

## Reforming the U. S. Ocean Governance and its Implications

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### Abstract

This paper aims at reviewing environmental change, structural problems and new alternatives in relation with the existing U. S. ocean governance, and searching what is implications of reform ways that the U. S. Commission on Ocean Policy recommended in 2004. The Commission recommended the establishment of National Ocean Council in the White House, establishment of Regional Ocean Councils in the regional level, and strengthening federal agency structure. This new ocean governance will contribute significantly to solve the current problems of U. S. ocean governance system, which have largely occurred owing to conflicts among users, agencies, levels of government, and fragmented shingle-purpose ocean laws and federal programs.

**Key words** : Ocean governance, Ocean policy regime, Administrative reform

### I . Introduction

There has been recurrent problems and tensions that have tended to underlie in the U. S. ocean governance and policy regime since 1945: federal versus state control over ocean resources, private versus governmental role in resource development, development versus environmental protection, U. S. interest as a coastal power versus as a maritime nation, internationalism versus unilateralism (Cicin-Sain et al, 2000). Today, problems of U. S. ocean governance include: lack of governance for sustainable development of offshore areas, no guidance for governance of expanded EEZ territorial sea, conflicts among users, agencies, levels of governments over the use of ocean resources and space, fragmented federal programs due to the enactment of single-purpose ocean laws, few mechanisms

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coordinating actions of federal ocean agencies, little real sharing of intergovernmental(federal, state, local) relations on ocean issues, and so forth.

Thirty-five years have passed since the Stratton Commission(1969) issued its influential reform report for the past U. S. ocean governance. The time has come to again consider improvements to the U. S.'s ocean governance system, acknowledging societal, scientific and environmental changes. So, the Congress passed the Ocean Act of 2000 and established the Commission on Ocean Policy, which presented its reform report in 2004.

The system of ocean governance is especially important to manage best ocean and coastal resources rationally, and is also major focus of this article. This paper, first of all, reviews comprehensively and systematically the environmental change, structural problems and new alternatives in relation with the existing U. S. ocean governance which have been discussed in the U. S.'s academic society since the 1970s, and then searches what is implications of reform alternative that the U. S. Commission on Ocean Policy has already recommended in 2004. I anticipate that the study on reforming the U. S. ocean governance and its implications will also contribute to find out improvements and lessons to the Korea's ocean governance.

## II. Concept and Form of the Ocean Governance

Ocean governance is the achitecture and makeup of the regime used to govern behaviour, public and private, relative to an ocean area and the resources and activities contained therein. An effective governance system will be predictable, efficient, and accountable. Laws, policies, and programs must be well coordinated and easily understood by regulated parties and the public. A comprehensive framework should be in place that defines the appropriate roles for different levels of government, the private sector, and citizens, promoting effective partnerships for managing ocean and coastal resources. The fundamental goal of a system of ocean governance is to maximize the long-term benefits to the public from the conservation and use of ocean resources and ocean space.

In its most basic form, an ocean governance system can apply to a single activity throughout an entire ocean zone(e.g., fishing in a state's 3-mile zone), or

can apply to all activities in a more restricted ocean area(e.g., the management regime created by and within a marine sanctuary). The first form of ocean governance -single-purpose governance- is, by far, the most common. Except for marine protected areas such as sanctuaries, very few other broader governance forms currently exist.

〈Table 1〉 Governmental Functions in the Oceans

functional area	objective
International Relations	ensure consistency with international agreements of which USA is a part
National Security	maintain the national defense
Interstate Commerce	protect free commerce between the states
Proprietary	as a resource owner, secure maximum earning for the public
Regulatory	protect the public welfare; prevent or mitigate conflicts
Public Trust	conserve renewable resources for future generations

One of the principal complexities in ocean governance is the multiplicity of governmental interests that become involved in ocean governance issues. This is a direct result of both the three-way division of jurisdiction over the coastal ocean -with federal, state, and local governments all having some governance role- and the fragmented, single-purpose approach to ocean management now being used in the USA. These realities bring various agencies at the federal, state, and local government levels into the process at one stage or another.

To provide these benefits, government must perform several different kinds of functions on behalf of the people they serve. Governmental functions in the ocean are shown in table 1(Knecht, 1986). The federal government is responsible for the first three functions -international relations, national security, interstate commerce- throughout the territorial sea and the EEZ. While the federal government and coastal state governments share responsibilities for the last three functions -proprietary, public trust, regulatory, generally the states are responsible for them within state water(0 to 3 statute miles offshore)\* and the federal government is

\* Generally, the jurisdiction of the adjacent coastal states is 3 statute miles from the baseline of shore. However, the seaward jurisdiction of both Texas and Florida extend 3 marine league(about 10 statute miles) into the Gulf of Mexico as a result of Supreme Court decision involving their historic

responsible for them beyond that boundary(3 mile to 200 nautical mile).

Certainly, no grand design was followed; the system were grewed, each piece being added to the last with little consideration of the evolving whole when needed. A growth occurred during 1970s when the bulk of the legislation making up the current regime was enacted, for example, the coastal zone management act of 1972, the fishery conservation and management act of 1976, the marine mammal protection act of 1972, outer continental shelf lands act amendment of 1978, the clean water act of 1972, the marine protection, research, and sanctuaries act of 1972, etc. This first-generation form, ad hoc it is, served the nation well while the pressures to use marine resources were relatively light and the conflicts between uses were rare.

But, recently when the use of marine resources began to increase and the interactions between uses became problematic, the weaknesses of the current form become obvious. Therefore, creating a strengthened second-generation form for the governance of U. S. ocean resources and interests in general is going to require some hard choice. Appropriate appointment of governance responsibilities between the national/federal level and the state and local levels of government will need to be addressed explicitly, especially with regard to activities in the recently expanded portion of the territorial sea. Also, given the scale of many ocean activities, it is likely that at least some aspects of ocean governance will be centered at the regional or multi-state level.

### III. Review of the U. S. Ocean Governance

#### 1. Environmental Change and Challenge

Many people recognize that it is needed to assess many changes that have taken place since the late 1960s as well as to consider possible future trends and challenges. The Stratton Commission's work led directly to the establishment of the nation's ocean agency -NOAA(the National Oceanic and Atmospheric Administration) and to the enactment of innovative coastal zone management

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boundaries.

legislation. The ocean situation in the USA has changed dramatically since 1969 Stratton Commission's report. The decade immediately following the Stratton Commission saw a rise in environment consciousness, the emergence of energy use and supply as a major issue, and many new ocean and coastal programs enacted into law -programs dealing with such ocean issues as marine mammals, ports and harbors, water quality, marine sanctuaries, ocean dumping, fisheries, and offshore oil and gas. The subsequent period also saw significant growth in populations in coastal areas, and an attendant rise in conflicts among various users of coastal resources and space. The offshore jurisdiction of the USA was transformed significantly during 1980s. In 1983, the nation asserted jurisdiction over the 200-mile EEZ, and in 1988, it declared a territorial sea of 12 miles offshore, following the international norms established by the 1982 Law of the Sea Convention.

The latter half period since the Stratton Commission has seen a burst of activity at the global level. Growing concern focused on two emerging problems: the prospect that human activities were beginning to change the world's climate and dangerously accelerate the loss of species and biological diversity, and the realization that many societies were living unsustainably and that problems of environment and development were inextricably linked. Concern about these problems led to another seminal event: the United Nations Conference on Environment and Development(the Earth Summit) held in Rio de Janeiro in 1992. The decade of the 1990s saw the signing of international agreements on climate change and on biodiversity, a comprehensive Law of the Sea Convention finally enter into force, and the development of substantial international programs dealing with integrated coastal management, land-based sources of marine pollution, and the protection and sustainable use of coral reefs.

The past twenty years have seen a fundamental transformation of the international relations regime with important implications for oceans -the end of the Cold War, the collapse of the Soviet Union, economic globalization, the growth of regional economic blocs, and the emergence of WTO(the World Trade Organization).

All of these changes call for a major reassessment of U. S. ocean policy. In particular, there is the need for assessing multiple-use problems, that is, problems that relate to more than one sector of ocean policy. Symptoms of such problems

include the following(Cicin-Sain & Knecht, 2000).

First, the USA lacks a strategy for sustainable development of its offshore areas. Even though it declared an EEZ and expanded its territorial sea, it has done little to provide guidance for the governance of these vast ocean areas.

Second, conflicts exist among users, among agencies, and between different levels of government over the use of ocean resources and space. Such conflicts have often gone unresolved, incurring significant costs.

Third, the U. S. approach to ocean governance has largely been through enactment of single-purpose ocean laws, which often neglect not only the effects of one resource or use on other and on environment, but the cumulative impacts.

Fourth, in some cases(such as in offshore oil and gas policy), U. S. policy has oscillated between unmitigated development thrusts and the adoption wholly conservationist approaches(such as the imposition of moratoria on new development).

Fifth, due to the absence of appropriate management frameworks, the growth of new marine & coastal economic activities is hampered.

Sixth, although many federal programs deal with the ocean, they tend to be fragmented and lack coherence. Few mechanisms exist for harmonizing and coordinating the actions of federal ocean agencies.

Seventh, there are significant problems in intergovernmental relations on ocean issues among federal, state, and local governments, with little real sharing of decision making and of revenues.

## 2. Basic Structural Problems of the Existing Governance

### 1) Jurisdictional Split among Levels of Governments

Coastal and ocean areas are governed by three separate bands of jurisdiction. Local governments generally control shoreland and shoreline use; state governments have jurisdiction in the belt of ocean from the tidemark to the 3-statute mile limit; and federal government has jurisdiction from 3 to 200 nautical miles. Two major problems are posed by these jurisdictional splits: first, many ocean activities impact all three jurisdictions, adding complexity to the planning and management these activities, given the absence of effective mechanisms to coordinate the actions



of all levels of government. Second, the benefits and costs of ocean resource exploitation frequently fall disproportionately on different jurisdiction exacerbating interjurisdictional frictions.

## 2) Single-Purpose Approach

Each resource or use typically falls under the jurisdiction of a different agency operating under a different legislative framework. Major problems posed by the single-purpose approach or sector-by-sector approach are (Cicin-Sain and Knecht, 2000).

First, few opportunities exist for examining the ramifications that decisions in one ocean sector (such as oil development) have for other sectors (such as fisheries). While most of the laws call for examinations of the consequences of a proposed action on other ocean uses, these reviews take place within a specialized context that tends to be biased toward a particular outcome, either protection or development, depending on the particular law in question.

Second, few opportunities exist for rational and long-range planning for the protection, enhancement, and use of ocean resources in specific regions.

Third, because resources are managed on a use-by-use basis, few opportunities exist for the interested public to debate overall priorities and goals for a particular resource or region or to contribute to making trade-off decisions among different sets of values expressed by user groups.

Fourth, conflicts among different ocean sectors, including those among different users and different government agencies, are difficult to solve through public means because no agency or other authoritative source has jurisdiction over such conflicts. These marine conflicts can be costly in many ways; they can result in extensive delays, threaten public order and safety, threaten the long-term wellbeing of marine resources, and involve excessive duplication and waste on the part of government.

In short, these basic structural problems have resulted in a national ocean governance system that does not serve the nation well. The present national ocean governance system falls for several reasons: (a) it attempts to superimpose a rigid jurisdictional framework with fixed boundaries on a highly fluid and dynamic environment. (b) Ocean use decision making is fragmented and compartmentalized, yet ocean resources and activities themselves are interactive and often

interdependent. ③ No overarching statements of national policy or priorities exist to guide or harmonize the ocean programs of federal agencies or to deal with the ocean use conflicts between them. ④ There is no organized or coherent way for the federal government to deal with the coastal states on ocean planning and use issues.

### 3. Discussing Ideal Ocean Governance

The USA need to move toward a "more integrated multiple-use ocean management regime". Followings are possible improvement alternatives about ideal ocean governance, in comparison with current ocean governance, that could be suggested and discussed in the U. S.'s academic society(Cicin-Sain, 1994).

First, current U. S. ocean governance framework is sector-based, single uses managed separately, different regimes in state waters(0 to 3 miles) and in federal waters(3 to 200 miles). Ideal framework is area-based approach encompassing multiple uses in the 0-to 200- mile zone.

Second, current framework is lack of integration and harmonization of federal ocean agencies, frequent conflicts. Ideal framework is achievement of 'horizontal integration' through such as naming of a federal ocean council, interagency coordinating committees.

Third, current framework is lack of integration and harmonization among agencies at different levels of governments(federal, state, local), frequent conflicts among federal, state, local governments. Ideal framework is achievement of 'vertical integration' through such means as establishment of joint stat-federal management of specific areas, strengthening existing harmonizing mechanisms, sharing of revenues.

Fourth, current framework is little capacity for resolution of ocean use conflicts, often no public mechanisms for resolving multiple-use conflicts, ad hoc approaches to conflict management. Ideal framework is ① capacity to understand multiple-use conflicts, their characteristics, costs and benefits, and consequences, ② capacity to establish priorities among uses, ③ decision-making mechanism present to make authoritative decisions regarding ocean uses and to resolve conflicts.



## IV. Report of the U. S. Commission on Ocean Policy in 2004 and its Implications

### 1. Background of Reform Report

There have been many compelling reasons and background for addressing ocean and coastal issues in a new and improved fashion: ① the U. S. controls extensive resources in ocean and coastal areas that serve a wide range of national needs and are held in public trust. ② There are enormous opportunities for ocean science and technology to uncover new sources of energy, food, and drugs, and increase general understanding about the planet. ③ Serious risks to living marine resources exist, and degraded ocean environments need to be returned to productivity. ④ National security requires greater awareness, knowledge, and observation of ocean and coastal areas. ⑤ Marine transportation needs to be enhanced to adequately handle growing demands from commerce and recreation. ⑥ Improved understanding of the factors influencing global climate is needed, along with ideas for mitigating any adverse impacts.

Additionally, governmental agencies work on these and many other problems. However, a lack of communication, coordination, and a strong sense of partnership continues to inhibit effective action. More than two-thirds of the 15 existing cabinet-level departments, plus several independent agencies, play important roles in the development of ocean and coastal policy. Many individual programs within these departments and agencies administer specific initiatives that address varying ocean and coastal issues. A few departments have a more limited role on ocean policy, usually through a single divisions such as the U. S. Dept. of Justice's Environment and Natural Resources Division. The agencies and departments depicted in table 2 have varying ocean and coastal responsibilities. Their numbered variety make it clear that coordination is essential to effectively manage the nation's oceans and coasts.

Therefore, congress clearly recognized both the promise of the oceans and threats to them when it passed the Ocean Act of 2000, calling for establishment of a Commission on Ocean Policy to establish findings and develop recommendations for a coordinated and comprehensive national ocean policy. Pursuant to that act, the

president appointed 16 commission members drawn from diverse backgrounds including individuals nominated by the leadership in the U. S. Senate and House of Representatives. The commission held 16 public meetings around the country and conducted 18 regional site visits, receiving testimony from hundreds of people. The commission in 2004 presented its report which lays out the commission's conclusions and detailed recommendation for reform. Finally, the commission recommends moving toward an ecosystem-based management approach by focusing on three themes: ① a new, coordinated national ocean policy framework to improve decision making, ② cutting edge ocean data and science translated into high-quality information for managers, ③ lifelong ocean-related education to create well-informed citizen with a strong stewardship ethic. The first theme of three is just about the way of reform for the U. S. ocean governance.

## 2. Recommendation for Reforming the U. S. Ocean Governance

U. S. Commission on Ocean Policy recommended a new national ocean governance framework for the achievement of an effective, integrated national ocean policy. The components of the new national ocean governance framework are.

First, it recommends the establishment, within the Executive Office of the President, of a National Ocean Council to coordinate and provide high-level attention to ocean policy. The Council would be chaired by an Assistant to the President, with nonfederal input from a President's Council of Advisors on Ocean Policy. Second, it focuses on the value of regional leadership and coordination and promotes the voluntary creation of Regional Ocean Councils. These Councils, established at the regional level with support from the National Ocean Council, would enhance the ability of federal, state, territorial, and local governments to respond to issues on a regional basis. Third, it proposes strengthening, and eventually reorganizing, the federal agency structure for ocean and coastal issues. The National Oceanic and Atmospheric Administration(NOAA) as the nation's civilian ocean agency should be strengthened and reconfigured to improve the agency's ability to carry out its responsibilities. Subsequently, related ocean and coastal programs in other agencies should be consolidated. In the long run, more dramatic changes to the federal agency structure are needed that acknowledge the inextricable connections among the sea, land, and air and all of earth's living creatures.

〈Table 2〉 U. S. Federal Departments and Agencies conducting Ocean and Coastal Activities

Departments	
Agriculture	<ul style="list-style-type: none"> <li>· Natural Resources Conservation Service</li> <li>· Agricultural Research Service</li> <li>· Animal and Plant Health Inspection Service</li> <li>· U. S. Forest Service</li> <li>· Cooperative State Research, Education, and Extension Service</li> </ul>
Commerce (National Oceanic and Atmospheric Administration)	<ul style="list-style-type: none"> <li>· National Ocean Service</li> <li>· National Marine Fisheries Service</li> <li>· National Weather Service</li> <li>· Office of Oceanic &amp; Atmospheric Research</li> <li>· National Environmental Satellite, Data &amp; Information Service</li> <li>· Office of Program, Planning and Integration</li> </ul>
Defense	<ul style="list-style-type: none"> <li>· Department of the Navy</li> <li>· U. S. Army Corps of Engineers</li> <li>· National Geospatial-Intelligence Agency</li> </ul>
Energy	<ul style="list-style-type: none"> <li>· Office of Science</li> <li>· Office of Fossil Energy</li> </ul>
Health and Human Service	<ul style="list-style-type: none"> <li>· National Institutes of Health</li> <li>· U. S. Food and Drug Administration</li> </ul>
Homeland Security	<ul style="list-style-type: none"> <li>· Federal Emergency Management Agency</li> <li>· U. S. Coast Guard</li> <li>· Transportation Security Administration</li> <li>· Bureau of Customs and Border Protection</li> </ul>
Interior	<ul style="list-style-type: none"> <li>· U. S. Geological Survey</li> <li>· National Park Service</li> <li>· U. S. Fish and Wildlife Service</li> <li>· Minerals Management Service</li> <li>· Bureau of Reclamation</li> <li>· Bureau of Indian Affairs</li> </ul>
Justice	<ul style="list-style-type: none"> <li>· Environment &amp; Natural Resource Division</li> </ul>
Labor	<ul style="list-style-type: none"> <li>· Occupational Safety &amp; Health Administration</li> </ul>
State	<ul style="list-style-type: none"> <li>· Bureau of Oceans &amp; International Environmental &amp; Scientific Affairs</li> <li>· Bureau of International Organization Affairs</li> </ul>
Transportation	<ul style="list-style-type: none"> <li>· U. S. Maritime Administration</li> <li>· St. Lawrence Seaway Development Corp.</li> <li>· Research and Special Programs Administration</li> </ul>

〈Table 2〉 (Continued)

Independent Agencies	
Environment Protection Agency	<ul style="list-style-type: none"> <li>· Office of Water</li> <li>· Office of Research &amp; Development</li> <li>· Office of Air &amp; Radiation</li> <li>· Office of Enforcement and Compliance Assurance</li> <li>· Office of Prevention, Pesticides, and Toxic Substance</li> <li>· Office of Solid Waste and Emergency Response</li> </ul>
National Aeronautics & Space Administration	<ul style="list-style-type: none"> <li>· Office of Earth Science</li> </ul>
National Science Foundation	<ul style="list-style-type: none"> <li>· Office of Polar Programs</li> <li>· Directorate for Geoscience</li> <li>· Directorate for Biological Science</li> </ul>
U. S. Agency for International Development	-

\* source: U. S. Commission on Ocean Policy (2004), 「An Ocean Blueprint for the 21st Century」, p47.

1) **National Ocean Council:** A first step in enhancing the management of oceans and coasts, and a central part of the new national ocean governance framework, is improving coordination among these many federal programs. Within the executive branch, only the White House can move past traditional conflicts among departments and agencies, make recommendations for broad federal agency reorganization, and provide guidance on funding priorities. Thus, the Executive Office of the President is the appropriate venue to provide high-level attention and coordination for an integrated national ocean policy.

Recommendation 4-1(p48) of that report says that Congress should establish a National Ocean Council(NOC) within the Executive Office of the President, and a nonfederal President's Council of Advisors on Ocean Policy to provide enhanced federal leadership and coordination for the ocean and coasts. While congress works to establish these in law, the president should begin immediately to implement an integrated national ocean policy by establishing the NOC and President's Council of

Advisors on Ocean Policy through an executive order, and by designating an Assistant to the President to chair the NOC.

The National Ocean Council would oversee all existing and new ocean- and coastal-related interagency mechanisms and coordination efforts. The NOC should provide high-level attention to ocean and coastal issues, develop appropriate national policies, and coordinate their implementation by the many federal departments and agencies with ocean and coastal responsibilities.

**2) Regional Ocean Councils:** In addition to improving coordination at the national level, an important component of the new national ocean governance framework is strengthening of regional approaches that allow decision makers to address pressing ocean and coastal issues on an ecosystem-bases scale.

Regional Ocean Councils have several basic characteristics: ① their boundaries are based approximately on those of large marine ecosystems or other appropriate ecosystem-based areas. ② They address a wide range of ocean and coastal issues. ③ Their membership are broad and representative of all appropriate levels of government. The ROCs should fulfill certain core functions: ① facilitating coordinated and collaborative responses to regional issues, ② developing regional goals and priorities, ③ communicating regional concerns to the National Ocean Council through the President's Council of Advisor's on Ocean Policy.

**3) Strengthening the Federal Agency Structure:** Although improved coordination is a vital aspect of the new national ocean governance framework, changes to the structure of some federal agencies will also be needed to enable effective implementation of national ocean policy. Immediate strengthening of the National Oceanic and Atmospheric Administration's (NOAA's) ability to carry out its many ocean- and coastal-related responsibilities is critical. That is to be followed by strengthening of other agencies with ocean-related responsibilities, and consolidation of ocean and coastal programs in all agencies.

The complexity of the current policy-making process, with its many political and jurisdictional components, compels a cautious phased approach for moving toward a more ecosystem-based federal structure. Phase I (immediate action) is to solidify NOAA's role as the nation's lead civilian ocean agency through the enactment of a NOAA organic act that codifies the agency's establishment within the Dept. of Commerce, clarifies its mission, and strengthens execution of its functions.

Phase II (medium-term action) is to strengthen other agencies with ocean-related responsibilities and consolidate selected ocean and coastal functions and programs where such consolidation would eliminate unnecessary duplication, achieve more effective policy implementation, and not undermine the central mission of any agency.

Phase III (long-term action) is to include oceans and coasts within a unified federal agency structure to manage all natural resources according to an ecosystem-base management approach.

### 3. Implications

1) **NOC:** Through establishing National Ocean Council (NOC), federal entity can be able to evaluate the vast array of federal actions affecting ocean resources and to advocate for more effective approaches, prioritized investment, improved agency coordination, and program consolidation where needed. Also, it can make a coherent national ocean policy that guides the missions of various federal agency through the achievement of 'horizontal integration'. In addition, it can achieve 'vertical integration' through such means as establishment of joint state-federal management of specific areas, strengthening existing harmonizing mechanisms, sharing of revenues.

NOC is in line with developing international trends. The U. S. supports for the principles developed at the 1992 Earth Summit in Rio de Janeiro, including a call for better coordination of environmental policy at the national level. Several nations, including Australia, Brazil, Canada, Korea, and the Netherlands, have initiated strong national-level integration on ocean and coastal policy (Choi, 2004).

2) **ROC:** Today's governance systems are generally not designed to transcend traditional political boundaries. Governments rarely consider opportunities or impacts outside their immediate jurisdictional area, although these borders seldom correspond with ecosystem boundaries. In addition, individual agency mandates are often too narrow in scope, sector-based, and poorly coordinated to address regional issues. Broadly accepted regional goals -social, economic, environmental- are infrequently available.

But, there are many instances where concern for the health of a particular



ecosystem has motivated a wide range of participants to create new structures for addressing regional concerns.\* There is a growing awareness that regional approaches can benefit each of the nation's ocean and coastal regions. Focusing efforts within whole ecosystems, rather than arbitrary political boundaries, provides an opportunity for decision makers at all levels to coordinate their activities, reduce duplication of efforts, minimize conflicts, maximize limited resources, and also promote a sense of stewardship among government, private interests, and the public by encouraging a shared feeling of connection to a specific area. In this context, ROC will play significant roles in order to solve various problems of regional level.

**3) Strengthening Federal Agency Structure:** In 1969, the Stratton Commission called for the establishment of a major new independent agency to administer the nation's civil marine and atmospheric programs. Around the same time, the President's Advisory Council on Executive Reorganization (known as the Ash Council) made recommendations for more effective management of all federal programs and agencies. Based on the advice from these two groups, the Nixon Administration planned to create an ocean and atmospheric agency and place it in a new Department of Natural Resources, in which the U. S. Department of the Interior (DOI) and several other agencies were identified as key elements. However, in 1970 the administration decided, largely for political reasons, to establish the National Oceanic and Atmospheric Administration (NOAA) as an agency within the U. S. Department of Commerce (DOC).

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\* For example,

- the declining health of the Chesapeake Bay triggered a significant initiative by federal agencies, state and local governments, nongovernmental organizations, and other stakeholders to address the region's water quality and living resource problems.
- In the Pacific Northwest, a similar mix of governmental and nongovernmental entities came together to address endangered salmon stocks.
- Efforts to address the growing hypoxic zone in the Gulf of Mexico brought together several Gulf states, as well as states throughout the Mississippi River Basin.
- Water quality and quantity issues spurred the development of multiple regional initiatives among Great Lakes states and Canadian provinces.
- The U. S. and Canada are also partners in area wide efforts to enhance environment quality in the Gulf of Maine.
- U. S. island states and territories are collaborating to develop strategies to protect and preserve coral reef ecosystems and address impacts due to climate change.

〈Table 3〉 Thirty Years(1971–2001) of Proposals to Reorganize Federal Management of Ocean and Coastal Resources

Type	Proposals
proposals for a Department of Natural Resources	<ul style="list-style-type: none"> <li>▶ Ash Council proposal (1971)</li> <li>▶ Moss proposal (1973)</li> <li>▶ Dingle proposal (1973)</li> <li>▶ Holifield proposal (1973)</li> <li>▶ McDade proposal (1974)</li> <li>▶ Tunney proposal (1975)</li> <li>▶ Ribicoff proposal (1976)</li> <li>▶ Hollings proposal (1976)</li> <li>▶ Percy proposal (1977)</li> <li>▶ Brooke proposal (1977)</li> <li>▶ President Carter's Reorganization proposal (1978)</li> </ul>
proposals for an independent NOAA	<ul style="list-style-type: none"> <li>▶ National Advisory Committee on Oceans and Atmosphere (advisory to NOAA) (1971-87)</li> <li>▶ Scheuer proposal (1983)</li> <li>▶ Forsythe proposal (1983)</li> <li>▶ Weicker proposal (1987)</li> <li>▶ Lowry proposal (1988)</li> <li>▶ Abraham proposal (1995, 1997)</li> <li>▶ Royce proposal (1997, 1999)</li> </ul>
proposals to move NOAA into a different* Department	<ul style="list-style-type: none"> <li>▶ Unsoeld proposal (1993) (*Dept. of Interior)</li> <li>▶ Chrysler proposal (1995) (*other existing agencies)</li> <li>▶ Royce proposal (1997) (*other existing agencies)</li> <li>▶ Young proposal (1998) (*Dept. of Interior)</li> </ul>

\* source: U. S. Commission on Ocean Policy (2004), 「An Ocean Blueprint for the 21st Century」, pp. 81-84.

Since that time, members of congress have introduced many reorganization proposals to improve federal management generally or specifically. Proposals in the 1970s called for putting NOAA within a broader Department of Natural Resources, while a mix of proposals during the 1980s and 1990s would have either established an independent NOAA or moved parts of the agency to a different department. In the end, largely because of the political complexity associated with any reorganization of executive branch agencies, none of the proposals to reorganize or

relocate NOAA was adopted.

Despite past failures to reorganize ocean and coastal programs, the concept of combining federal programs with similar functions remains under active consideration. For example, in its 2003 report, the National Commission on the Public Service (known as the Volcker Commission) concluded that the historical phenomenon of governmental expansion on an issue-by-issue basis has resulted in a "virtually unmanageable tangle of government activities" that negatively affects program performance. That commission emphasized the need to reorganize the federal government "into a limited number of mission-related executive departments.

In this context, alternative strengthening federal ocean agency structure is followed to strengthen ocean-relative responsibilities and to consolidate federal ocean programs. However, because of the complexity of the USA's political process, nobody surely know whether or not that alternative will accept.

## V. Conclusion

While the U. S. has made great strides in certain sectors of ocean policy, overall, the separate parts of the policy don't fit well together. This syndrome of being "less than the sum of its parts" is rooted, in large part, in structural problems in the ocean governance regime and fragmented single-purpose ocean laws. The U. S. need mechanisms coordinating problems among users, among agencies, and between different levels of government over the use of ocean resources and space, and problems in intergovernmental relations on ocean issues among federal, state, and local governments, with little real sharing of decision making and of revenues. The challenge that the U. S. faces today and for future is moving from this "first-generation" system of ocean governance -single-use and resource-based- to a "second generation" based on the notion of multiple-use management within designated ocean areas.

Recommendations of the U. S. Commission on Ocean Policy which suggested in response with these problems of the current USA's current governance were a timely measure and significant proposal. Although I don't know that it is rejected or changed owing to the U. S. political process in the future, the contents of

policy alternative which suggested in order to solve problems of current U. S. ocean governance system will be very precious and valuable. Of course, in case of the Korea which has been building the integrated maritime administrative system since 1996 establishing the Ministry of Ocean and Fisheries, I am sure that many alternatives analyzing and prescribing in the reforming process of the U. S. ocean governance will also be utilized well for reforming the Korean ocean governance in the future.

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