

**WRITTEN TESTIMONY OF
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**LEGISLATIVE HEARING ON
H.R. 21, THE *OCEAN CONSERVATION, EDUCATION, AND
NATIONAL STRATEGY FOR THE 21ST CENTURY ACT***

**BEFORE THE
SUBCOMMITTEE ON INSULAR AFFAIRS, OCEANS, AND WILDLIFE
COMMITTEE ON NATURAL RESOURCES
U.S. HOUSE OF REPRESENTATIVES**

June 18, 2009

Good morning Chairwoman Bordallo, Congressman Brown, and Members of the Committee. I am Monica Medina, Senior Advisor to the Under Secretary of Commerce for Oceans and Atmosphere. Thank you for the opportunity to testify before you today on H.R. 21, the *Ocean Conservation, Education, and National Strategy for the 21st Century Act*. NOAA appreciates the continued efforts of the bill's sponsors, the Members of this Committee, and Members of the Committee on Science and Technology, to take action to improve the management and conservation of our oceans and strengthen the National Oceanic and Atmospheric Administration (NOAA). It is clear that one of the catalysts for this bill was the significant work undertaken by the U.S. Commission on Ocean Policy and the Pew Oceans Commission to evaluate our current approach to the management of ocean resources. The recommendations of these two Commissions and, more recently the Joint Ocean Commission Initiative, all point to the need for action on many levels to address the competing uses and ecological challenges facing our oceans. The time has come for Congress and the Administration to provide for the management of ocean and coastal resources so that they can be sustainably used and enjoyed by future generations.

H.R. 21

The Administration strongly supports the intent of H.R. 21, to establish a national policy for our oceans, to strengthen the National Oceanic and Atmospheric Administration, and to support regional ocean governance. Additionally, the Administration supports many of the broad principles reflected in this bill – such as the management of ocean resources through ecosystem-based approaches, the importance of engaging our partners, and the need for open and transparent processes for decision-making. These very issues are currently receiving significant attention from the Administration.

Title I – National Ocean Governance

It is clear that there is a growing need for an overarching national ocean policy, and a mechanism for coordination among federal agencies to ensure comprehensive management of our ocean and coastal resources. As the U.S. Commission on Ocean Policy noted, eleven of the fifteen cabinet-level departments and four independent agencies play important roles in the development of ocean policy, and improved communication and coordination would greatly enhance the effectiveness of the nation's ocean policy (USCOP, *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC, 2004, page 5). In that regard, the Administration has recently taken a significant step to achieve these purposes, through a Presidential Memorandum issued on June 12, 2009.

In the Memorandum, President Obama recognized the challenges facing our oceans and proclaimed that “[w]e have a stewardship responsibility to maintain healthy, resilient, and sustainable oceans, coasts and Great Lakes resources for the benefit of this and future generations.” He established an Interagency Ocean Policy Task Force, led by the Chair of the Council on Environmental Quality, to undertake several tasks within the next six months. Specifically the Task Force was charged with developing a recommended national policy for our oceans, coasts and the Great Lakes. The President's objectives for the development of a national policy are consistent with those enumerated in Title I of the bill. In addition, the Task Force was directed to develop recommendations on a framework for policy coordination to improve stewardship of the oceans, our coasts, and the Great Lakes, including specific recommendations to improve collaboration among Federal, State, tribal, and local authorities. The President also charged the Task Force with recommending a set of objectives the United States should pursue to further a national ocean policy. Finally, the President charged the Task Force with developing a recommended framework for coastal and marine spatial planning. We look forward to working with the bill's sponsors and the Committee throughout this process, including having the benefit of the Task Force's recommendations prior to any final action on what the governance structure should look like.

It is clear our oceans need attention and with two branches of our government moving forward, we will ensure that our nation will finally have a comprehensive approach to how we maintain the health of our ocean ecosystems and resources for current and future generations. The Administration looks forward to working with the bill's sponsors and the Committee throughout this process to address any inconsistencies in our approaches.

Title II – National Oceanic and Atmospheric Administration Act

The U.S. Commission on Ocean Policy and the Joint Ocean Commission Initiative both stated their strong support for the passage of a NOAA Organic Act to unify the myriad of authorities and codify the programs and establishment of the agency, which was created by President Nixon in Reorganization Plan No. 4 of 1970 (5 U.S.C. App.). As the U.S. Commission on Ocean Policy noted, NOAA is the nation's primary ocean agency and the establishment of an organic act would ensure the agency can be strengthened to function as the strong, effective, science-based and service-oriented agency the nation needs to further management of oceans and coasts through an ecosystem-based approach (USCOP, *An Ocean Blueprint for the 21st Century*. Final Report. Washington, DC, 2004, page 10).

We believe NOAA would be strengthened by an organic act to combine and synthesize the comprehensive set of authorities for the agency, which now reside in over two hundred separate statutes. By creating in one place a complete set of the authorities fundamental to NOAA's work, an organic act would provide the government a new mandate for NOAA's activities and at the same time would maximize the agency's focus on its core missions.

At the same time, given its varied missions and responsibilities, the Administration believes it would be best to have a basic structure for the agency established by statute without too much specificity as to its internal organizational composition. This will enable the agency to adapt its organization to be more integrated, regionally-focused, and responsive to public demands for its services.

Title III – Regional Coordination and Planning

H.R. 21 instructs NOAA and the other appropriate states to establish nine Regional Ocean Partnerships comprised of federal, state, tribal, international, Regional Fisheries Management Council, and local government representatives. These partnerships are required to conduct an assessment of their ocean regions, and develop a strategic plan for adaptive, ecosystem-based management of U.S. ocean waters, coastal waters, and ocean resources. The Administration supports regional collaboration and continued movement towards ecosystem-based management approaches.

In addition to supporting the efforts of current regional collaborative partnerships, in the last several years NOAA has focused on expanding upon existing regional coordination and communication efforts with a shift toward regional collaboration. The purpose of regional collaboration is to improve the effectiveness and coordination of the various federal agencies working on coastal and marine resource management issues, using existing authorities and accountability structures. This effort, which has not entailed any changes to NOAA's organizational structure, focuses on integrating program activities to address federal and state priorities at both the national and regional scales. Our goal is to identify and apply NOAA's full range of capabilities, within and across regions, to design the best, geographically specific solutions for customers.

The Administration recognizes that regional entities are most effective in identifying and communicating needs at the regional, state and local levels, and are uniquely motivated to focus their energy on the areas of greatest need to provide appropriate stewardship of regional resources. Through existing authorities, the Administration currently supports a number of regional collaborative partnerships, including the West Coast Governors' Partnership for Healthy Oceans, Northeast Regional Ocean Council, Gulf of Mexico Alliance, and Great Lakes Regional Collaboration. In addition to these, the Administration looks forward to supporting the recently established Mid-Atlantic Regional Council on the Ocean. Rather than have NOAA and the States start over, a more effective approach might be to authorize the Federal agencies with ocean- and coastal-related responsibilities to continue to participate in and provide support for the existing partnerships. The review of our ocean governance structure ordered by the President will include these regional partnerships, and will provide recommendations on how to most

effectively coordinate the Federal participation. The Administration recognizes the importance of building on these existing regional collaborative partnerships.

Title IV – Authorization of Appropriations and Establishment of Trust Fund

H.R. 21 would provide authorization for significant new funding for ocean conservation efforts. The Administration will continue to find ways to partner more effectively with our state, tribal, and local partners so the significant federal and non-federal resources that are already devoted to ocean and coastal issues are used more efficiently and produce better outcomes. The Administration would like to work with the Subcommittee on technical improvements to Title IV.

Thank you very much for the opportunity to provide testimony on H.R. 21. The Administration looks forward to working with you as this bill continues to move through the legislative process, and would be happy to provide recommendations for technical improvements in the bill.