

The original documents are located in Box 6, folder “National Ocean Policy Study (3)” of the Norman Ross Files, 1974-75 at the Gerald R. Ford Presidential Library.

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THE SECRETARY OF COMMERCE
WASHINGTON, D.C. 20230

May 22, 1974

Honorable Kenneth Cole
Assistant to the President
for Domestic Affairs
The White House
Washington, D. C. 20500

Dear Ken:

I am handing you herewith a memorandum outlining full information concerning Senate Resolution No. 222, which established a National Ocean Policy Study and suggestions for consideration of Executive Branch cooperation with the Senate in the course of this Ocean Policy Study.

As mentioned, with 61 Senators sponsoring this Resolution, it appears as though there is strong concern about this matter and presents us with the opportunity of cooperating with them in assisting to make the study as successful and effective as possible.

Cordially yours,

Secretary of Commerce

Enclosure



that of the coastal zone, is regarded as a sub-category of a more general land-use problem. Only in defense are the oceans accorded the kind of priority and attention that the Congress feels is warranted for all of the other aspects of the oceans.

The Congress is frustrated. It feels that measures it has advanced to foster strong ocean programs over the years have been adopted reluctantly by the Administration, and then scuttled through institutional or funding action. Some examples prove the point. In 1966, Congress forced formation of a Marine Council under the chairmanship of the Vice President, to give policy direction to the Nation's ocean programs. It survived for a few years and was terminated with policy responsibilities dispersed through the Executive Branch. At the insistence of Congress for an institutionalization of the national ocean effort, President Nixon established the National Oceanic and Atmospheric Administration within the Department of Commerce. Legislative and funding support expected by Congress were not forthcoming. The Coastal Zone Management Act was passed by the Congress to deal with the urgent problems of management of the coastal zone. The Administration delayed funding the program, preferring to establish a more general land-use program. The Congress has repeatedly urged a strong Fisheries Program, but the Executive Branch has failed to respond.

These are the root issues which have resulted in Senate Resolution 222 for a National Ocean Policy Study. As a result, the Congress believes that our ocean policies to date have led to the following situation which they regard as disturbing.

a. In a mineral and energy-short world, we are failing to take advantage of our technology to gain for the United States assured access and control over ocean's resources which will be vital to us in the future.

b. In a protein-short world, we have failed to take the steps to conserve and control our fisheries' resources, or to assist our fishing industry to become economically viable.

c. By failure to build institutional mechanisms to deal effectively with the ocean's problems, we are fostering a destructive competition between domestic agencies which is costly and duplicative.

d. By delaying funding and support for coastal zone management, we are failing to recognize the urgency of arresting environmental degradation, and providing for rational and balanced management.



e. By failure to make a Federal investment in the development of ocean technology, research and education, we are failing to build the national infrastructure that we will need to make maximum use of the ocean and its resources in the future, and compete with other nations.

SUGGESTIONS FOR ACTION

The present state of the relationship between the Administration and the Congress vis-a-vis National Ocean Policy suggests that some Administration action in ocean matters could be of value. This initiative could contain one or several of the following.

a. Establish a Committee of the Domestic Council on National Ocean Policy to work with the Congress. This could replace the present Select Committee on the Ocean Policy Study of the Inter-agency Committee for Marine Science and Engineering which has been established, and would indicate the intent of the Administration to raise consideration of the issues under Senate Resolution 222 to a high policy level within the Executive Branch.

b. Issue a policy statement in a speech by the Vice President or the President on the importance attached to ocean programs.

c. Issue an Executive Order with guidelines on the coordination of ocean programs to insure their conduct along consistent policy lines.

d. Accord a higher priority to presently established ocean programs by accelerating their funding and taking new initiatives in several key ocean areas, such as fisheries, marine technology, mariculture, ocean mining or others.



OCEAN POLICY - PAST, PRESENT AND FUTURE

THE PERCEPTION OF CONGRESS AND THE EXECUTIVE

THE ISSUES

There are basic differences on national ocean policy between the Senate and the Executive Branch on the most fundamental level.

The Senate feels strongly that the Nation lacks an ocean policy consistent with the importance it attaches to ocean affairs and that the Executive Branch has failed to support the programs, funding and institutional arrangements that would be concomitants of such a policy.

The Executive Branch feels that an "ocean policy" as such is unnecessary for reasons that will be set forth below.

The Senate sees the ocean program that would flow from a commitment to a strong ocean policy as being a key to the amelioration of a set of national problems which stem from energy and mineral shortages, tight world food supplies, conflicting environmental uses, inadequate national control of ocean transportation and defense. The Senate perception is that the oceanic phases of these "national problems" are closely interrelated and are sufficiently unique that they demand a comprehensive treatment within an oceanic view of the world.

The Executive Branch, on the other hand, while recognizing the importance of the oceans for the amelioration of a set of "national problems," views governmental policy as requiring a problem-orientation. Thus, we have a food policy, an energy policy, an environmental policy, etc. In the perception of the Executive, logic requires that we support ocean programs, funding and institutional mechanisms as subsidiary aspects of these problems.

This difference in perception has led the Congress and the Executive Branch to call for different treatments of ocean issues for over a decade. Examples are numerous. Fisheries, viewed as a food problem, is subsidiary to agriculture. Development of ocean mineral resources is but a minor aspect of land resource policy. Development of the oil and gas resources of our continental shelves, until recently, has been subordinated to the more general problem of acquisition of oil and gas from land sources. The ocean environment, especially



BACKGROUND OF EVENTS AND RECENT ACTIONS ON
SENATE RESOLUTION 222 - NATIONAL OCEAN POLICY STUDY

Senate Resolution 222, sponsored by 61 Senators and recently adopted unanimously by the Senate, represents the opening of a new effort in the Congress to foster a "strong" national ocean policy. The Congress feels that such a policy will enable the U.S. to ameliorate a wide spectrum of national and international problems.

Funds to carry out the purposes of the Resolution have now been voted, a staff has been assembled, and the Office of Technology Assessment, the Library of Congress, and the General Accounting Office have now been enlisted to assist in carrying out the study.

The Chairman of the Senate Ocean Policy Study is Ernest F. Hollings, of South Carolina, Chairman of the Subcommittee on Oceans and Atmosphere of the Senate Commerce Committee. He has requested the assistance of the Secretary of Commerce in insuring participation of the Executive Branch in carrying out the Study. The Secretary of Commerce has responded in the affirmative. He has indicated that under the Interagency Committee for Marine Science and Engineering of the Federal Council of Science and Technology, there would be established a Select Committee on the Ocean Policy Study (SCOPS), with Dr. White, Administrator, NOAA, as Chairman. This coordinating body will provide a mechanism through which all agencies active in ocean-related affairs can provide the necessary input for the Senate's Ocean Policy Study. It can also provide a means whereby a consistent administration view can be formulated and transmitted to the Senate.

The Secretary of Commerce has met personally with Senators Magnuson and Hollings, Cotton and Stevens, Chairman and Ranking Minority Member of the full Senate Commerce Committee, and Chairman and Ranking Minority Member of the Subcommittee on Oceans and Atmosphere of the Senate Commerce Committee, and has discussed with them the intentions of the Senate in carrying out the Ocean Policy Study. In these discussions, he has indicated the willingness of the Executive Branch to work closely with the Senate in the conduct of the Study.

The support for the Study is bipartisan. A brief assessment of the issues raised by this Ocean Policy Study are identified and possible courses of action are recommended.



1 Domestic Council Comm. - Ocean Policy

Domestic Council Com - Broad Policy Base

Interior, NSF, Agriculture, DOT,
NASA, DOD

then - Ocean Policy - 28 - 9:00 - 10:30 - ^{Main Comm} Rm 4833

for climate subcommittee 28 4:00 - Meeting on climate



THE WHITE HOUSE
WASHINGTON

Date: 7/12/74

TO: _____

Narm Lass.

FROM: WARREN K. HENDRIKS, JR.

Comments:

*See our
conservation
of your request.*



AUG 1 - 1974



THE SECRETARY OF COMMERCE
Washington, D.C. 20230

MEMORANDUM FOR THE HONORABLE KENNETH R. COLE, JR.
DIRECTOR, DOMESTIC COUNCIL
THE WHITE HOUSE

SUBJECT: Review of National Ocean Policies

Following our discussions, I have been reviewing potential ocean policy initiatives by the Administration. The opportunities and obligations of the post "Law of the Sea" (LOS) world offer a unique framework for revising and strengthening our ocean policies. The statement last week by Ambassador Stevenson, our chief delegate to the LOS Conference, publicly declares key elements of U. S. views and offers us an opportunity to now move on some issues.

In particular, I refer to our public acceptance of a 12-mile territorial sea, and a 200-mile coastal state economic resource zone of jurisdiction. The U. S. acceptance of these is conditioned on the satisfactory negotiation of many other issues. It seems certain, nevertheless, that these key elements of our position and interests match closely with those of an overwhelming majority of nations. These concepts have far-reaching implications and now require a thorough examination of our institutional, legislative, and programmatic arrangements and activities. Each will clearly involve new approaches for fisheries management as well as enforcement and surveillance.

Our position on seabeds and the mining of manganese nodules still remains far apart from the majority with respect to the degree of authority vested in an international organ vis-a-vis individual nations. Nevertheless, we should begin now to devise institutional and legal arrangements which will enhance the opportunities and reduce the risks of developing an economically viable U. S. manganese nodule mining industry. Also, whatever the final outcome, we have an important obligation to prevent or minimize damage to the marine environment from deep sea mining operations.

There are, of course, other aspects of LOS which I have not touched upon--vessel-source pollution and pollution regulation with which we must eventually deal. There are the problems of straits, scientific research, freedom of navigation and others. All of these need to be considered as we review ocean policy. However, until the likely outcome is clearer, we can defer consideration.

I have not addressed herein oil and gas development on the continental shelf. For the moment, I believe that the President's energy program



and Project Independence provide an adequate statement of our policies. However, as we go along, we will want to examine the adequacy of the energy policy in light of the LOS treaty which finally emerges.

I recommend, therefore, that the Domestic Council initiate a review of our national ocean policies in the context of the post-LOS world. The initial efforts would be directed toward fisheries, enforcement, and surveillance, as these may be affected by a 12-mile territorial sea and by a 200-mile economic zone, and toward deep seabed mining.

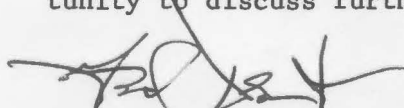
I have attached for your review the following:

1. A proposed announcement by the President stating the need for a re-examination of our ocean policies, and the establishment for this purpose of a cabinet-level committee of the Domestic Council under the chairmanship of the Secretary of Commerce. (Attachment #1)
2. Outlines for three Policy Studies. (Attachment #2)
Each outline specifies:
 - a. Purpose and Objectives
 - b. Expectations
 - c. Measures of Effectiveness
 - d. Proposed Membership for the Study

You will note that the outline for the fisheries policy study is more detailed and specific than the other two. This is because of our Department's deeper involvement in this issue than the others and because we have had to consult with the departments which are heavily impacted.

3. A tentative schedule of events, leading to final consideration of initiatives by the Domestic Council. (Attachment #3)

If you find the foregoing an acceptable approach to a review of the Administration's ocean policies, I would appreciate the opportunity to discuss further action with you.


Secretary of Commerce

Attachments



PROPOSED STATEMENT
BY THE PRESIDENT
ON
ESTABLISHMENT OF THE DOMESTIC COUNCIL COMMITTEE ON
OCEAN POLICY

During the past decade, our national concern for the ocean and its resources have been shaped by our realization of the growing role our wise use of the seas plays in the welfare of our people. We have created institutions and adopted laws which have provided our Nation with arrangements for the protection and use of the oceans and its resources. We have, through this process, defined ocean policies which have enabled us to develop the energy resources of our continental shelves, improve the management of our fisheries, protect and manage our coastal zones, and improve the quality of our ocean waters. Our ocean policies again need comprehensive examination.

Our use of the seas is sharply rising. Its food, energy, and minerals are urgently needed. Pressures grow on it as a medium for recreation and transportation.



We now realize that the fisheries, shorelines, and clean water are not inexhaustible. Many natural resources are already inadequate for present demands.

We must conserve and manage these resources in the public interest, and we must insure the fair distribution of resources among users.

We are beginning to comprehend the complexity of the marine environment, especially the coastal zone, and the interplay of economic, social, political, and ecological factors which generate conflicts at local, national, and international levels.

Such problems as these motivated the gathering of 150 nations in Caracas for the United Nations Conference on the Law of the Sea, a conference whose influence upon world affairs will be felt many generations into the future.

The new order of ocean affairs which will result from a Law of the Sea Treaty makes even more urgent our need to re-examine our ocean policies to insure the preservation of our national interests, grasp our new opportunities as a major maritime nation, and meet the new obligations which



we may expect to become ours. This has been recognized by the Congress, the National Advisory Committee on Oceans and Atmosphere, and many other concerned elements of our society.

For these reasons, and to provide for the orderly review of these policies as they affect our ocean activities, I am today establishing within the Domestic Council a cabinet-level Committee on Ocean Policy, under the chairmanship of the Secretary of Commerce. This Committee's membership will consist of the heads of the Departments of State, Defense, Transportation, and Interior, the National Science Foundation, the Environmental Protection Agency, the Council on Environmental Quality, and the Office of Management and Budget.

As its first order of business, the Committee will examine our ocean policies and provide me with recommendations on institutional, legislative, and programmatic issues to sustain and foster our national interests in the post-Law of the Sea world.



FISHERIES POLICY STUDY

PURPOSE

To revise policies and programs for the management, conservation, and development of U.S. 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 interstate, 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



DOMESTIC COUNCIL

Review of National Ocean Policies

Tentative Schedule of Events

8 August	Announcement by President of the examination of our ocean policies in light of LOS and of the establishment, for this purpose, of a cabinet level committee of the Domestic Council under the Chairmanship of the Secretary of Commerce
12 August	Call for first meeting of the new committee by the Secretary of Commerce
22 August	First Meeting of the Committee Task Teams Formed Action Assignments Directed
7 October	Review of Task Team Progress by Select Interagency Committee on the Ocean Policy Study
15 October	Second Meeting of the Committee Review Status of Action Assignments
15 November	Third Meeting of the Committee Final Approval Action on Ocean Policy Initiatives Forward Recommendations to Domestic Council



JUL 19 1974

MEMORANDUM FOR THE SECRETARY

FROM: Administrator, NOAA R. M. W.

SUBJECT: Review of National Ocean Policies

As we discussed last week, I have reviewed the elements of a potential series of ocean policy initiatives by the Administration. The opportunities and obligations of the post-"Law of the Sea" (LOS) world offer a compelling rationale for strengthening our ocean policies. Up to the present time, such actions have been deferred, or have been approached in an ad hoc fashion in order not to prejudice our negotiating positions in Caracas or, in some cases, because the outcome of the LOS negotiations were so uncertain. However, the statement last week by Ambassador Stevenson, our chief delegate to the LOS Conference, now publicly declares key elements of the U.S. views and offers us an opportunity to move on some issues in a more considered and deliberate manner.

In particular, I refer to our public acceptance of a 12-mile territorial sea, and a 200-mile coastal state economic resource zone of jurisdiction. The U.S. acceptance of these is conditioned on the satisfactory negotiation of many other issues. It seems certain, nevertheless, that these key elements of our position and interests match closely with those of an overwhelming majority of nations. These concepts have far-reaching implications and now require a thorough examination of our institutional, legislative, and programmatic arrangements and activities. Each will clearly involve new approaches for fisheries management, enforcement, and surveillance.

Our position on seabeds and the mining of manganese nodules still remains far apart from the majority with respect to the degree of authority vested in an international organ vis-a-vis individual nations. Nevertheless, we should devise institutional and legal arrangements which will enhance the opportunities and reduce the risks of developing an economically

Mr. Anastasion

viable U.S. manganese nodule mining industry. Also, whatever the final outcome, we have an important obligation to prevent or minimize damage to the marine environment from deep sea mining operations.

There are, of course, other aspects of LOS which I have not touched upon--vessel-source pollution and pollution regulation must eventually be dealt with. There are the problems of straits, scientific research, freedom of navigation and others. All of these need to be considered as we review ocean policy. However, until the likely outcome is clearer, we can defer consideration.

I propose that we not address oil and gas development on the continental shelf. For the moment, I believe that the President's energy program and Project Independence provide an adequate statement of our policies. However, as we go along, we will want to examine the adequacy of the energy policy in light of the LOS treaty which finally emerges. Also, I propose that we not, at the present, deliberate coastal zone management since the Senate's Ocean Policy Study is concentrating on that issue. I recommend, therefore, that the Domestic Council initiate a review of our national ocean policies in the context of the post-LOS world. The initial efforts would be directed toward fisheries, enforcement, and surveillance, as these may be affected by a 12-mile territorial sea and by a 200-mile economic zone, and toward deep seabed mining.

I have attached for your review the following:

1. A proposed announcement by the President stating the need for a re-examination of our ocean policies, and the establishment for this purpose of a cabinet level committee of the Domestic Council under your chairmanship (Attachment #1).
2. Outlines for three Policy Studies (Attachment #2). Each outline specifies:
 - a. Purpose and Objectives
 - b. Expectations
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 - d. Proposed Membership for the Study



3. A tentative schedule of events, leading to final consideration of initiatives by the Domestic Council for presentation to OMB by November 15, 1974 (Attachment #3).

As you have requested, the study outlines have been prepared in the context of Presidential Objectives. With respect to enforcement and surveillance, the study outline is general and topical since the principal expertise in this area resides in the Department of Transportation.

When you have reviewed the attached material, I would appreciate the opportunity to brief you further and to discuss further action.

I have attached hereto for your signature, a letter to the Director of the Domestic Council, Mr. Kenneth Cole, which expresses these views for the initiation of a review of our ocean policies by the Domestic Council and which forwards the attachments for his consideration.

Attachments





MEMORANDUM FOR THE HONORABLE KENNETH R. COLE, JR.
DIRECTOR, DOMESTIC COUNCIL
THE WHITE HOUSE

SUBJECT: Review of National Ocean Policies

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Secretary of Commerce

Attachments

RMW/djb

Exec. Sec. (4)

A

Dr. Ancker-Johnson (S&T)

Mr. Blackwell (MarAD)

PROPOSED STATEMENT
BY THE PRESIDENT
ON
ESTABLISHMENT OF THE DOMESTIC COUNCIL COMMITTEE ON
OCEAN POLICY

During the past decade, our national concern for the ocean and its resources have been shaped by our realization of the growing role our wise use of the seas plays in the welfare of our people. We have created institutions and adopted laws which have provided our nation with arrangements for the protection and use of the oceans and its resources. We have, through this process, defined ocean policies which have enabled us to develop the energy resources of our continental shelves, improve the management of our fisheries, protect and manage our coastal zones, and improve the quality of our ocean waters. Our ocean policies again need comprehensive examination.

Our use of the seas is sharply rising. Its food, energy, and minerals are urgently needed. Pressures grow on it as a medium for recreation and transportation.

ATTACHMENT #1

We now realize that the fisheries, shorelines, and clean water are not inexhaustible. Many natural resources are already inadequate for present demands.

We must conserve and manage these resources in the public interest, and we must insure the fair distribution of resources among users.

We are beginning to comprehend the complexity of the marine environment, especially the coastal zone, and the interplay of economic, social, political, and ecological factors which generate conflicts at local, national, and international levels.

Such problems as these motivated the gathering of 150 nations in Caracas for the United Nations Conference on the Law of the Sea, a conference whose influence upon world affairs will be felt many generations into the future.

The new order of ocean affairs which will result from a Law of the Sea Treaty makes even more urgent our need to re-examine our ocean policies to insure the preservation of our national interests, grasp our new opportunities as a major maritime nation, and meet the new obligations which



3

we may expect to become ours. This has been recognized by the Congress, the National Advisory Committee on Oceans and Atmosphere, and many other concerned elements of our society.

For these reasons, and to provide for the orderly review of these policies as they affect our ocean activities, I am today establishing within the Domestic Council a cabinet-level Committee on Ocean Policy, under the chairmanship of the Secretary of Commerce. This Committee's membership will consist of the heads of the Departments of State,¹ Defense,² Transportation,⁴ and Interior,³ the National Science Foundation,⁷ the Environmental Protection Agency,⁶ the Council on Environmental Quality,⁸ and the Office of Management and Budget.⁵

As its first order of business, the Committee will examine our ocean policies and provide me with recommendations on institutional, legislative, and programmatic issues to sustain and foster our national interests in the post-Law of the Sea world.



DOMESTIC COUNCIL

Review of National Ocean Policies

Tentative Schedule of Events

8 August	Announcement by President of the examination of our ocean policies in light of LOS and of the establishment, for this purpose, of a cabinet level committee of the Domestic Council under the Chairmanship of the Secretary of Commerce
12 August	Call for first meeting of the new committee by the Secretary of Commerce
22 August	First Meeting of the Committee Task Teams Formed Action Assignments Directed
7 October	Review of Task Team Progress by Select Interagency Committee on the Ocean Policy Study
15 October	Second Meeting of the Committee Review Status of Action Assignments
15 November	Third Meeting of the Committee Final Approval Action on Ocean Policy Initiatives Forward Recommendations to Domestic Council



Nautilus
1056 National Press Building
Washington, DC-20004



Ocean Science News

LIBRARY
OCEANOGRAPHIC OFFICE

AUG 27 1974

Editor: John R. Botzum

FIRST NEWSLETTER DEVOTED TO WORLD COVERAGE OF WORLD OCEAN AFFAIRS

Volume 16, Number 34, August 23, 1974

LOOK FOR PRESIDENT FORD WITHIN TWO WEEKS TO ANNOUNCE the formation of a cabinet-level committee on domestic ocean policy. Members will include the secretaries of Commerce (chairman), State, Defense, Transportation, and Interior; and the heads of Natl. Science Foundation, Environmental Protection Administration, Council on Environmental Quality, and Office of Management & Budget. Norman Ross, a trained micro-biologist who once worked at Virginia Institute of Marine Science (Gloucester VA), and now on the White House's Domestic Council, will be the staff man for the new committee.

The group will concern itself with legislation and institutions, monitor the needs of a post-LOS world, and relate to the Senate's Natl. Ocean Policy Study. Commerce Secretary Dent sees the principal function of the committee this way: "To develop policy recommendations and to work closely with NOPS as it develops legislative recommendations." The announcement of the new cabinet-level committee was buried in Dent's comments on the annual report of the Natl. Advisory Committee on Oceans & Atmosphere (NACOA) recently forwarded to Congress.

In those comments, incidentally, Dent supported NACOA's call for an ocean reorganization (Dent has hopes for a Dept. of Energy & Natural Resources "before too many additional months"). The Secretary would exempt the Coast Guard from any new organization. The agency "is not primarily concerned with marine resource exploitation or conservation or with environmental sciences," he said, but has broader responsibilities in law enforcement and safety, and "it should not become devoted to the more narrow interests of a natural resource agency." The third annual NACOA report, dated 28 Jun 74, is available from the Govt. Printing Office, Washington, DC 20402, for 65¢ a copy.

ND
↓

FEDERAL COUNCIL FOR SCIENCE AND TECHNOLOGY
Interagency Committee on Marine Science and Engineering
U.S. DEPARTMENT OF COMMERCE
6010 Executive Boulevard
Rockville, Maryland 20852

August 26, 1974

TO: Distribution

FROM: John H. Clotworthy *JHC*
NOPS/SCOPS Liaison

SUBJECT: National Ocean Policy Study - Status Report No. 1

For the members of the Committee who may not have seen it, I am attaching a copy of the original press release announcing the organization of the National Ocean Policy Study. In it, reference is made to the supportive assignments made and team efforts begun at the Library of Congress, the General Accounting Office, and the newly established Office of Technology Assessment.

The study tasks levied on these supporting arms are:

I. LOC

1. A determination of the economic value of ocean resources at current level of utilization;
2. a report of the major issues raised by the NOPS and Senate Interior Committee hearings on the development of outer continental shelf oil and gas plus assistance in analysis of the testimony for policy implications;
3. a staff report on ocean pollution which includes description of national and international organizations working in the area and a summary of scientific information on the subject.

II. GAO

1. A study of underutilized fishery stocks;
2. a study of executive agency performance in the discharge of their ocean responsibilities and the formulation of recommendations to the Congress on how to improve performance.



Rec'd
8/28

III. OTA

1. An assessment of the Coastal Zone impacts of outer continental shelf resource development, deepwater ports, and offshore nuclear power plants.

In addition to the above, the NOPS staff is preparing a report on a recent field trip to Scotland. They are looking particularly at the shoreside impact of oil and gas development and the manner in which the communities are responding to the very rapid rise in North Sea activity.

Future hearings contemplated include outer continental shelf impacts in New England and Southern California, the national fisheries plan (under preparation as a result of the 1973 NACOA recommendation), and the broad issue of marine pollution liability.

Also attached is the NOPS membership roster.

Attachments

Distribution:

Dr. Robert M. White
 Mr. David H. Wallace
 Maj. Gen. J. W. Morris
 Dr. David S. Potter
 Mr. Ian Burgess
 Dr. Donald P. Martineau
 RAdm. J. E. Snyder
 Mr. Joseph E. Kasputys
 Mr. Steven N. Anastasion
 Dr. Roland von Huene
 Mr. William L. Sullivan
 RAdm. Robert H. Scarborough
 Dr. Charles L. Osterberg
 Mr. Dennis A. Tirpak
 Dr. Jack Posner
 Dr. Thomas O. Jones
 Dr. Robert Higgins
 Dr. F. Gilman Blake
 Mr. John J. Carey
 Dr. Warren Muir

Mr. Steffen W. Plehn
 Mr. William H. Littlewood
 Dr. Robert W. Morse
 Mr. William E. Shoupp
 Capt. Hugh W. Albers
 Dr. Stanton J. Ware
 Dr. Douglas Brooks
 Mr. Robert Junghans
 Capt. James E. Heg
 Mr. Gilbert D. Kulick
 Miss Janice K. Barnes
 ✓ Mr. Norman Ross
 Dr. Russell Drew

WARREN G. MAGNUSON, WASH., CHAIRMAN

JOHN O. PASTORE, N.J.
VANCE HARTKE, IND.
PHILIP A. HART, MICH.
HOWARD W. CAPRON, N.Y.
RUSSELL B. LONG, LA.
FRANK E. MCGEE, DEAN
ERNEST F. HOLLINGS, S.C.
DANIEL K. INOUÉ, HAWAII
JOHN V. TURNER, CALIF.
ADLAI E. STEVENSON III, ILL.

NORMAN COTTRELL, N.H.
JAMES D. PEABSON, KANS.
DONALD W. GRAYLIN, MICH.
HOWARD H. TARKER, JR., TENN.
MARLOW W. CLOK, KY.
TED STEVENS, ALASKA
J. GLENN SMALL, JR., MD.

United States Senate

COMMITTEE ON COMMERCE

WASHINGTON, D.C. 20510

FREDERICK J. LONDON, STAFF DIRECTOR
MICHAEL PETSCHUK, CHIEF COUNSEL

SENATE NATIONAL OCEAN POLICY STUDY

What is the National Ocean Policy Study?

The Senate on February 19, 1974, adopted unanimously S. Res. 222. It authorizes the Committee on Commerce to undertake a comprehensive analysis of national ocean policy and Federal ocean programs. There is no specific time limitation on the Study. Participating in the Study will be ex officio members from the Senate Committees on Appropriations, Interior and Insular Affairs, Public Works, Foreign Relations, Government Operations, Labor and Public Welfare and Armed Services. In addition, six members will be appointed by the President Pro Tempore from coastal and Great Lakes without regard to their committee membership.

The Study will have a core staff as part of the professional staff of the Committee on Commerce, consisting of a director, chief counsel, professional staff members, researchers and secretarial staff. In addition, each of the other standing Committees will select a staff member as point of contact to work closely with the Study staff. Finally, each member of the Study will assign a member of his personal staff to act as liaison with the Study.

What does it expect to accomplish?

The Chairman of the NOPS, Senator Hollings of South Carolina, has stated that the Study will focus upon both the legislative and executive approaches to ocean policy. Within the Senate, the Study will seek to identify ocean issues and raise the oceans to a higher level of attention within the standing committees and the legislative process. Equally important, the OPS will bring to bear all of the action arms of the Congress on ocean problems and ocean programs of the Federal Government.

Already, assignments have been made and team efforts have begun at the General Accounting Office (Federal agency structure, budgets, effectiveness; fisheries) and the Library of Congress (research, policy options, identification of specific problem areas). Furthermore, the new Office of Technology Assessment has adopted the oceans as one of its major areas of concern and will have a special staff to work with the committees of the House and Senate which need ocean-related technology assessment as part of their legislative efforts. The OTA will establish close ties with the OPS.

PAGE TWO

Moreover, the Study will establish a National Ocean Policy Advisory Committee to provide a method of rapid communication between Study members and staff and outside sources of expertise. Members of the Committee will be drawn from academic institutions, including Sea Grant colleges and universities, private industry, the bar and from environmental organizations.

What is the timetable?

The first area of investigation by the NOPS surrounds the energy potential of the Outer Continental Shelf and the impact of its extraction upon the environmental and socio-economic conditions of the coastal zone. The primary emphasis of the Study in this area is the effect of OCS development upon questions of coastal zone land and water use planning and management and long-range energy needs of coastal states. The Study staff will work with the Council on Environmental Quality in examining and assessing the CEO's year-long environmental study of exploiting the OCS in areas which have never been opened to leasing, including the Atlantic, southern Pacific and Gulf of Alaska OCS. Later, the Study will examine other ocean sources of energy, including considerations for developing a hydrogen economy.

The scope of the Study is wide, and an exact timetable for consideration of various elements is not possible at this time. However, it can be expected that during the first 12 months of operations, the Study will be working on fisheries problems including the proposed 200-mile limit and management of the ocean's living resources. Coastal zone management programs now being developed by the states pursuant to the Coastal Zone Management Act of 1972 will be reviewed, with particular emphasis upon the adequacy of Federal assistance for these programs consistent with the need to establish methods of coping with energy facilities siting, national growth policy and other land and water use problems in the coastal zone.

Government organization and the Federal budget will get close attention. Working with the Government Operations Committee, Study members will investigate NOAA, the Department of the Interior, the National Science Foundation, the Oceanographer of the Navy, and other Federal agencies and offices with ocean responsibilities. The goal of the Study is to recommend alternative arrangements in government organization which would improve the efficiency of our nation's efforts in these areas.



PAGE THREE

Much attention will be paid to agency budgets, and assistance will be sought from the Appropriations Committee in identifying and assessing the President's Federal ocean program to see that tax dollars are well spent and meet national needs. Additional responsibilities for the Study include ocean transportation, ocean mineral resources, research and technology, pollution, oceanic education, and recreation.

Will the Ocean Policy Study produce just another report?

~~No.~~ The efforts of the National Ocean Policy Study will be geared to action, both in affecting legislation and in influencing executive decisions. This will be accomplished with special "black letter" reports on specific subjects, accompanied by proposed legislation, if appropriate. But even more important will be the individual communication within the Senate between Senators, Committees and professional staff members. Other publications will be issued by the Study, and they will be timed to be effective in the policy formulation process within Congress.

What is the background of the National Ocean Policy Study?

The Study Resolution traces its roots to initial Congressional interest in 1959. In that year, the Senate passed a Resolution urging action by the President on the National Academy of Sciences-National Research Council report, "Oceanography 1960-1970." Later, in 1965, debate began on the Marine Resources and Engineering Development Act, which passed the following year. This Act established a cabinet level council chaired by the Vice President and set in motion the studies of the Commission on Marine Science, Engineering and Resources culminating in the report, "Our Nation and the Sea." That report, issued in 1969, was the high point in focusing national concern and action on ocean programs. Without significant implementing legislation, however, many of its far-sighted recommendations still await action. It was this recognition of inaction which, in June 1972, led a number of Senators to begin working on drafting the document which became Senate Resolution 222. That Resolution mandates attention to a broad spectrum of ocean affairs. With such a mandate, the Study intends to pursue its objectives diligently and in the best interest of the citizens of the nation.



From the Committee on Commerce:

Warren G. Magnuson, Chairman
Ernest F. Hollings, Chairman, NOPS
John O. Pastore
Vance Hartke
Philip A. Hart
Howard W. Cannon
Russell B. Long
Frank E. Moss
Daniel K. Inouye
John V. Tunney
Adlai E. Stevenson, III

No. 1s Cotton
James B. Pearson
Robert P. Griffin
Howard H. Baker
Marlow W. Cook
Ted Stevens
J. Glenn Beall

Ex Officio Members Include:

Public Works

Edmund S. Muskie
James L. Buckley
Joseph R. Biden, Jr. (Alternate)

Interior and Insular Affairs

Lee Metcalf
Mark O. Hatfield

Foreign Relations

Clalborne Pell
Clifford P. Case

Appropriations

Lawton Chiles
Charles McC. Mathias, Jr.

Government Operations

Abraham Ribicoff
Charles Percy
Edward J. Gurney (Alternate)

Labor and Public Welfare

Harrison A. Williams, Jr.
Richard S. Schweiker
Edward M. Kennedy (alt.)

Armed Services

Stuart Symington
William L. Scott

Ex Officio At Large Members Include:

Hubert H. Humphrey
Lloyd Bentsen
J. Bennett Johnson, Jr.
John Tower
Bob Packwood
William V. Roth, Jr.





DEPARTMENT OF THE NAVY
OFFICE OF THE OCEANOGRAPHER OF THE NAVY
HOFFMAN II
200 STOVALL STREET
ALEXANDRIA, VA. 22332

IN REPLY REFER TO

28 Aug 1974

received Aug 28-

From: Stewart B. Nelson

To: Norman E. Ross, Jr.

Subj: Ocean Policy Study Proposals

1. I have made some general comments and observations on the three study proposals (fisheries, ocean mining and ocean enforcement and surveillance).
2. What particularly concerns me is the very generalized nature of the study proposals. I would suggest that greater focus be incorporated into the proposals by giving some emphasis to issue and problem areas.
3. Also, it should be recognized that the ocean jurisdictional zone concept, although generally supported at the LOS Conference, is still an open issue. Consequently, in developing the policy studies contingency planning will be necessary.
4. Appreciated the opportunity to comment on the study proposals and look forward to a continuing association.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stew", is written over the word "Sincerely,".



Comments on
Fisheries Policy Study

Considering the current state of progress of the Law of the Sea Conference, no definitive results will be forthcoming. The emphasis therefore should be placed on developing U.S. policies which consider the various "jurisdictional zone" contingencies. Although there now appears to be international consensus for a 200-mile zone, proposals vary as to jurisdictional aspects. Senate S. 1988 represent one possible U.S. response for a fisheries policy.

The stated study objectives are relatively general and non-specific. It would seem that for each of the objective areas noted that sufficient insight now has been acquired to permit citing specific problems.

An area of particular concern is the ability of the U.S. fishing industry to expand to meet the harvest potential within a 200-mile zone. This raises such considerations as:

- ships, manpower and training
- corporate entry and impact on the independent fisherman
- amount of increased fisheries that can be absorbed by the U.S.
- relationship between increased fisheries products and land-produced foodstuffs

It is this last item which is generally overlooked by the "ocean community". Therefore, it is strongly recommended that the Department of Agriculture be extended membership on any fisheries policy study.



Also, it must be noted that the National Marine Fisheries Service is currently developing a National Fisheries Plan and the question then is how does this plan relate to the proposed study which will develop the policy.

Considerable care must be exercised in developing "licensing" agreements with foreign fleets to fish within the U.S. 200-mile zone. For example, it is almost a certainty that the U.S. fishing will not be able to take full advantage of a jurisdictional zone within the short-term ... time will be required for expansion. If agreements therefore are made to permit foreign fleets to fish the "excess" fisheries, might not these agreements prove to be obstacles to U.S. fishing fleet expansion ... foreign licensing perhaps should be based on a decreasing catch allowance which coincides with the expected increase in U.S. fishing capacity.

A final thought concerns "stockpiling of protein". Should some thought be given to the feasibility of establishing a national fish protein concentrate program where the primary objective would be to stockpile a protein source.



Comments on
Ocean Mining Policy Study

The "expectations" cited in this study proposal are extremely optimistic.

In large part, U.S. mining and technology firms have cooperative working agreements with foreign firms. Thus the technological lead attributed to the U.S. is fragile if instead it even truly exists.

Of particular importance is the economic climate of the world market within which ocean mining can be profitably developed. It is this analysis which is central to any study for fostering ocean mining.

Also, it must be recognized that those developing countries which are hard mineral suppliers are concerned that ocean mining by developed countries could erode their economic growth.

It is therefore reasonable to assume that the Law of the Sea Conference may constrain ocean mining in deference to the interests of developing countries.

Having recently done a paper on ocean mining, I am afraid that the sweeping generalizations embodied in this particular study proposal need to be greatly tempered by reality.

Furthermore, if there is concern that ocean mining be conducted in an "environmentally sound manner" then why not include EPA on the study effort.

Finally, consideration should be given to the strategic importance of the nodule metals. Would their strategic value warrant Federal subsidy to support U.S. ocean mining operations ... to reduce U.S. dependency on foreign sources of supply ... particularly if the metals extracted from the ocean are more costly than land sources.



Comments on
Ocean Enforcement and Surveillance
Policy Study

Again, a very general study proposal referring to Law of the Sea considerations which are yet to be defined.

Recognizing that a 200-mile zone of some form is enjoying large support, adequate plans should be developed. This study however neglects other U.S. responsibilities which will be imposed with an expand ocean zone ... ~~search~~ and rescue, aids to navigation, ship safety, etc.





U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Rockville, Md. 20852

*reviewed
Sept 9
file
Ocean Policy*

Date : September 9, 1974

Reply to Attn. of:

To : Norm Ross *NR*
Domestic Council

From : John H. Clotworthy *JHC* Director
Office of Congressional & Legislative Affairs

Subject:

The attached is per your discussion with Steve Anastasion on September 6th.

The hearings provide an opportunity to indicate to the public and to the Senate Committee actions being taken by high level administration officials with regard to serious ocean policy matters. It would be good in this respect to have Secretary Dent make the first public announcement that the President will establish a Domestic Council Committee on ocean policy and that among its first priority tasks is an examination of critical fisheries policies.





U.S. DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
Rockville, Md. 20852

Date : September 4, 1974

Reply to Attn. of:

To : J. H. Clotworthy

From : K. E. Taggart *KET*

Subject: Hearings on National Fisheries Plan

Hearings on the National Fisheries Plan, initially scheduled to begin on September 16, will be delayed until sometime in October. Hearings will be scheduled only in A.M.

The series of hearings are intended to broaden support necessary for a successful national fisheries plan. Hearings will begin with testimony from selected key witnesses on the growing nutrition and protein needs, and the role of the Nation's fisheries in meeting these needs. In addition, Secretary Dent would be invited to testify on the economic and commerce aspects of the U.S. fisheries industry and relate them to U.S. trade policy.

Proposed witnesses for the first day are:

Earl L. Butz, Secretary of Agriculture
Frederick B. Dent, Secretary of Commerce
Dr. William A. Nierenberg, Chairman, NACOA
Mrs. Virginia Knauer, Special Asst. to President for
Consumer Affairs
Dr. Jean Mayer, Professor of Nutrition, Harvard University

The second morning will be devoted to oversight on the NMFS National Fisheries Plan (to review general content and status of the plan, major issues of concern with the harvesting, processing and marketing industries, etc.) Dr. White should plan to present this with assistance as necessary from Mr. Schoning, etc.

Subsequently, additional hearings will be scheduled to receive testimony from industry, state government, etc., on major issues such as fisheries management, controls, research and enforcement.



THE WHITE HOUSE

WASHINGTON

September 17, 1974

MEMORANDUM FOR: KEN COLE
FROM: NORM ROSS *NR*
SUBJECT: Domestic Council Committee on Ocean Policy

Tab A contains a copy of Secretary Dent's August 1 memorandum recommending the establishment of a new Domestic Council Committee on Ocean Policy.

Tab B contains a draft memorandum establishing the new Committee.

Tab C contains a proposed statement by the President establishing the Committee on Ocean Policy. This statement is currently being staffed.

Staffing will be completed and the establishment of the Committee can take place within one week from today. Secretary Dent recommended that the Committee's initial efforts be directed toward fisheries, enforcement and surveillance, as these may be affected by the recent Law of the Sea negotiations. I have worked out the details of the proposed three studies with Bob White, his designated contact in Commerce.



A





THE SECRETARY OF COMMERCE
Washington, D.C. 20230

AUG 1 - 1974

MEMORANDUM FOR THE HONORABLE KENNETH R. COLE, JR.
DIRECTOR, DOMESTIC COUNCIL
THE WHITE HOUSE

SUBJECT: Review of National Ocean Policies

Following our discussions, I have been reviewing potential ocean policy initiatives by the Administration. The opportunities and obligations of the post "Law of the Sea" (LOS) world offer a unique framework for revising and strengthening our ocean policies. The statement last week by Ambassador Stevenson, our chief delegate to the LOS Conference, publicly declares key elements of U. S. views and offers us an opportunity to now move on some issues.

In particular, I refer to our public acceptance of a 12-mile territorial sea, and a 200-mile coastal state economic resource zone of jurisdiction. The U. S. acceptance of these is conditioned on the satisfactory negotiation of many other issues. It seems certain, nevertheless, that these key elements of our position and interests match closely with those of an overwhelming majority of nations. These concepts have far-reaching implications and now require a thorough examination of our institutional, legislative, and programmatic arrangements and activities. Each will clearly involve new approaches for fisheries management as well as enforcement and surveillance.

Our position on seabeds and the mining of manganese nodules still remains far apart from the majority with respect to the degree of authority vested in an international organ vis-a-vis individual nations. Nevertheless, we should begin now to devise institutional and legal arrangements which will enhance the opportunities and reduce the risks of developing an economically viable U. S. manganese nodule mining industry. Also, whatever the final outcome, we have an important obligation to prevent or minimize damage to the marine environment from deep sea mining operations.

There are, of course, other aspects of LOS which I have not touched upon--vessel-source pollution and pollution regulation with which we must eventually deal. There are the problems of straits, scientific research, freedom of navigation and others. All of these need to be considered as we review ocean policy. However, until the likely outcome is clearer, we can defer consideration.

I have not addressed herein oil and gas development on the continental shelf. For the moment, I believe that the President's energy program

and Project Independence provide an adequate statement of our policies. However, as we go along, we will want to examine the adequacy of the energy policy in light of the LOS treaty which finally emerges.

I recommend, therefore, that the Domestic Council initiate a review of our national ocean policies in the context of the post-LOS world. The initial efforts would be directed toward fisheries, enforcement, and surveillance, as these may be affected by a 12-mile territorial sea and by a 200-mile economic zone, and toward deep seabed mining.

I have attached for your review the following:

1. A proposed announcement by the President stating the need for a re-examination of our ocean policies, and the establishment for this purpose of a cabinet-level committee of the Domestic Council under the chairmanship of the Secretary of Commerce. (Attachment #1)
2. Outlines for three Policy Studies. (Attachment #2)
Each outline specifies:
 - a. Purpose and Objectives
 - b. Expectations
 - c. Measures of Effectiveness
 - d. Proposed Membership for the Study

You will note that the outline for the fisheries policy study is more detailed and specific than the other two. This is because of our Department's deeper involvement in this issue than the others and because we have had to consult with the departments which are heavily impacted.

3. A tentative schedule of events, leading to final consideration of initiatives by the Domestic Council. (Attachment #3)

If you find the foregoing an acceptable approach to a review of the Administration's ocean policies, I would appreciate the opportunity to discuss further action with you.

(Signed) Frederick B. Dent

Secretary of Commerce

Attachments





THE SECRETARY OF COMMERCE
Washington, D.C. 20230

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DIRECTOR, DOMESTIC COUNCIL
THE WHITE HOUSE

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(Signed) Frederick B. Dent

Secretary of Commerce

Attachments



B



THE WHITE HOUSE

WASHINGTON

MEMORANDUM FOR:

*must include
all members of
Domestic
Council*

SECRETARY OF STATE
SECRETARY OF DEFENSE
SECRETARY OF THE INTERIOR
SECRETARY OF COMMERCE
SECRETARY OF TRANSPORTATION
DIRECTOR OF THE OFFICE OF
MANAGEMENT AND BUDGET
ADMINISTRATOR, ENVIRONMENTAL
PROTECTION AGENCY
CHAIRMAN OF THE COUNCIL ON
ENVIRONMENTAL QUALITY
DIRECTOR, NATIONAL SCIENCE
FOUNDATION

SUBJECT:

Domestic Council Committee on
Ocean Policy

The President has directed that a new Domestic Council Committee on Ocean Policy be established. The Secretary of Commerce is designated Chairman. The members of the Committee are as follows:

Secretary of State
Secretary of Defense
Secretary of Interior
Secretary of Commerce
Secretary of Transportation
Director of the Office of
Management and Budget
Chairman of the Council on
Environmental Quality
Administrator, Environmental
Protection Agency
Director, National Science
Foundation



The Committee is charged with examining our ocean policies and to provide recommendations on institutional, legislative, and programmatic issues to sustain and foster our national interests.

*The President
will sign*

Kenneth R. Cole, Jr.
Assistant to the President
for Domestic Affairs

cc: Secretary of the Treasury
Attorney General
Secretary of Agriculture
Secretary of Housing and Urban Development
Secretary of Labor
Secretary of Health, Education and Welfare
Counsellor Anne Armstrong
Counsellor Dean Burch
Counsellor John O. Marsh
Counsellor Robert Hartman
Administrator of the General Services Administration
Chairman of the Council of Economic Advisors
Chairman, Atomic Energy Commission



THE WHITE HOUSE
WASHINGTON

Date: 9/18/74

TO: Nixon

FROM: WARREN K. HENDRIKS, JR.

Comments:

The President should
sign memorandum —
see my changes.

Since material
is going to President
we should attach
original, not xerox, of
supposed statement.

Has this signed off
on it?

Sony:

Nixon



c

September 17, 1974

MEMORANDUM FOR: KEN COLE
FROM: NORM ROSS
SUBJECT: Domestic Council Committee on Ocean Policy

Tab A contains a copy of Secretary Dent's August 1 memorandum recommending the establishment of a new Domestic Council Committee on Ocean Policy.

Tab B contains a draft memorandum establishing the new Committee.

Tab C contains a proposed statement by the President establishing the Committee on Ocean Policy. This statement is currently being staffed.

Staffing will be completed and the establishment of the Committee can take place within one week from today. Secretary Dent recommended that the Committee's initial efforts be directed toward fisheries, enforcement and surveillance, as these may be affected by the recent Law of the Sea negotiations. I have worked out the details of the proposed three studies with Bob White, his designated contact in Commerce.

NROSS/pt 9-17-74

→ cc: WH central files

Ross

Cmte. on Ocean Policy



MEMORANDUM FOR:

**SECRETARY OF STATE
SECRETARY OF DEFENSE
SECRETARY OF THE INTERIOR
SECRETARY OF COMMERCE
SECRETARY OF TRANSPORTATION
DIRECTOR OF THE OFFICE OF
MANAGEMENT AND BUDGET
ADMINISTRATOR, ENVIRONMENTAL
PROTECTION AGENCY
CHAIRMAN OF THE COUNCIL ON
ENVIRONMENTAL QUALITY
DIRECTOR, NATIONAL SCIENCE
FOUNDATION**

SUBJECT:

**Domestic Council Committee on
Ocean Policy**

The President has directed that a new Domestic Council Committee on Ocean Policy be established. The Secretary of Commerce is designated Chairman. The members of the Committee are as follows:

**Secretary of State
Secretary of Defense
Secretary of Interior'
Secretary of Commerce
Secretary of Transportation
Director of the Office of
Management and Budget
Chairman of the Council on
Environmental Quality
Administrator, Environmental
Protection Agency
Director, National Science
Foundation**



The Committee is charged with examining our ocean policies and to provide recommendations on institutional, legislative, and programmatic issues to sustain and foster our national interests.

Kenneth R. Cole, Jr.
Assistant to the President
for Domestic Affairs

cc: Secretary of the Treasury
Attorney General
Secretary of Agriculture
Secretary of Housing and Urban Development
Secretary of Labor
Secretary of Health, Education and Welfare
Counsellor Anne Armstrong
Counsellor Dean Burch
Counsellor John O. Marsh
Counsellor Robert Hartman
Administrator of the General Services Administration
Chairman of the Council of Economic Advisors
Chairman, Atomic Energy Commission

NROSS/ee

cc: White House Fiels





THE SECRETARY OF COMMERCE
Washington, D.C. 20230

AUG 1 - 1974

MEMORANDUM FOR THE HONORABLE KENNETH R. COLE, JR.
DIRECTOR, DOMESTIC COUNCIL
THE WHITE HOUSE

SUBJECT: Review of National Ocean Policies

Following our discussions, I have been reviewing potential ocean policy initiatives by the Administration. The opportunities and obligations of the post "Law of the Sea" (LOS) world offer a unique framework for revising and strengthening our ocean policies. The statement last week by Ambassador Stevenson, our chief delegate to the LOS Conference, publicly declares key elements of U. S. views and offers us an opportunity to now move on some issues.

In particular, I refer to our public acceptance of a 12-mile territorial sea, and a 200-mile coastal state economic resource zone of jurisdiction. The U. S. acceptance of these is conditioned on the satisfactory negotiation of many other issues. It seems certain, nevertheless, that these key elements of our position and interests match closely with those of an overwhelming majority of nations. These concepts have far-reaching implications and now require a thorough examination of our institutional, legislative, and programmatic arrangements and activities. Each will clearly involve new approaches for fisheries management as well as enforcement and surveillance.

Our position on seabeds and the mining of manganese nodules still remains far apart from the majority with respect to the degree of authority vested in an international organ vis-a-vis individual nations. Nevertheless, we should begin now to devise institutional and legal arrangements which will enhance the opportunities and reduce the risks of developing an economically viable U. S. manganese nodule mining industry. Also, whatever the final outcome, we have an important obligation to prevent or minimize damage to the marine environment from deep sea mining operations.

There are, of course, other aspects of LOS which I have not touched upon--vessel-source pollution and pollution regulation with which we must eventually deal. There are the problems of straits, scientific research, freedom of navigation and others. All of these need to be considered as we review ocean policy. However, until the likely outcome is clearer, we can defer consideration.

I have not addressed herein oil and gas development on the continental shelf. For the moment, I believe that the President's energy program



and Project Independence provide an adequate statement of our policies. However, as we go along, we will want to examine the adequacy of the energy policy in light of the LOS treaty which finally emerges.

I recommend, therefore, that the Domestic Council initiate a review of our national ocean policies in the context of the post-LOS world. The initial efforts would be directed toward fisheries, enforcement, and surveillance, as these may be affected by a 12-mile territorial sea and by a 200-mile economic zone, and toward deep seabed mining.

I have attached for your review the following:

1. A proposed announcement by the President stating the need for a re-examination of our ocean policies, and the establishment for this purpose of a cabinet-level committee of the Domestic Council under the chairmanship of the Secretary of Commerce. (Attachment #1)
2. Outlines for three Policy Studies. (Attachment #2)
Each outline specifies:
 - a. Purpose and Objectives
 - b. Expectations
 - c. Measures of Effectiveness
 - d. Proposed Membership for the Study

You will note that the outline for the fisheries policy study is more detailed and specific than the other two. This is because of our Department's deeper involvement in this issue than the others and because we have had to consult with the departments which are heavily impacted.

3. A tentative schedule of events, leading to final consideration of initiatives by the Domestic Council. (Attachment #3)

If you find the foregoing an acceptable approach to a review of the Administration's ocean policies, I would appreciate the opportunity to discuss further action with you.

(Signed) Frederick B. Dent

Secretary of Commerce

Attachments



PROPOSED STATEMENT
BY THE PRESIDENT
ON
ESTABLISHMENT OF THE DOMESTIC COUNCIL COMMITTEE ON
OCEAN POLICY

During the past decade, our national concern for the ocean and its resources have been shaped by our realization of the growing role our wise use of the seas plays in the welfare of our people. We have created institutions and adopted laws which have provided our nation with arrangements for the protection and use of the oceans and its resources. We have, through this process, defined ocean policies which have enabled us to develop the energy resources of our continental shelves, improve the management of our fisheries, protect and manage our coastal zones, and improve the quality of our ocean waters. Our ocean policies again need comprehensive examination.

Our use of the seas is sharply rising. Its food, energy, and minerals are urgently needed. Pressures grow on it as a medium for recreation and transportation.



ATTACHMENT #1

We now realize that the fisheries, shorelines, and clean water are not inexhaustible. Many natural resources are already inadequate for present demands.

We must conserve and manage these resources in the public interest, and we must insure the fair distribution of resources among users.

We are beginning to comprehend the complexity of the marine environment, especially the coastal zone, and the interplay of economic, social, political, and ecological factors which generate conflicts at local, national, and international levels.

Such problems as these motivated the gathering of 150 nations in Caracas for the United Nations Conference on the Law of the Sea, a conference whose influence upon world affairs will be felt many generations into the future.

The new order of ocean affairs which will result from a Law of the Sea Treaty makes even more urgent our need to re-examine our ocean policies to insure the preservation of our national interests, grasp our new opportunities as a major maritime nation, and meet the new obligations which



we may expect to become ours. This has been recognized by the Congress, the National Advisory Committee on Oceans and Atmosphere, and many other concerned elements of our society.

For these reasons, and to provide for the orderly review of these policies as they affect our ocean activities, I am today establishing within the Domestic Council a cabinet-level Committee on Ocean Policy, under the chairmanship of the Secretary of Commerce. This Committee's membership will consist of the heads of the Departments of State, Defense, Transportation, and Interior, the National Science Foundation, the Environmental Protection Agency, the Council on Environmental Quality, and the Office of Management and Budget.

As its first order of business, the Committee will examine our ocean policies and provide me with recommendations on institutional, legislative, and programmatic issues to sustain and foster our national interests in the post-Law of the Sea world.



September 24, 1974

MEMORANDUM FOR:

DAVE GERGEN

FROM:

NORM ROSS

SUBJECT:

Statement by the President on
Establishment of the Domestic
Council Committee on Ocean
Policy

Attached is a draft statement by the President on the Establishment of the Domestic Council Committee on Ocean Policy.

Please let me have your comments on the attached draft by Tuesday, October 1.

Many thanks.



DRAFT
9/24/74
N. ROSS

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BY THE PRESIDENT
ON
ESTABLISHMENT OF THE DOMESTIC COUNCIL COMMITTEE ON
OCEAN POLICY

During the past decade, our national concern for the ocean and its resources have been shaped by our realization of the growing role our wise use of the seas plays in the welfare of our people. We have created institutions and adopted laws which have provided our nation with arrangements for the protection and use of the oceans and its resources. We have, through this process, defined ocean policies which have enabled us to develop the energy resources of our continental shelves, improve the management of our fisheries, protect and manage our coastal zones, and improve the quality of our ocean waters. In spite of our effort in the recent past our ocean policies again need comprehensive examination.

Our use of the seas is sharply rising. Its food, energy, and minerals are urgently needed. Pressures grow on it as a medium for recreation and transportation.



We now realize that the fisheries, shorelines, and clean water are not inexhaustible.

We must conserve and manage these resources in the public interest, and we must insure the fair distribution of resources among users.

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As its first order of business, the Committee will examine our ocean policies and provide me with recommendations on institutional, legislative, and programmatic issues to sustain and foster our national interests in the post-Law of the Sea world.



(DGergen - edit)

DRAFT

September 30, 1974

STATEMENT ON CREATION OF OCEAN POLICY COMMITTEE

High on the list of world concerns today is how well we can develop and share the earth's natural resources.

N.Y.T. 9/12/74
In recent months there have been international conferences *OK OK OK* on energy and on the law of the sea. This November the world's nations will gather again in an important conference on food.

The United States welcomes these attempts to solve the very tough problems of natural resources through international cooperation. We are committed to a full-scale effort both at home and in our diplomatic policies to finding better ways of coping with the world's growing needs.

June 20-Aug 29, 1974
Szekeres
United Nations
Washington D.C.
While the problems of energy and food dominate the headlines, we must not overlook the questions arising from the potential uses of our seabeds. *OK OK OK* The recent United Nations Conference on the Law of the Sea, *OK OK* attended in Caracas by some 150 nations, makes it clear that the United States should re-examine its ocean policies in order to insure the preservation of national interests, grasp new opportunities, and meet the new obligations which we can expect to be ours.



To provide for an orderly review of our ocean policies, I am today establishing within the Domestic Council a cabinet-level Committee on Ocean Policy, under the chairmanship of the Secretary of Commerce. The committee's membership will consist of the heads of the Departments of State, Defense, Transportation and Interior, the National Science Foundation, the Environmental Protection Agency, the Council on Environmental Quality and the Office of Management and Budget.

quality As its first order of business, I am asking the committee to examine all of our ocean policies and to provide me with institutional, legislative and programmatic recommendations which can sustain and foster our interests in the future.

Our use of the seas is sharply rising. Their food, energy and minerals are urgently needed. We now realize that the fisheries, shorelines and clean water are not inexhaustible. Through the work of this new committee, I am hopeful that we can learn to conserve and manage these resources more wisely and to create a climate in which all nations can share these resources fairly and harmoniously.

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MEMORANDUM

NATIONAL SECURITY COUNCIL

4934

ADMINISTRATIVELY
CONFIDENTIAL

October 19, 1974

MEMORANDUM FOR NORM ROSS

FROM: Jeanne W. Davis *JWD*

SUBJECT: Proposed Statement on Creation of Ocean
Policy Committee

This is in response to the White House Staff Secretary's memorandum of October 18, 1974 which circulated a proposed Presidential Statement on Creation of Ocean Policy Committee (copy at Tab A). for NSC comments. We cannot concur in the statement as drafted, because it runs counter to the Administration's International Oceans Policy and the organization which the President has established to implement that policy.

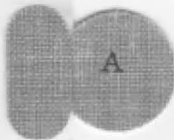
The NSC Interagency Task Force on the Law of the Sea has been established to oversee the work of the U.S. Government in the current U.N. Law of the Sea Conference. This Conference, as you know, is addressing the broad range of international oceans policy issues, ranging, for example, from the breadth of the territorial sea to the economic/resource rights of nations beyond the territorial sea, national fisheries jurisdiction limits, national and international environmental obligations, and freedom of navigation. The conference is mid-way in its work, with the next session scheduled for the spring of 1975 -- and with the United States pressing for the successful conclusion of a multilateral oceans treaty that will safeguard and advance all major U.S. oceans interests.

If a Domestic Council Committee on domestic oceans matters is desired, it is most important that its charter be precisely drafted to make clear the domestic nature of its work and to avoid confusion with international ocean policy work of the U.S. Government.

The statement forwarded to the NSC Staff for comment -- against the background of the above comments -- errs in almost every paragraph. Before any such statement is redrafted and proposed for forwarding to the President for his approval, and before we can concur in such a statement, we would appreciate the opportunity to review the detailed charter of the proposed Domestic Council Ocean Policy Committee.

ADMINISTRATIVELY
CONFIDENTIAL





THE WHITE HOUSE

ACTION MEMORANDUM

WASHINGTON

LOG NO.:

Date: October 18, 1974

Time: 4:45 p.m.

FOR ACTION: Bill Timmons
NSC✓
Phil Buchen

cc (for information): Norm Ross

FROM THE STAFF SECRETARY

DUE: Date: October 25, 1974

Time: 2:00 p.m.

SUBJECT:

Statement on Ocean Policy Committee

ACTION REQUESTED:

☐ For Necessary Action☒ For Your Recommendations☐ Prepare Agenda and Brief☐ Draft Reply☒ For Your Comments☐ Draft Remarks

REMARKS:

Please return to Norm Ross, Room 218 EOB ext. 6554

PLEASE ATTACH THIS COPY TO MATERIAL SUBMITTED.

If you have any questions or if you anticipate a delay in submitting the required material, please telephone the Staff Secretary immediately.



(DGergen - edit)

DRAFT
September 30, 1974

STATEMENT ON CREATION OF OCEAN POLICY COMMITTEE

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In recent months there have been international conferences on energy and on the law of the sea. This November the world's nations will gather again in an important conference on food.

The United States welcomes these attempts to solve the very tough problems of natural resources through international cooperation. We are committed to a full-scale effort both at home and in our diplomatic policies to finding better ways of coping with the world's growing needs.

While the problems of energy and food dominate the headlines, we must not overlook the questions arising from the potential uses of our seabeds. The recent United Nations Conference on the Law of the Sea, attended in Caracas by some 150 nations, makes it clear that the United States should re-examine its ocean policies in order to insure the preservation of national interests, grasp new opportunities, and meet the new obligations which we can expect to be ours.

To provide for an orderly review of our ocean policies, I am today establishing within the Domestic Council a cabinet-level Committee on Ocean Policy, under the chairmanship of the Secretary of Commerce. The committee's membership will consist of the heads of the Departments of State, Defense, Transportation and Interior, the National Science Foundation, the Environmental Protection Agency, the Council on Environmental Quality and the Office of Management and Budget.

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Our use of the seas is sharply rising. Their food, energy and minerals are urgently needed. We now realize that the fisheries, shorelines and clean water are not inexhaustible. Through the work of this new committee, I am hopeful that we can learn to conserve and manage these resources more wisely and to create a climate in which all nations can share these resources fairly and harmoniously.

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*Sent to Kathy T.
Oct 4.*

THE WHITE HOUSE

WASHINGTON

September 30, 1974

MEMORANDUM FOR: NORM ROSS

FROM: DAVE GERGEN

SUBJECT: STATEMENT ON OCEAN POLICY
COMMITTEE

I have revised and shortened the suggested Presidential statement. Would you please review it, Norm, and then return it with your suggestions? I will give it to Paul Theis, and I would presume that NSC, OMB and Secretary Dent might then want to review.

Thanks.



(DGergen - edit)

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September 30, 1974

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