Law of the Sea Conference**

INCREASED PRESSURE TO OBTAIN FOOD FROM THE SEA

MILLION
METRIC
TONS



U.S. PRODUCTION

AMOUNT
IMPORTED

INCREASED PRESSURE TO OBTAIN ENERGY FROM THE SEA

**NUMBER OF OIL WELLS ON
OUTER CONTINENTAL SHELF**



INCREASED PRESSURE TO OBTAIN MINERALS FROM THE SEA

PERCENTAGE
OF U.S.
CONSUMPTION
IMPORTED



INCREASED PRESSURE FOR RECREATIONAL OPPORTUNITIES FROM THE SEA

NUMBER
OF
RECREATIONAL
BOATS

5.5
MILLION

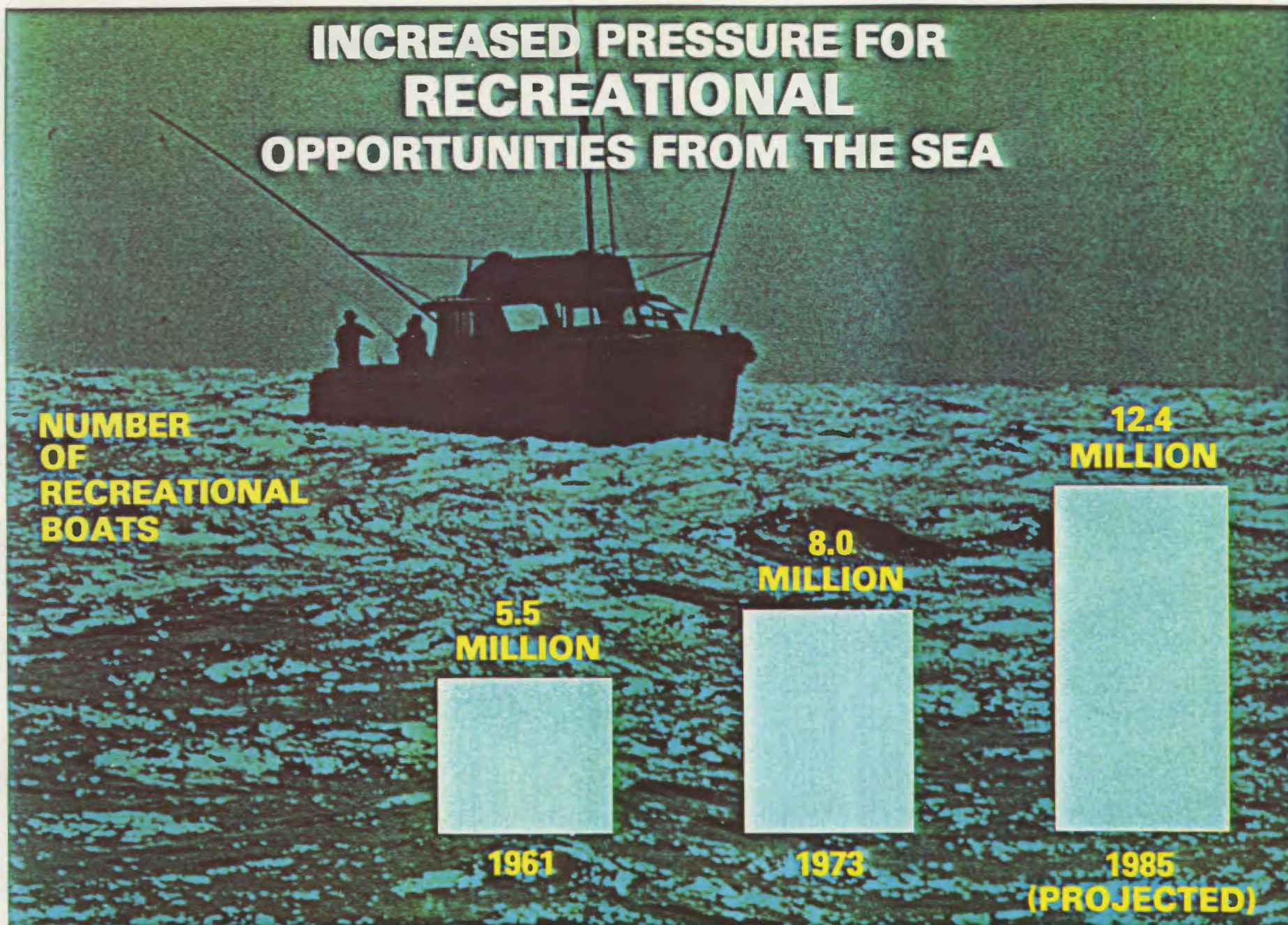
1961

8.0
MILLION

1973

12.4
MILLION

1985
(PROJECTED)



INCREASED PRESSURE FOR OCEAN TRANSPORTATION

**MILLIONS
OF U.S.
TONS OF
CARGO
CARRIED**

333

9.2

1963

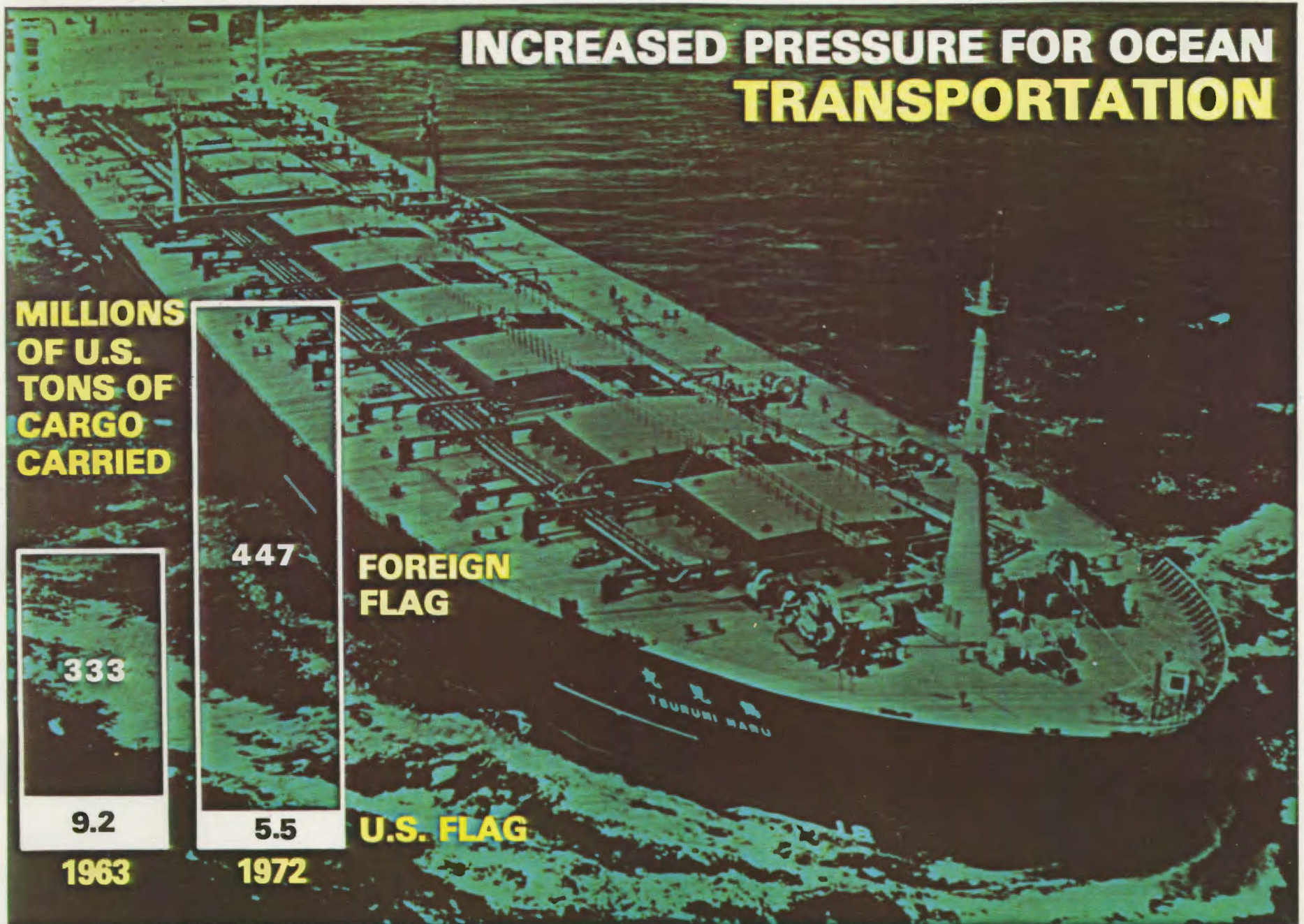
447

5.5

1972

**FOREIGN
FLAG**

U.S. FLAG



DOMESTIC OCEAN CONCERNS

- **Limits on fishery resources; State/Federal management relationships**
- **Environmental protection; wise use of the coastal zone**
- **Development of ocean energy resources**
- **Development of ocean hard mineral resources**
- **Protection of marine mammals and other endangered species**
- **Development of machinery for enforcement and surveillance**

FISHERIES

SITUATION

- **Ineffective domestic and international fisheries management**
- **Severe depletion of U. S. fish stocks by foreign and domestic fishermen**
- **Limited availability of traditional species**
- **Economic distress in parts of the industry from foreign competition and over-capitalization**
- **Two-thirds of seafood products imported**
- **Administration initiative**
 - **Fisheries Conservation Act of 1974 - H.R. 15619 - going nowhere**
- **Congressional interest, e.g.:**
 - **Emergency Marine Fisheries Protection Act of 1974 - S. 1988 - pending**

ASSESSMENT

- **Need to review policies for conservation, management and utilization of fisheries and for accommodation to extended economic jurisdictions**

ENVIRONMENT/COASTAL ZONE

SITUATION

- **Surge of public concern for protection of the coastal zone**
- **Increasing loss and damage of estuarine and coastal zone resources**
- **Serious inadequacy of information on environmental impact of development and pollution**
- **Conflict between OCS leasing schedule for oil and gas and State Coastal Zone Management program development time-table**
- **Congressional action**
 - **National Environmental Policy Act of 1969**
 - **Federal Water Pollution Control Act of 1972**
 - **Coastal Zone Management Act of 1972**
 - **Marine Protection, Research, and Sanctuaries Act of 1972 ("Ocean Dumping" Act)**
- **Focus of Senate National Ocean Policy Study**

ASSESSMENT

- **Future relationship to land use policy legislation requires attention**
- **Successful application of State/Federal cooperative approach to development of offshore resources requires attention**

ENERGY

SITUATION

- **Federal Energy Administration created in 1973**
- **Institution of Project Independence 1973**
- **Energy Supply Act of 1974 - S. 3221 (Amendments to Outer Continental Shelf Act) - pending**
- **High Seas Oil Ports Act ("Deep Water Ports Act") - H.R. 10701 - pending**
- **Senate Ocean Policy Study of offshore leasing policies and their impact on the coastal zone**
- **Energy Research and Development Administration Act of 1974**

ASSESSMENT

- **Adequate action under way but conflict with Coastal States looming**

OCEAN HARD MINERALS

SITUATION

- **U. S. companies expect to be ready to mine deep sea nodules by 1977-1980 - copper, nickel, cobalt, manganese**
- **Consideration being given by U. S. companies for operation under foreign flags**
- **Environmental consequences of deep sea mining undetermined - Possible NEPA problem**
- **Deep Sea Bed Hard Minerals Bill - H. R. 12233 - pending**
- **International Seabed Authority being considered by LOS - powers yet to be agreed**

ASSESSMENT

- **Need to review policies affecting U. S. deep sea mining**

MAMMALS AND OTHER ENDANGERED MARINE SPECIES

SITUATION

- High public interest in the protection of marine mammals and other endangered species
- Congressional action
 - Marine Mammals Protection Act of 1972
 - Endangered Species Act of 1973
- International Whaling Commission agreement for management of whales

ASSESSMENT

- Adequate action under way

ENFORCEMENT AND SURVEILLANCE

SITUATION

- National capability barely adequate for present U. S. jurisdiction
- Totally inadequate for 200 mile jurisdiction
- New responsibilities generate additional requirements for efficient enforcement/surveillance
 - Marine Protection, Research and Sanctuaries Act of 1972
 - Amendments of 1972 to Federal Water Pollution Control Act
 - Changes to International Northwest Atlantic Fisheries Commission regulations and 1974 amendments to Northwest Atlantic Fisheries Act of 1950
 - Emergency Marine Fisheries Protection Act - S. 1988 - Pending in Congress
 - Ports and Waterways Safety Acts of 1972

ASSESSMENT

- Adequacy of national plan and policies need review

RECOMMENDATION REVIEW CRITICAL POST LOS ISSUES

- **Fisheries conservation and development**
- **Adequacy of enforcement and surveillance capabilities**
- **Development of deep ocean mining**

FISHERIES POLICY STUDY

- **Policies for management of fisheries under new regimes arising from LOS or unilateral decisions**
- **Changing roles of State-Federal and international management bodies**
- **Principles for granting access to foreign vessels to extended zone of economic resource jurisdiction**

DEEP OCEAN MINING POLICY STUDY

- **Policies and institutional arrangements to assist the development of a U.S. deep seabed mining industry**
- **Means for developing deepsea mining in an environmentally sound manner**
- **Accommodations to probable international regulations arising from LOS**

ENFORCEMENT AND SURVEILLANCE POLICY STUDY

- **Federal/State division of responsibility resulting from increase of territorial limits from 3 to 12 miles**
- **Requirements resulting from a 200 mile economic resource zone**
- **Enforcement requirements for control of fisheries for highly migratory and anadromous species outside the economic resource zone**
- **Coastal State responsibilities for pollution controls in the economic resource zone**

PROPOSED MODE OF OPERATION FOR DOMESTIC COUNCIL STUDIES

- **Decide on areas for policy review**
- **Establish a Task Force for each study area**
- **Assign a lead agency for each Task Force to organize and conduct studies**
- **Use Interagency Committee on Marine Science and Engineering (ICMSE) as the working group for the Domestic Council Committee**

PROPOSED TASK FORCES

Fisheries Policy Study

- **Department of Commerce--Chairman**
 - **State**
 - **Transportation**
 - **Interior**

Ocean Mining Policy Study

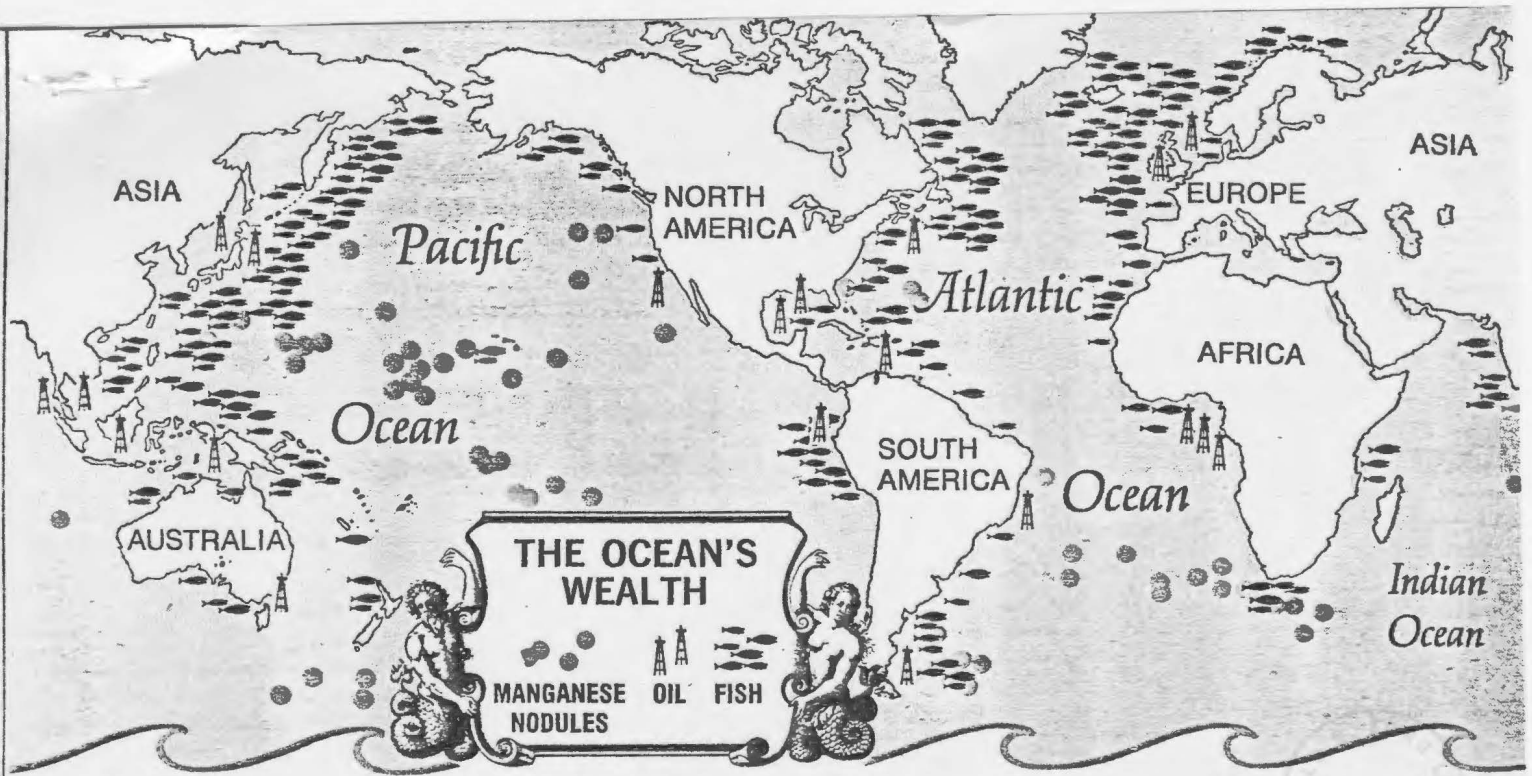
- **Department of Interior--Chairman**
 - **Commerce**
 - **State**
 - **Defense**
 - **National Science Foundation**

Enforcement and Surveillance Policy Study

- **Department of Transportation--Chairman**
 - **Commerce**
 - **Interior**
 - **Defense**
 - **State**
 - **Environmental Protection Agency**

POLICY STUDY OUTPUT

- **Recommendations for**
 - **Legislation**
 - **Institutional arrangements**
 - **Programs**
- **Preparation of documents**
 - **Announcements, information sheets, policy statements, legislative initiatives**
 - **Recommendations for State of the Union or other Presidential announcements**



A 'claim-jumping Wild West show in the water' or a new international rule of law?

The Riches in Davy Jones's Locker

FISHERIES POLICY STUDY

PURPOSE

To revise policies and programs for the management, conservation, and development of United States fisheries which will respond effectively to the results of the Law of the Sea Conference, and to highlight the legislative, institutional, and programmatic needs which will be necessary to implement these.

OBJECTIVES

1. To develop policies for management programs for fisheries which will be required under the new regime, especially where inter³State, Federal/State, or international cooperation is required, in order to optimize catches and economic returns within a conservation framework.
2. To examine the roles of the Federal and State Governments in management of fishery resources in the extended territorial sea and in the zone of extended economic jurisdiction, with a view to providing suitable institutional arrangements involving these levels of government.
3. To develop principles for granting access to foreign nations to fishery resources within the new zone of extended economic jurisdiction.
4. To examine the impact of extended jurisdiction on imports and exports of fishery products.
5. To study the impact of Law of the Sea actions on the United States distant water and anadromous fisheries, and measures to ensure their economic health.
6. To examine the impact of Law of the Sea actions on the capital investment and technical development of the U.S. fishing industry, and the possible changes necessary in Government assistance programs.



7. To examine the needs for fishery surveillance and enforcement which might result from extended territorial limits and a new zone of extended economic jurisdiction. (This item will receive attention in the Enforcement and Surveillance Study.)
8. To examine the research and assessment required in fisheries matters to support new U.S. fishery policies.

EXPECTATIONS

The actions and decisions which will emerge from the Law of the Sea Conference now under way in Caracas will offer excellent prospects for U.S. fisheries. If a 200-mile economic zone is agreed upon, fisheries resources that will come under U.S. control could yield 40.7 billion pounds of catch each year--ten times larger than the present domestic catch valued at \$610 million. For various biological, institutional, and economic reasons, it would be unrealistic to expect all of this impressive potential to be gained, but expectations are substantial.

- o Foreign fishing fleets now operating off the U.S. coasts within 200 miles would be excluded from these waters except with explicit U.S. permission. This could eliminate one of the most difficult problems facing the domestic fishing industry. United States fleets would have priority access to a harvest of 3.2 billion additional pounds, the amount of U.S. marketable fish now caught in these waters by foreign vessels, and those not taken by U.S. fleets could yield substantial economic returns through rents and fees from allowed foreign operations.
- o The United States would control the development and management of coastal fisheries, and have increased control over anadromous species of fish. This would permit the rational management of coastal fisheries. Instead of the present weak international management authorities, the United States could manage to optimize



conservation measures and economic returns. Restoration of depleted stocks could take place, and an estimated 402 million pounds of added catch could result if damaged resources were brought up to the level of maximum sustainable yields.

- o Better management and enforcement will insure availability of resources and a new climate would be created for the flow of capital into an improved fishing industry, since uncertainties would be reduced. Expansion of fishing, processing, distribution, and marketing capacity within the fisheries industry would result. The attractiveness of developing the additional 2.1 billion pounds of underutilized seafood would be enhanced.
- o The unfavorable competitive economic position of the United States fishing industry would be improved by increasing its productivity through technological improvements that would be a concomitant of the above changes.
- o The removal of institutional barriers to satisfactory development and management of multiple use of the oceans would be made easier. Inter-state, Federal/State, and international responsibilities and powers could be more clearly and equitably set forth, and more effective and forceful management could result from increased cooperative action and by assumption of appropriate aspects of research and regulatory functions now performed by international commissions.

MEASURES OF FISHERIES POLICY EFFECTIVENESS

What we seek to achieve by adopting new fisheries policies should be measurable. Some measures of effectiveness that should be considered are:

- o Improved protection of fish stocks and restoration of stocks damaged through over-exploitation by domestic and foreign fishermen.



- o Stable or increased catches of useful species.
- o Utilization of resources now wasted or now used by foreign fishermen only.
- o A profitable U.S. fishing industry.
- o Development of improved biological and economic data to erect and support management and allocation programs in fisheries involving highly migratory and anadromous species.
- o Assurance that laws and regulations on fishing and related matters can be enforced.
- o Protection and enhancement of U.S. national interests in respect to allocation of seafood resources controlled by this country, and to the monetary returns from their use by other nations.
- o Increased employment opportunities throughout the U.S. fish harvesting and processing industries.

PROPOSED MEMBERSHIP FOR A FISHERIES POLICY STUDY

Department of Commerce -- Chairman
Department of State
Department of Transportation
Department of the Interior



OCEAN MINING POLICY STUDY

PURPOSE

To revise policies and programs needed under emerging Law of the Sea regimes for the development of a viable United States deep seabed mining industry, and to highlight legislative, institutional, and programmatic measures necessary thereto.

OBJECTIVES

1. To ensure adequate institutional and legislative programs to facilitate the offshore mining of manganese nodules by United States industry.
2. To define policies and programs required to develop deepsea mineral resources in an environmentally sound manner.

EXPECTATIONS

The world supplies of key minerals are short. The ocean floor contains widespread deposits of mineral nodules rich in copper, nickel, cobalt, and manganese--all metals of significant strategic and economic interest. The United States has inadequate supplies of the last three of these metals, producing less than 10 percent of the nation's needs. The U.S. also imports some copper. It is anticipated that world needs for the four metals will double by the year 2000. Seabed nodule deposits are reliably estimated in the billions of tons, and those which lend themselves to commercial exploitation could satisfy world demand for many years.

New technology of deep ocean mining for nodules places the harvest of this rich lode within grasp. The United States is at the forefront of these technological developments. The opportunity, therefore, exists to assure a supply of key minerals from the ocean floor by domestic industry. Three



American companies are presently engaged in the development of mining systems for operations as deep as 17,000 feet, and two of the firms have been operating pilot scale shore-based refining plants for the last three years. Commercial operations seem feasible as early as 1977 to 1980.

- o Success of these and similar ventures would be the equivalent of the discovery of major mineral reserves on U.S. soil.
- o Commercial development of the seabed nodules could reduce our present import requirements and dependence on overseas supplies of manganese, nickel, copper, and cobalt.
- o Our present net import deficit of these metals is over \$300 million annually.
- o Successful development of seabed resources will increase income and government revenues, and generate new employment.

MEASURES OF OCEAN MINING POLICY EFFECTIVENESS

The measures of effectiveness of an ocean mining policy should include:

1. Establishment of a profitable United States deepsea mining industry.
2. Increase in the proportion of key minerals essential to the United States produced by domestic industry.
3. Increased revenues to the United States Government.
4. Development of environmentally acceptable deepsea mineral mining technology.



PROPOSED MEMBERSHIP FOR AN OCEAN MINING POLICY STUDY

Department of the Interior -- Chairman
Department of Commerce
Department of State
Department of Defense
National Science Foundation



OCEAN ENFORCEMENT AND SURVEILLANCE

POLICY STUDY

PURPOSE

To revise policies and programs for ocean enforcement and surveillance which will be required for the discharge of U.S. responsibilities as they may be defined by the Law of the Sea Conference.

OBJECTIVE

To define the legislative, institutional, and programmatic requirements of a system of enforcement and surveillance capable of meeting national and international requirements and obligations emerging from the Law of the Sea Conference.

EXPECTATIONS

Ocean enforcement and surveillance involves a large and complex range of activities. Adequate enforcement and surveillance is a sine qua non of sound ocean management and policy execution. Clearly, our national program of enforcement and surveillance will have to be changed and augmented as our national responsibilities and obligations are redefined by the Law of the Sea. Implementing legislation for new treaty obligations will require careful attention to enforcement and surveillance provisions. Present institutional arrangements and facilities will need to be geared to the increased responsibilities. Relative roles of Federal agencies require review, and State/Federal relationships in this field need examination. Collateral functions of air and sea facilities engaged in enforcement and surveillance as a primary duty require study. Such ancillary functions could involve environmental observations, fish stock assessment, etc.



Adequate enforcement and surveillance should lead to the following expectations:

- o An enforceable and credible system of fisheries management which can assure the conservation of fish stocks and suitable levels of economic return to our fishermen.
- o Improved compliance by foreign fishing fleets who will have access to fisheries resources within the 200-mile zone.
- o Improved quality of the marine environment through enforcement of pollution-related regulations.
- o Increased safety of all marine operations.

MEASURES OF OCEAN ENFORCEMENT AND SURVEILLANCE POLICY EFFECTIVENESS

Measures of effectiveness in this area require definition. Direct measures, such as compliance levels, numbers of infractions, etc., and their relationship to the objectives of programs for which regulations have been promulgated require more study.

PROPOSED MEMBERSHIP FOR AN ENFORCEMENT AND SURVEILLANCE POLICY STUDY

Department of Transportation -- Chairman
 Department of Commerce
 Department of the Interior
 Department of Defense
 Department of State
 Environmental Protection Agency



RECOMMENDED REPORT LANGUAGE TO H.R. 14434

This Committee recommendation will provide \$19,157,000 and 396 positions to provide ship facilities and operating expenses to support environmental assessments which are required for development of oil and gas resources of the Continental Shelf. These resources are specifically provided to reactivate three vessels --- the SURVEYOR, the DISCOVERER, and the MILLER FREEMAN --- of the National Oceanic and Atmospheric Administration; to extend the operating season of vessels of its research and survey fleet so that adequate ship time can be made available in a cost effective manner for the Federal Government; and to support environmental investigations that will take full advantage of the expertise in ocean related matters which reside in that Administration.

Before agencies of the Federal Government engage ship facilities for environmental assessment for purposes of this Act, this Committee directs that it first be ascertained that the ship facilities provided under this section are adequate and this shall be so certified by the Administrator of the National Oceanic and Atmospheric Administration.



STATEMENT BY SENATOR ERNEST F. HOLLINGS IN SUPPORT OF AN AMENDMENT TO
THE SPECIAL ENERGY R & D BILL (H.R. 14434) TO PROVIDE FOR ENERGY-RELATED
OCS ENVIRONMENTAL STUDIES

The Administration has proposed that 10 million acres of land on the outer continental shelf be leased for oil and gas development within the next few years in order to help meet the goals established by "project independence." The Administration asked the Council on Environmental Quality to assess the environmental implications of this decision and to report its findings. Completed last month, this report recommended the following guidelines for developing OCS resources:

- Exploration and development of the OCS must take place under a policy which puts very high priority on environmental protection.
- The location and phasing of OCS leasing should be designed to achieve the energy supply objectives of the leasing program at minimum environmental risk.
- Regulatory authorities available to Federal agencies must be fully implemented and requirements strictly enforced to minimize environmental risks in new OCS areas.
- Planning at all phases of OCS oil and gas operations must respect the dynamic relationship between initial Federal leasing decisions and subsequent state and local action. The States and the communities affected must be given complete information as early as possible so that planning can precede and channel the inevitable development pressures.

Testimony before recent hearings by the National Ocean Policy Study, established pursuant to S. Res. 222, has confirmed the need for collecting environmental data well in advance of the final decisions to lease sites for development. To collect such data requires the implementation of survey and research ships suitably equipped to make biological, physical, geophysical, and chemical measurements of areas under consideration. Since these ships must operate in difficult ocean environments, such as the Gulf of Alaska



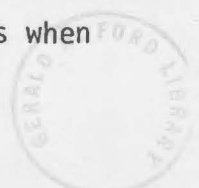
and the northwest Atlantic, they must be capable of extended open ocean operation in difficult weather and sea conditions.

The attached amendment, which I propose be added to the Special Energy Research and Development Appropriations bill (H.R. 14434) now being considered by the Senate Appropriations Committee, will make the necessary appropriations available for the use of ships and facilities of the National Oceanic and Atmospheric Administration to accomplish environmental baseline studies as needed.

Hearings recently conducted by the National Ocean Policy Study on impacts of OCS development revealed a conviction on the part of many who testified that current knowledge of the environment of the outer continental shelf is insufficient and that the government's environmental assessment effort on the eve of development is woefully uncoordinated and inadequate.

Dr. William J. Hargis, who is the present Vice Chairman of the Presidentially-appointed National Advisory Committee on Oceans and Atmosphere, testified that critical gaps exist in much of the biological, geological, and hydrographical data, and that "much additional information is needed to make really tight and detailed evaluations--natural and economic." Dr. Hargis noted that those in the ocean community had urged acquisition of this data several years ago, but those arguments "were lost in the din." Because of our lack of foresight, Hargis warned, quick action is needed to meet this complex and demanding task.

Former Governor Philip H. Hoff of Vermont, speaking on behalf of the New England Natural Resource Center, echoed Dr. Hargis' concerns when he told the Study:



...(T)here is a critical need for baseline data--for biological and other information--on the conditions that now exist on the Georges Bank and other areas of the OCS before development takes place...We must establish a solid base of information on which to base estimates of changes that take place as a result of development before we proceed with drilling if we are to monitor adequately environmental impacts. I believe it is imperative that we establish a crash program of marine biological research on the OCS before we accept any crash program of OCS oil and gas development.

It is my conviction, based on this and other testimony, that the Congress must move immediately to provide funds for an OCS environmental assessment effort. To ignore the role of environmental considerations in the final leasing decision could have disastrous consequences for the proposed leasing schedule, and consequently, the future energy situation in this country. The data must precede the leasing decision; but the Administration, while acknowledging this fact, has made few preparations to facilitate its collection.

In passing S. Res. 222 the Senate took upon itself the responsibility to improve the coordination and the effectiveness of our national ocean policy. The accelerated development of the outer continental shelf represents our first test of this goal. The environmental baseline research problem presents an opportunity for the Senate to take the initiative by stepping into the leadership void left by the Administration and by providing the necessary funds to support this ocean research effort. NOAA presently has the legal mandate, the vessels, and the capability--but not the necessary funding--to perform environmental baseline studies on OCS target areas. NOAA's ocean research capability can be augmented to cope with OCS research



responsibilities by (1) reactivating three mothballed vessels, (2) by increasing the operating season, personnel and research facilities on five vessels currently in operation, and (3) by providing for additional scientists to do proper analyses and evaluations of the environmental data as it relates to the proposed drilling areas. In all, NOAA estimates that \$19.2 million would be required to supplement its operation.

The type of data that is needed to perform an adequate environmental assessment of a drilling site is of three broad types:

1. Marine Biological Surveys: Surveys would be conducted to determine the nature of the marine ecosystem in the lease area, and would include a determination of all species of fish, shellfish, and crustaceans in the area, their concentration, information about their migration and spawning habits, and studies of the potential damage to these stocks from offshore oil and gas development operations. This data is essential to gauging the impacts of oil spills on the food chain and the fisheries industry.
2. Physical Oceanographic Surveys: These surveys would provide information about the location, intensity, and variability of ocean current systems, wave heights, and the temperature, salinity, and other chemical characteristics of the ocean. Such data would be required to assess the consequences of an oil spill or blow-out in terms of the dispersion and concentration of oil as it might affect the living resources of the sea and adjacent



coastal areas. Complementary measurements of meteorological conditions, especially wind, would also be made.

3. Geological and Geophysical Surveys: Geophysical surveys would be made to provide information on sediment characteristics, bottom topography, and sub-seafloor structure--including fault zones, and other geophysical characteristics. (At the present time this data is collected primarily by the U.S. Geological Survey and private industry; however, as development activity increases it is expected that NOAA will bear a greater share of the burden.) Potential for earthquake-generated tsunamis also would be assessed in areas of high seismicity. This data is of immense importance to the coastal States and to the future of the recreational, tourist, and shellfish industries that are so dependent on a pollution-free coastal zone.

Environmental baseline data is recognized by representatives of industry, the Bureau of Land Management, USGS, CEQ, and the coastal States as being an absolutely essential ingredient in the final leasing decision. The data is needed to formulate environmental impact statements, which is the principal vehicle for assessing whether a tract can be developed safely. It is in the best interest of the oil companies and the Federal Government that these statements be based on the best possible data to prevent any delays that litigation over a poorly-documented, uncomprehensive study would surely bring.



The data is needed by the Bureau of Land Management to assist in determining where the "high risks" areas are located and for establishing priority drilling sites.

The data is needed by the coastal States so that they might gauge the impact of offshore drilling on the coastal economy and environment and so that they will be prepared through their coastal zone management programs to meet the secondary impacts of offshore development that will certainly be generated.

Finally, this data is needed by the oil companies, so that they will know that development in certain OCS areas will have adverse environmental effects that may prove costly once drilling has begun. The data would also be useful from an engineering standpoint to determine appropriate types of drilling structure, platforms, pipelines and storage tanks would be suitable for certain areas.

These surveys would be carried out in accordance with priorities established by the Department of the Interior as required to meet the target leasing schedules. They would be conducted jointly with the U.S. Geological Survey, which has the scientific expertise and capability in key areas of geological and geophysical measurement and analysis, thus bringing to bear on the environmental assessment problems the full capability of both organizations. It is my understanding that NOAA and the U.S. Geological Survey have a good working relationship in the data collection effort and have coordinated their efforts in the past to prevent overlap. It is expected that this would continue unabated.

I urge your consideration and support of the attached amendment.



Amendment to H.R. 14434

Add a new Chapter VII at the end of line 22, page 9 to state:

CHAPTER VII

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

Surveys, Investigations, and Research

For necessary expenses of the National Oceanic and Atmospheric Administration to reactivate, equip, and operate certain oceanographic research vessels, to extend the operating season and research capability of vessels currently in operation, and to support scientific and environmental research for the purpose of conducting assessments of energy-related offshore environmental problems associated with the development of oil and gas leases on the outer continental shelf, \$19,157,000, to remain available until expended. Activities funded pursuant to this chapter shall be coordinated with ongoing geophysical activities which the U.S. Geological Survey has been authorized by law to conduct on the outer continental shelf to the extent that such coordination will contribute to efficiency or economy.



FACT SHEET ON OCEAN POLICY STUDY AMENDMENT TO H.R. 14434

The amendment would add a new chapter to H.R. 14434 to augment NOAA's energy-related marine environmental research operations in three areas:

- (1) It would reactivate and staff three mothballed research vessels--the DISCOVERER, the SURVEYOR, and the MILLER FREEMAN;
- (2) It would increase the personnel, supplies, and facilities aboard five NOAA vessels currently in operation to reflect an increased at-sea operating schedule of from 180 to 250 days; and
- (3) It would provide for additional scientists to analyze and interpret the data as it is compiled.

The total cost of accomplishing the above for FY 1975 would be \$19,157,000.

The Council on Environmental Quality has recommended that an effective environmental assessment effort be undertaken immediately in conjunction with the Administration's accelerated outer continental shelf leasing program. Testimony in five days of hearings before the Senate Ocean Policy Study has confirmed that current Federal data-gathering efforts on the OCS are inadequate and insufficient to cope with the stepped-up leasing effort. Additional scientists, ships, and equipment are going to be needed to get the job done. These needs have not been adequately reflected in recent Administration budget requests to Congress.

What type of data is needed for an adequate environmental assessment? Surveys are needed to determine the extent of the fisheries in a given area, their concentration, migration and spawning habits, and the potential damage to ocean and coastal zone marine life from offshore oil and gas development. In addition, surveys would be required on the nature of ocean currents, wave heights, water temperature, salinity, wind frequency, and other meteorological

factors. Finally a determination must be made of the nature of the sub-seafloor and the location of faults.

Why is this data necessary? Environmental baseline data is recognized by the Department of the Interior, CEQ, and the coastal States as being an essential ingredient in determining potential drilling sites. More specifically, the data is needed (1) to develop well-documented environmental impact statements, required of each block of leases; (2) to determine high and low risk leasing areas; (3) to alert the coastal States as to possible environmental impacts on the coastal zone; and (4) to alert the oil companies of oceanographic and seismic factors that might hinder the development of a drilling site.

NOAA has the proper legal authority to conduct oceanographic research on the outer continental shelf. It has the expertise and the capability to support such an effort. The environmental baseline studies provided by the amendment would be conducted in cooperation with the U.S. Geological Survey, thus bringing to bear full capacity of both organizations in conducting the necessary research.



THE WHITE HOUSE

WASHINGTON

August 2, 1973

MEMORANDUM FOR

THE DOMESTIC COUNCIL

The Vice President
Secretary of the Treasury
Attorney General
Secretary of the Interior
Secretary of Agriculture
Secretary of Commerce
Secretary of Labor
Secretary of Health, Education and Welfare
Secretary of Housing and Urban Development
Secretary of Transportation
Counsellor to the President Armstrong
Counsellor to the President Harlow *Bush*
~~Counsellor to the President for Domestic~~
~~Affairs~~ *Counsellor to the President for Domestic*
~~Director, Energy Policy Office~~ *Robert Hartman*
Director, Office of Management and Budget
Chairman, Council of Economic Advisers
Administrator of Veterans Affairs
Administrator of the Environmental
Protection Agency
Chairman, Council on Environmental Quality
Deputy Director, Office of Management
and Budget

SUBJECT:

Domestic Council Committees

This is to establish a number of new Domestic Council Committees in particular substantive policy areas.

Each committee is tasked with lead responsibility in its appropriate area for developing, coordinating and presenting to me both short term and long range domestic policy issues. Further, each committee, working in close coordination with my congressional relations staff, will have lead responsibility for reviewing on a continuing basis legislation pending before the Congress and recommending to me such actions as may be necessary to successfully achieve our legislative objectives with the Congress.



The members of each committee are comprised of the appropriate members of the Domestic Council and other appropriate members in the Executive Branch. I have chosen a chairman for each committee whose responsibilities within the Administration most closely parallel those of his committee. Please notice that several committees have rotating chairmen, determined by the nature of the issue which the committee is considering. Each chairman should feel free to appoint subcommittees within his committee as he deems necessary.

An Associate Director of the Domestic Council staff will be assigned to coordinate staff work for each committee.

Our new committees are an effort to ensure that substantive responsibility for policy development and coordination is maintained by the Cabinet. I am confident that the new committee structure can work effectively to promote and coordinate our policies and I would appreciate each committee chairman submitting to me in several months an assessment of each committee's performance.

DOMESTIC COUNCIL COMMITTEES

I. The Natural Resources area:

A. The Committee on Environmental Resources

Chairman - Secretary of the Interior

Vice Chairman - Secretary of Agriculture

Members - Attorney General, Secretary of Commerce,
Director of the Office of Management
and Budget, Chairman of the Council
on Environmental Quality, Administrator
of EPA, Under Secretary of the Army

II. The Community Development area:

A. The Committee on Community Development (rotating chairman)

Secretary of Agriculture - Chairman Rural Development
Committee

Secretary of HUD - Chairman Urban Development Committee

Secretary of Transportation - Chairman Transportation
Policy Development Committee

Members - Secretary of Treasury, Secretary of Commerce,
Secretary of Labor, Director of the
Office of Management and Budget



B. The Committee on Civil Rights Policy

Chairman - Attorney General

Members - Secretary of Defense, Secretary of Labor
Secretary of HEW, Secretary of HUD,
Director of the Office of Management
and Budget

C. The Committee on the Bicentennial

Chairman - Counsellor to the President Armstrong

Members - Secretary of State, Secretary of Treasury,
Secretary of the Interior, Secretary of
Commerce, Director of the Office of
Management and Budget

III. The Human Resources area:

A. The Committee on Health Insurance

Chairman - Secretary of HEW

Members - Secretary of Defense, Secretary of Commerce,
Secretary of HUD, Director of the Office
of Management and Budget, Administrator
of Veterans Affairs

B. The Committee on Income Security

Chairman - Secretary of HEW

Members - Secretary of Agriculture, Secretary of Labor,
Secretary of HUD, Director of the Office
of Management and Budget, Administrator
of Veterans Affairs

C. The Committee on Aging

Chairman - Secretary of HEW

Members - Secretary of Agriculture, Secretary of
Commerce, Secretary of Labor,
Secretary of HEW, Secretary of
Transportation, Director of the
Office of Management and Budget

IV. The Law Enforcement and Drug Abuse area:

A. The Committee on Drug Abuse (rotating chairman)

Attorney General - Chairman, Committee on Enforcement

Secretary of HEW - Chairman, Committee on Treatment

Members - Secretary of Treasury, Secretary of Defense,

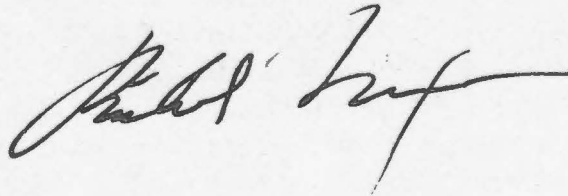


Secretary of Labor, Secretary of HUD
Secretary of Transportation, Director
of the Office of Management and Budget,
Administrator of Veterans Affairs,
Director of the Special Action Office
for Drug Abuse Prevention

B. The Committee on Crime Prevention and Rehabilitation

Chairman - Attorney General

Members - Secretary of the Treasury, Secretary of
Commerce, Secretary of Labor,
Secretary of HEW, Secretary of HUD,
Director of the Office of Management
and Budget



cc: Secretary of State
Secretary of Defense
Chairman, AEC
Deputy Secretary of Treasury
Deputy Secretary of Defense
Under Secretary of State for Economic Affairs
Under Secretary of Army
Director, NSF
Director of the Special Action Office for Drug Abuse Prevention

